

LEIDEN STUDIES IN  
ISLAM & SOCIETY

# Authority and Control in the Countryside

*From Antiquity to Islam in the Mediterranean  
and Near East (6th-10th Century)*

*Edited by Alain Delattre,  
Marie Legendre and Petra Sijpesteijn*



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## Authority and Control in the Countryside

# Leiden Studies in Islam and Society

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# Contents

Acknowledgements IX  
Figures and Tables XI  
Notes on Contributors XIII  
Notes on Transliteration, Names and Dates XVIII

Introduction 1

*Petra M. Sijpesteijn, Marie Legendre and Alain Delattre*

## PART 1

### *A Question of Sources*

- 1 New Governors Identified in Arabic Papyri 13  
*Khaled Younes*
- 2 “I’ll Not Accept Aid from a *mushrik*”  
*Rural Space, Persuasive Authority, and Religious Difference in Three  
Prophetic ḥadīths* 44  
*Luke Yarbrough*

## PART 2

### *Territoriality*

- 3 The Rural Hinterland of the Visigothic Capitals of Toledo and  
Reccopolis, between the Years 400–800 CE 97  
*Javier Martínez Jiménez*
- 4 Authority and Control in the Interior of Asia Minor, Seventh–Ninth  
Centuries 128  
*James Howard-Johnston*
- 5 Church Building in the Ṭur ‘Abdin in the First Centuries of the Islamic  
Rule 176  
*Elif Keser-Kayaalp*

- 6 Les aménagements agricoles dans les Marges arides de Syrie du Nord  
(5<sup>e</sup>–10<sup>e</sup> siècles)  
*Des témoins des modalités d'appropriation et d'exploitation des  
campagnes* 210  
*Marion Rivoal and Marie-Odile Rousset*
- 7 The Ghāzī Movement  
*Performative Religious Identity on the Byzantine-Islamic Frontier* 265  
*Jessica L. Ehinger*
- 8 The Coming of Islam to Balkh 284  
*Arezou Azad and Hugh Kennedy*

### PART 3

#### *Land Use and Resources*

- 9 Contrôle et exploitation des campagnes en Sicile  
*Le rôle du grand domaine et son évolution du VI<sup>e</sup> siècle au XI<sup>e</sup> siècle* 313  
*Annliese Nef and Vivien Prigent*
- 10 *Murtaba' al-jund et manzil al-qabā'il*  
*Pénétration militaire et installation tribale dans la campagne égyptienne  
au premier siècle de l'Islam* 367  
*Sobhi Bouderbala*
- 11 Landowners, Caliphs and State Policy over Landholdings in the Egyptian  
Countryside  
*Theory and Practice* 392  
*Marie Legendre*
- 12 Monastic Control over Agriculture and Farming  
*New Evidence from the Egyptian Monastery of Apa Apollo at Bawit  
Concerning the Payment of APARCHE* 420  
*Gesa Schenke*

- 13 Caliphal Estates and Properties around Medina in the Umayyad Period 432  
*Harry Munt*
- 14 Land Tenure, Land Tax and Social Conflictuality in Iraq from the Late Sasanian to the Early Islamic Period (Fifth to Ninth Centuries CE) 464  
*Michele Campopiano*
- 15 Land Reclamation and Irrigation Programs in Early Islamic Southern Mesopotamia  
*Self-Enrichment vs. State Control* 500  
*Peter Verkinderen*

**PART 4**

***Local Rule and Networks***

- 16 Checkpoints, sauf-conduits et contrôle de la population en Égypte au début du VIII<sup>e</sup> siècle 531  
*Alain Delattre*
- 17 Policing, Punishing and Prisons in the Early Islamic Egyptian Countryside (640–850 CE) 547  
*Petra M. Sijpesteijn*
- Index 589



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The publications that result from this project aim to offer a full and focused approach, filling numerous lacunas in our knowledge of this period. “Late Antiquity and Early Islam in the Mediterranean and Near East (500–900 CE)” was part of the Internationalisation Humanities programme, sponsored by the Netherlands Organisation for Scientific Research (NWO) with additional funding provided by the partners Leiden University, Oxford University, Princeton University and the Paris-based UMR 8167.

This first meeting, entitled Authority and Control in the Countryside, took place in September 2010 at Leiden University. The papers as published here are the result of ongoing discussion and exchange since that conference and the authors have continued to update their work and references during the editorial process. Subsequent meetings took place in Oxford (2011) on the topic of “Minorities: legal, cultural and economic perspectives” and in Paris (2012) where we looked at “Legitimacy and legitimization of political authority 6th–10th century.” The project has resulted already in one other publication edited by Robert G. Hoyland which has appeared under the title: *The late Antique World of Early Islam: Muslims among Christians and Jews in the East Mediterranean* (Princeton: Darwin Press, 2015).

We would like to thank the academic institutions and museums that have provided the images that accompany the articles. A list of illustrations is provided in the front matter. We are grateful to the series editors as well as the anonymous readers for their helpful remarks on earlier versions of the articles. Nazreen Sahebali, Nienke van Heek and Nynke van der Veldt from Leiden University deserve special mention for their assistance during the editorial process. We would like to thank the Leiden University Center for the Study of Islam and Society (LUCIS) and the Leiden Institute for Area Studies (LIAS) for making this assistance available. We would also like to thank LUCIS for sponsoring the open access format in which this volume appears next to its printed form. As our Brill editor, Teddi Dols has offered unfaltering encouragement throughout the publication process for which we are especially thankful.

Leiden, October 2018

# Figures and Tables

## Figures

- 1.1 *P.Ryl.Arab* B II 10 recto 41
- 1.2 *P.UCL* Petrie Ars. inv. 60 42
- 1.3 *P.CTYBR.* inv. 2733 43
- 2.1 A well-armed squadron of Jews 54
- 2.2 The *mushrik* of Badr 56
- 2.3 The rejection of Khubayb 61
- 3.1 Map of Madrid and the surrounding provinces, showing the distribution of late Antique settlements, highlighting those mentioned in the text. 99
- 3.2 Plan of the excavations at the site of El Pelicano (Arroyomolinos), in its sixth–seventh century phase, showing the disperse settlement along the river away from the original Roman settlement, marking out the land plots and the communal spaces. 103
- 3.3 Plan of the site of Gózquez de Arriba (San Martín de la Vega) showing the core settlement in the east and the necropolis to the west. 105
- 3.4 Plan of the excavations of Reccopolis 108
- 3.5 Plan of the site of Navalvillar, in Colmenar Viejo 111
- 4.1 Map of Asia Minor 129
- 4.2 Map of Asia Minor 130
- 5.1 Map of the Tur ‘Abdin 177
- 5.2 Plans of Mor ‘Azozoyēl at Kafarzē, Mor Ya‘qub at Šālah, *Yoldat Āloho* at Ḥāḥ 185
- 5.3 Nave of the Church of Mor Yuhannon at Qēllet 188
- 5.4 Apse sculpture of the Church of *Yoldat Āloho* at Ḥāḥ 191
- 5.5 Vault of Mor Ya‘qub at Šālah 194
- 5.6 Upper structure of the Church of *Yoldat Āloho* at Ḥāḥ 198
- 6.1 Carte générale de la région des Marges arides et des massifs basaltiques 214
- 6.2 Le parcellaire lanieré dans la région de Samaqiyya al-Shamāliyya 216
- 6.3 Réseau agraire orthogonal et parcellaire au nord-ouest de Nawa 217
- 6.4 Mise en valeur autour du village de Rasm al-Ḥajal 221
- 6.5 Le grand enclos de ‘Ithriyā 227
- 6.6 Changement de parcellaire à l’ouest de Umm Zahmak 231
- 6.7 Carte générale des ouvrages hydrauliques dans les Marges arides et sites prospectés 234
- 6.8 Les galeries drainantes de la zone centrale 237
- 6.9 Débouché de la Qanāt al-Zbīb et site de Wādī al-Zbīb 2 239



- 6.10 Répartition des citernes dans la région de Rasm Ja‘ār 254  
 15.1 The main canals on the West bank of the Dijla l-‘Awra’ 509

### Tables

- 2.1 A well-armed squadron of Jews 55  
 2.2 The *mushrik* of Badr 57  
 2.3 The rejection of Khubayb 62  
 15.1 Legal status of lands in as-Sawād 505

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## Notes on Transliteration, Names and Dates

The transliteration of Arabic and Persian words and phrases follows the system used in the *International Journal of Middle East Studies* (IJMES) ([https://ijmes.chass.ncsu.edu/IJMES\\_Translation\\_and\\_Transliteration\\_Guide.htm](https://ijmes.chass.ncsu.edu/IJMES_Translation_and_Transliteration_Guide.htm)), with some adjustments. Unlike the IJMES guidelines in historical contexts Arabic and Persian personal and place names are transliterated according to their medieval forms, except for very common place names such as Alexandria (not al-Iskandariyya) or Damascus (not al-Dimashq). Greek, Coptic or Latin names of places are added to the Arabic names when relevant. When no Arabic equivalent is known for a place, only the Greek, Coptic or Latin is mentioned. In other words not always are the Greek and Coptic equivalents of Arabic toponyms provided. Modern place names are only mentioned when referring to the modern location, for example in reports on finding places or archaeological activities. Coptic personal names are transliterated according to their medieval Coptic spelling (e.g. Biqṭur not Buqṭur).

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

# Introduction

*Petra M. Sijpesteijn, Marie Legendre and Alain Delattre*

Empire Studies and other scholarly fields have greatly advanced our insights into the functioning of macro political structures and their ways of controlling vast geographical areas and populations. An important observation has been that (the threat of) physical violence and force, however important in specific instances, do not sufficiently explain the establishment and maintenance of long-term and stable political and social entities. Especially pre-modern authorities were only capable to coerce individuals into hierarchical structures and to oblige them to certain behaviours in a limited way and for a restricted period. Compelling *and* convincing or seducing together are needed to have individuals participate and obey successfully in society – in other words, these two mechanisms are two sides of the same coin reference for the whole first part of this paragraph? Of these two sides, exercising control and the implementation of power and hierarchical arrangements are realised through formal institutions and infrastructures, such as the law, army, administration, prisons and garrisons, but they can also be the result of informal pressures through economic and social instruments. Seduction takes place by establishing loyalty and social inclusion through official arrangements and informal networks, but is also achieved by cultural projects such as the building of monuments, and literary and scholarly activities at the central and local courts.

This volume explores the different ways in which control was established outside urban settlements in the late Antique and early Islamic world. From military movements to agricultural economic policy and settlement patterns; from religious architecture to debates amongst scholars, the papers in this volume focus on the different mechanisms authorities had at their disposal to achieve control and implement a power structure over the countryside but look also at how local actors operated within these mechanisms. This introduction will highlight four overarching themes and one methodological point that run throughout the volume.

Most chapters presented here highlight one specific element or mechanism through which rulers as well as their subjects were able to extend their power base in political-military, economic and cultural terms in a specific spatial and temporal context. This allows for an examination of the interaction between rulers and subjects and how power relations were established and the relation between formal and informal networks connecting different groups and initiatives in society both vertically and horizontally. Extending chronologically



from the late antique period into early Islamic history, as well as geographically from Spain into Arabia and nowadays Afghanistan, the volume explicitly aims to use comparative perspectives to understand how these dynamics played out in different periods and places.

Many of the cases described operated simultaneously at multiple actual and symbolic levels, combining formal and informal mechanisms and associations, and by appealing to different sentiments and groups at the same time. The yearly spring grazing (*murtaba*) of horses and other riding animals belonging to the soldiers in the Arab army as discussed by Sobhi Bouderbala for example, although taking place in a limited geographical area, for a definite period and a specific purpose, also functioned symbolically because of its regular occurrence – the grazers returned every year – and its clear military connotations – it preceded the raiding season, strengthening the animals for a summer of battles – which transcended the grazing grounds, the province of Egypt and even the frontiers of the Muslim Empire. By demanding conversion to join the Muslim enterprise second/eighth-century Medinese scholars rhetorically appropriated rural spaces, but also expanded their presence in a real sense through the manifestation of adherents, thus creating formal and informal control mechanisms for inter-religious interaction as Luke Yarborough shows. Elif Keser-Kayaalp discusses how restrictions on the Syrian orthodox community imposed by the Byzantines, were lifted in the early Arab state resulting in the physical taking possession of the rural space through experiments with architecturally innovative styles in church buildings leading in turn to a greater symbolic and moral presence of the Syrian orthodox community in the countryside. Another example is offered by Harry Munt. Control over wells and the responsibility for the water supply systems in Medina was on the one hand a way to economic power by providing access to important sources of agricultural wealth, while at the same time possessing strong moral and religious prestige. Through the granting of the privilege to distribute the water in Medina the authorities privileged certain families and groups, while on the other hand competition could result in changes in local power constellations which were then confirmed by central authorities. In all, this volume reveals the multiple processes, top-down and bottom-up, in the establishment of economic, social, religious and political power structures in the countryside.

The volume is divided into four sections, the topic of which are also overarching themes that can be drawn between several contributions.

## 1 A Question of Sources

An important point made by this volume is how the combination of different genres and layers of sources leads to the formation of new historical narratives. Especially significant hereby is the multiple viewpoint thus created: various ruling authorities at each hierarchical level interacting with local entities communicating and negotiating up and down the power structures that held them in place.

In this way documentary and narrative sources are used complementarily in the papers by Khaled Younes, Marie Legendre, Petra Sijpesteijn, Alain Delattre and Sobhi Bouderbala. While their work, concentrating on Egypt allows for the combination of papyri and narratives, other areas offer rich archaeological sources which, in combination with literary texts offer similar layered historical reconstructions, as shown in the contribution of James Howard-Johnson, Javier Martínez, Arezou Azad and Hugh Kennedy. This comes out well also in the contribution by Annliese Nef and Vivien Prigent where coins form the documentary record.

Documentary sources can in fact show great geographical variation even within one province as Gesa Schenke's contribution shows. Similarly, Marie-Odile Rousset and Marion Rivoal's detailed reconstruction of settlement patterns in northern Syria shows the diversity of agricultural activities and the adaptation to local resources depending on local environmental conditions. Agrarian landscape and hydraulic systems were set up by a strong power: city of Chalcis ad Belum, imperial domains or tribal territories.

## 2 Territoriality

Documents and other written sources also functioned themselves as a tool for control, recording, but also overseeing and directing movements of groups and individuals. Arab troops in Egypt received documents informing them what village they were to take provisions from, as Sobhi Bouderbala discusses, by which the central state extended its control over the movement of the soldiers. The fiscal authorities aimed at controlling the movement of people as well by providing documentary records of tax payments which could be shown upon request by the authorities. Alain Delattre presents safe-conducts and other documents recording the movement of individual tax-payers in a very limited area in Upper Egypt suggesting (the aftermath of) a period of unrest. Petra Sijpesteijn on the other hand discusses how the failure to pay taxes timely or to present proof of having done so could result in an – albeit temporarily – seizing

of movement all together through imprisonment. Orders for the arrest or punishment of transgressors enable us to reconstruct the channels and manners of written communication in this process.

Through the use of proxies and representatives the authorities' power extended also over areas where their physical presence was limited or even absent. Before Arab-Muslims moved into the Central-Asian city of Balkh, they exercised control over the area through military-administrative impositions as Arezou Azad and Hugh Kennedy discuss. The process of Islamicization, which had an impact long before conversion became a significant movement, is an important factor here as well as they show. Marie Legendre's discussion of caliphal properties in Egypt also shows how the ruling elite could extend very real control over remote provinces without being there. Khaled Younes infers from the presence of documents in the Egyptian countryside that mention the province's governors not that those were necessarily physically present in the different localities where they left a documentary trace, but rather that their symbolic presence ranged far beyond the capital Fustat.

Imposing control was naturally also achieved through the imposition of military structures, fortresses, towers, walls and the presence of troops, in the form of garrisons, guards and checkpoints. The safe-conducts, presented by Delattre, which were carried around in Upper-Egypt showing a very limited geographical horizon indicate that such checkpoints must, at times, have been rather frequent and omnipresent. As James Howard-Johnston shows, the survival of the Byzantine Anatolian hinterland was achieved through a careful central division of resources by the state. This enabled certain settlements to build sufficient defence systems against the Arab armies, while others, sometimes because they were sufficiently deeply located in Byzantine terrain, were left as they were. Also in Visigothic Spain, as Javier Martínez demonstrates in his paper, the fate of the state determined the degree to which urban centres remained viable. The difference being that in the Visigothic case local urban elites channelled resources and power to the cities and hinterland where they held properties through their involvement in the political centre, while in the Byzantine case, the state handed out resources directly to the cities.

Beyond military reinforcements, the built environment formed an important stage to represent the central power in a more symbolic manner. Elif Keser-Kayaalp shows the architectural experimentation in the Syrian Orthodox churches, illustrating the changed position of the Syrian orthodox community vis-à-vis the ruling powers in the early Muslim empire. The Arab authorities' presence was indirectly visible through the more prominent position of this Christian community in the countryside. The built structures that facilitated the agricultural exploitation of the Syrian countryside can be connected to the

administrative-political organisation in the area and related economic activities as Marion Rivoal and Marie-Odile Rousset discuss. When Sasanian political powers no longer organised the keep-up of the dams in Iraq, disastrous floods resulted which significantly helped the Arab conquering armies in their efforts as Peter Verkinderen shows. The responsibility of the construction of dams and water ways was also used around Medina to determine power relations between local and central players as discussed by Harry Munt.

The physical taking control of land and property for economic exploitation was another obvious way to impose direct control over the countryside. Regime change resulted, albeit most often not directly, in a redistribution of property creating a new land-holding elite. Similarly, the economic and social power that extended from landed properties were used to further political goals. In this sense, changes in agricultural property holding patterns indicate the formation of new power constellations. In Umayyad Medina, where the importance of having a foothold in the heartland of Islam was combined with economic interests, members of the ruling families competed for landed properties, even if they were themselves physically not present in Arabia as Harry Munt discusses. Economic and political motives also lay behind the changes in land ownership in Sasanian and Arab Iraq as Michele Compapiano discusses.

That the taking control of lands and property had repercussions in theoretical discussions and vice versa, comes out well in several papers in this volume. The hadiths that Luke Yarborough discusses limited non-Muslim participation in the *umma* by prohibiting non-Muslim-Muslim military interaction while setting the discussion in a rural context. Jessica Ehinger shows how Muslim theology supported political and economic moves to take control of new land. In other words these debates reflect a competition between the long arm of the urban ecclesiastical centres and the right to act independently amongst rural priests, or between city-based religious-legal scholars and individual believers residing in and outside the cities. Urban centres with their dominant religious institutions exercised of course also control in a very real sense into their rural hinterland drawing believers in for religious festivals and authorised ritual celebrations, offering sanctified support to rural religious centres and forces, although religious establishments in the countryside, especially monasteries, shrines and other holy sites could form a competing power as well.

### 3 Land Use and Resources

As is clear from the discussion about land ownership in the previous section, access to resources was a major concern in the countryside. Economic and

symbolic power offered parties opportunities to extend their position. By the same token, extending the privilege to access resources was a powerful tool to exercise control over individuals and groups. By offering rights of entry and property or access to the land and its resources, authorities and individuals could execute great direct power, build support and create loyalties.

The competition over (control of) access to such resources is discussed in different context, from the highest social layers for example in the contention between local land-holding elites and the Umayyad ruling family over estates around Medina as discussed by Harry Munt. The provincial governor negotiated with local tax collectors for the rights to calculate and impose, collect and check the fiscal income from land, by far the largest source of income in the pre-modern period as Khaled Younes argues. At the local level, such as that of lands belonging to Egyptian monasteries, the rivalry for access and control over agricultural resources comes out as Gesa Schenke shows by having only monks work those lands.

Taxation was one terrain where these different dynamics played out. The privilege to raise taxes on lands or activities was used to bind groups and individuals to the administration. At the same time, competition over fiscal income and debates about the share of the taxes raised on the land were to be forwarded through the different administrative layers from village headmen and representatives at the community level, to regional officials, district overseers, provincial governors and the heads of state or central courts continued. Discussion over the role of tax-collectors and other financial officials, as well as the rights and responsibilities of land-owners and heads of communities as shown in Michele Campopiano's contribution.

The intake of a share of the income raised on the land could be organised differently. Direct control through the appointment of government, "salaried," interchangeable officials could be combined with the use of inherited posts held by land-holders themselves. In some sources of the Abbasid period, all land was considered to belong to the Muslim state, with taxes being interpreted as rents paid on lands not in possession of those working it. Sasanian great land-holders, as Michele Campopiano discusses, functioned as agents of the state, paying taxes as a form of rent. Such a construction is also considered to underlie landholding in early Muslim Egypt.<sup>1</sup> Conflicts could still arise over the division of surplus amongst the ruling elite as Khaled Younes shows in his discussion of competition between the two highest functions in the province: the governor

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1 Gladys Frantz-Murphy, *Arabic Agricultural Leases and Tax Receipts from Egypt 148–427 AH/75 Agricultural Leases and Tax Receipts from Egypt 148–427 AH/756–1035 AD*, Vienna: Brüder Hollinek 2001.

and financial official in charge of taxation. Similarly, the large land-owners that arose in fifth–sixth-century Persia witnessed revolts due to a perception of an unfair economic distribution writes Michele Campopiano.

When ‘Umar b. al-Khaṭṭāb (r. 634–644) took control over the lands which had been abandoned by the Sasanians and taken over by Arab tribesmen at the time of the conquest, returning them to Persian owners, he was not interested in restoring the rights of a dispossessed minority. He was also not rewarding the demands of local power holders who enforced such a transfer. As Peter Verkinderen discusses, ‘Umar could in this way on the one hand reward local power bases while at the same time create a new elite. In other words, the giving out of land grants was used to establish a new local elite loyal to the (generous) new rulers. Whether these grants were permanent transfers of ownership or temporary rental contracts is not clear. Local investors could also gain access to lands by offering to develop them. Low tax-rates stimulated such investments in Egypt (*baqt*) and Persia (*ushr*). These “gifts” were thus not entirely unconditional, coming with the obligation of up-keep and development of the land, organising the tax-collection, possibly only for a limited period of time. In Umayyad Egypt, it is clear, these conditions were not unanimously considered an economic attractive proposition as the imposed responsibility to develop lands as a kind of civil obligation or *corvée* labour is recorded in documents.<sup>2</sup> When the Sasanian state stopped investing in the up-keep of Iraqi waterworks local land-lords only took over this responsibility in a limited way with disastrous results for the agricultural infrastructure in Mesopotamia as Peter Verkinderen discusses. Similarly, the granting of lands and privileges to churches and religious communities came with explicit or implicit conditions of loyalty and support as Elif Keser-Kayaalp shows.

The form that taxes were collected in, whether in coin or kind, allowed for speculation on the side of the tax-collectors and land-owners.<sup>3</sup> Harry Munt and Michele Campopiano show how land-owners were able to make a profit by keeping taxes paid in kind by their land-holders until prices rose or by trading the goods on distant markets which required large-scale cash investments. Similarly, the manner in which Arab troops were paid, via cash (i.e. stipends from taxes gathered centrally) distributions by the state, in the form of land-ownership as discussed by Michele Campopiano, or by giving soldiers the right

2 Federico Morelli, “Agri deserti (mawât), fuggitivi, fisco: una κλήρωσις in più in SPP VIII 1183,” *Zeitschrift für Papyrologie und Epigraphik* 129 (2000), 167–178.

3 See also the discussion of this very important tool in the hands of land-owners and authorities in Peter Brown, *Through the Eye of the Needle: Wealth, the Fall of Rome and the Making of Christianity in the West, 350–550 A.D.* Princeton: Princeton University Press 2012, 13–14.

to collect their own salaries in the countryside as discussed by Sobhi Bouderbala shows how the dynamics between a kind and cash economy was exploited. The relation between these approaches changed with political and economic developments and was related to legal and theological debates. In many of the papers (see for example the contributions by Marie Legendre, Michele Campopiano, Harry Munt and Annliese Nef and Vivien Prigent) a direct relation between patterns of land ownership and political history is clear.

#### 4 Local Rule and Networks

Control can be exercised in different ways, militarily as discussed in the papers of James Howard-Johnston and Sobhi Bouderbala, for Byzantine Anatolia and the Egyptian countryside respectively, by police forces and punitive institutions as presented by Petra Sijpesteijn and through the use of checkpoints as shown by Alain Delattre. Pressure on how the rural landscape should be organised could also be imposed in theological and legal debates. Prophetic hadiths were used by Medinan scholars and rulers who wanted to demarcate clearer between Muslims and non-Muslims as Luke Yarbrough shows. Jessica Ehinger provides insights into the moral considerations of rulers and scholars in the early Muslim empire.

Social and political unrest could result in increased control, as in the case of Alain Delattre's very localised safe-conducts, but also allow for greater freedom. The period between the Arab conquest of Syria and the consolidation of Arab power in the ninth century saw little central control over (Syrian orthodox) churches and Christian communities allowing them much liberty in building and other activities which only seized when Arab central power was able and willing to impose control again as Elif Keser-Kayaalp shows. At the same time, periods of conquest and regime change obviously effected the ambitions and means of control available. Different concerns – safety of goods and people, political survival, the quick and 'easy' extraction of money in the form of tribute or taxes to finance the military efforts – prevailed.

The responsibility for the maintenance and upkeep of public services, the investment in public works, especially those concerning agricultural activities – drainage of swamps, building of dams and irrigation works – was sometimes organised and paid out of central funds, sometimes it fell under the responsibility of local land-lords. The disastrous case of the failing Sasanian canal system when the authorities stopped organising and paying for its upkeep has already been discussed as has the (imposed) responsibility of Egyptian and Iraqi land-holders to invest in the agricultural infrastructure of their lands. On

the other hand, the control over water providing services could be considered very prestigious and was fiercely fought over as in the case of the Medinese wells and other ways of access to water as Harry Munt shows. That Medina formed a special case when it comes to the access of landed property and everything that is associated with comes also out clearly in the legal and theological debates presented by Luke Yarbrough.

Being able to control what happened in and on the land was another important consideration as this was of vital concern for security and economic reasons. Access to resources was the major motive for taking and keeping control of the land. The prestige associated with land ownership and possession was another obvious purpose for the additional power it offered. The degree to which the central and local authorities were able to determine and direct what happened in the countryside thus added in very real terms to their status but also functioned to build legitimisation for their rule. This applied to political authorities such as the caliph and emperor and his direct constituency, the provincial governor and local courts, but also to religious communities and local administrators. The paper of Luke Yarbrough shows that control over religious communities was as hotly debated as were the relative rights of local and central political-economic powers. Negotiating rights and responsibilities between groups, institutions and individuals were dynamic and interrelated processes whereby the taking and granting of privileges were not necessarily competing forces, but rather reflected a fluctuating dynamic on the axe of direct and indirect control, seduction and imposition, conviction and force, centralisation and decentralisation between the authorities and their dependents. This volume aims to show some of these dynamics at play in the late antique and early Muslim Mediterranean and Near East.

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**PART 1**

*A Question of Sources*





# New Governors Identified in Arabic Papyri

*Khaled Younes*

Historical accounts record ninety-eight governors who ruled Egypt successively under the caliphs of Medina, Damascus and Baghdad up to the time of Ibn ʿUthmān who established an independent dynasty in 254AH/868CE.<sup>1</sup> The large number of appointments suggests a complicated administrative machinery in early Islamic Egypt. This is particularly evident when we compare the literary accounts with early documentary evidence. The narrative accounts describe that the caliph appointed the governor simultaneously over *al-ṣalāh wa-l-kharāj*, i.e. the religious management of the Muslim community and the financial administration of the province. In other words, he stood at the head of the administrative hierarchy. His residence was in Fustāṭ and his jurisdiction extended over the whole province. The governor (Ar. *wālī* or *amīr*; Gr. *symoulos*) was in charge of maintaining law and order and of leading the prayers on Fridays in the great mosque in Fustāṭ, a duty he was fulfilling in the absence of the caliph.<sup>2</sup> However, according to al-Kindī's *Book of the Governors*, 'Anbasa b. Ishāq (in office 238–242/852–856) was the last governor to lead the prayer in the great mosque personally.<sup>3</sup> The governor was also directly responsible for the fiscal administration of the province. From late Umayyad times, however, a separate *ṣāhib al-kharāj* was appointed by the caliph.<sup>4</sup> This separate fiscal administration inevitably weakened the position of the governor since an important part of the province's administration was removed from his control.<sup>5</sup> Although the governor was again fulfilling both roles in the early

1 Stanley Lane-Poole, *History of Egypt in the Middle Ages* (London: Methuen, 1925), 24.

2 Hugh Kennedy, "Central Government and Provincial Élités in the Early 'Abbasid Caliphate," *Bulletin of the School of Oriental and African Studies* 44 (1981): 28; Hugh Kennedy, "Egypt as a Province in the Islamic Caliphate," in *The Cambridge History of Egypt 1: Islamic Egypt 640–1517*, ed. Carl Petry (Cambridge: Cambridge University Press, 1998), 65; Petra M. Sijpesteijn, "New Rule over Old Structures: Egypt after the Muslim Conquest," in *Regime Change in the Ancient Near East and Egypt: From Sargon of Agade to the Seljuks*, ed. Harriet Crawford (London: British Academy, 2007), 184; Clive Foss, "Egypt under Mu'āwiya, part 1: Flavius Papas and Upper Egypt," *Bulletin of the School of Oriental and African Studies* 72 (2009): 2.

3 Muḥammad b. Yūsuf al-Kindī, *Kitāb al-wulāt wa-kitāb al-quḍāt*, ed. Rhuvon Guest as: *The Governors and Judges of Egypt* (Leiden: Brill, 1912), 202.

4 Kennedy, "Central Government," 33.

5 Kennedy, 35.

‘Abbasid period, in 141/759 the governor Muḥammad b. al-Ash‘ath (in office 141–142/759–760) refused to give a guarantee for the required sum of taxes that was to be sent to the caliphal administration in Baghdad. The caliph al-Manṣūr (r. 136–158/754–775) then appointed Nawfal b. al-Furāt (in office 141–143/758–761) in charge of the fiscal administration. Thereafter the financial affairs of the province were run by separate officials again.<sup>6</sup> This, in turn, leads us to important questions about the division of authorities and duties between the two positions. Who was responsible for the actual management of the province and the appointment of officials at lower levels of the administration, the head of the treasury or the governor? Who was in charge of the security and stability of the province? We should bear in mind that, until the rise of the Tulunids, most of the rebellions and disturbances in the province were partly if not all tax-related. These questions can only be answered by comparing the available narrative sources with documentary evidence. This paper studies the authority of a number of persons attested in papyri whom the literary sources call financial directors. The discussed documents shed light on various aspects of the separation of power between the financial director and the governor. As we will see, some so-called financial directors may actually have been governors in practice.

The oldest and most reliable historian dealing with the administrative history of early Islamic Egypt is al-Kindī (d. 350/961), who listed all the governors of Egypt from the arrival of the Muslims in the province up to his own death date. Al-Kindī produced exact dates of appointment and dismissal, and also of entry and departure from Egypt for almost every single governor. He usually mentions whether the governor fulfilled both roles, i.e. including the fiscal administration, or was only appointed *‘alā al-ṣalāh*. Later historians such as al-Ṭabarī (d. 310/922), al-Jahshiyārī (d. 331/942), Ibn Taghrī Birdī (d. 874/1470) and al-Maqrīzī (d. 845/1442) relied mainly on al-Kindī’s accounts, in addition to some other sources including archival materials. Nevertheless, considerable discrepancies in dates and names are recorded when comparing the various types of literary and documentary sources, especially in the Abbasid era. A large reservoir of documentary sources including papyri, but also weights and measures mention governors who lack from al-Kindī’s account. In what follows I shall present three papyri, which mention two such unknown governors: Ḥuwayy b. Ḥuwayy (in office 181–182/797–798) and Muḥammad b. Sa‘īd (in office 152–157/769–773).

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<sup>6</sup> Kennedy, 33.

## 1 Letter Reporting on the Appointment of Ḥuwayy b. Ḥuwayy

Fuṣṭāṭ 32 × 29 cm *P.Ryl.Arab* B II 10 recto  
3rd Ramaḍān 181/ 29th October 797 Pl. 1

Dark brown papyrus which is getting darker at the bottom. The text is written in black ink with a medium-thick pen by a clear hand in 22 lines across the fibers. The letter is incomplete at the bottom where an unknown number of lines are missing. Similarly, the top left corner is lost resulting in a loss of three lines. There are also several holes and lacunae in different places of the papyrus which have caused damage to the text. The original cutting lines have been preserved on the right hand side and partially on the left hand side. The verso contains another letter written in a different hand.<sup>7</sup> The papyrus sheet has been folded nine times horizontally, but there are no vertical folds perceptible. There are very few diacritical dots. The provenance of this papyrus is unknown, but I suggest it was written in Fuṣṭāṭ since it reports on the latest news in the city.

This letter was first published in *P.Ryl.Arab*. 1, pp. 3–5, without a photograph. Adolf Grohmann was able to eliminate some of the numerous mistakes of the editio princeps in his subsequent publication (*P.World*, pp. 171–173). After examining the original papyrus and with the aid of a photograph I was able to read much more of the letter and correct previous editions in a number of places.

### 1.1 Text

1. بسم الله الرحمن الرحيم
2. [ ]
3. [لم] يحدث قبـ[لنا]
4. الا كل [ما تـ]حب و[انى]
5. احببت اعلامك ذلك لـ[ما] ا[علم]
6. من سرورك به وموقعه منك
7. تقدم علينا والى ولا خبر عند كـ[ا]بى
8. اليك (vac.) فاذا وقع عندنا خبر كتبت

<sup>7</sup> *P.Ryl.Arab*. 1, pp. 221–222.

9. به اليك سريرا ان شا الله والقمح عندنا
10. ثمنية وبيات و[ن]بصف والشعير ثلاثة ارادب
11. وان المز(ا)رعين عندنا قد وضعوا ايديهم[م]
12. في الزرع باسفل الارض
13. وان عمال الكور قد تسجلوا لهم وان ابن[ت]ى
14. قد دخلت على زوجها (vac.)
- (vac.)
15. وقد كنت كتبت الكتاب قبل ال[ي]وم لابعث به حتى [ق]د[م] علينا
16. ولاية حوى بن حوى على الصلاة والخراج (vac.)
17. وقد ولى بن فليح الزمام وال[خ]راج وابى عبيدة
18. بن عقبة بن نافع على الصع[ي]د والخراج وقد كتب حوى ساده (؟)
19. الى العمال باشخاصهم[م] والعرافين احببت اعلا[م]ك ذلك
20. لتكون منه على علم وانما قرى ولايته يوم الاحد
21. لثلاث خلون من رمضان ولم يكون عندنا بعد خب[ر] نكتب به
22. اليك وقد نقلت التواييت والدواوين ال[ل]ى

## 1.2 Diacritical Dots

(9 ان 13 ابنتى 14 زوحها 16 الصلاة 22 اليك؛ نملت

## 1.3 Translation

1. In the [name of God, the Compassionate, the Merciful]
2. [ ]
3. [Nothing] happened to [us ]
4. except what pleases you and [I]
5. have thought it proper to inform you of this, because I know
6. your delight in it and the pleasure it gives you.
7. A new governor (*wāli*) has been appointed and I have no news to write
8. to you. (vac.) And if we get any news, I will write
9. it to you promptly, if God wills. Wheat here is
10. eight *waybas* and a half and the barley is three *irdabbs*.
11. And the peasants have put their hands

12. on the crops in Lower Egypt.
13. And the officials of the districts have registered for them. And my daughter
14. has cohabited with her husband. (vac.)  
(vac.)
15. I (already) wrote this letter before today (with the intention) to send it, when we learned of
16. the appointment of Ḥuwayy ibn Ḥuwayy over prayer and finances. (vac.)
17. And he appointed Ibn Falīḥ over the control of the *dīwāns* (*al-zimām*) and the finances and Abī ‘Ubayda
18. ibn ‘Uqba ibn Nāfi‘ over Upper Egypt and the finances. And Ḥuwayy has written ...
19. to the officials and the tribal heads summoning them. I have thought it proper to inform you of this
20. that you might be aware of it. His appointment was only confirmed on Sunday
21. when three nights had passed of Ramaḍān. We have no more news after this to write
22. to you. And the *tawābīt* and the *dawāwīn* have been transferred [t]o

#### 1.4 *Commentary*

1. Of the *basmala* only the *bāʾ* and *sīn* of *bism* are still visible at the top right corner.

2–4. Due to the top left corner being lost, only traces of letters and words can be read at the beginning of these three lines. The expression *lam yaḥduth qiba*[*lanā*] *illā kull* [*mā tu*]ḥ**ibb** is reconstructed on the basis of parallels.<sup>8</sup>

5–6. *aḥbabbtu iʿlāmuka dhālika li*[*mā*] *a*[*ʿlamu*] *min surūrika bihi wa-mawqiʿihi minka*. This formula is attested in exactly the same form in *P.Marchands* I 35.5–6; *P.Marchands* V/1 20.1–2, both third/ninth century and coming from the Fayyūm.

7. *taqadama ʿalaynā wālī*. For the title *wālī* in the papyri, see *qad jaʿalaka Allāh wāliyanā wa-l-wālī huwa li-raʿiyatihi*, Yusūf Rāḡib, “Lettres Arabes I,” *Annales Islamologiques* 14 (1978), 15–35, 5.4–5, (third/ninth century); *wālī Aṭrābulus*, *P.Khalili* I 6.11–12 (third/ninth century), but see also, Werner Diem, “Philologisches zu den Khalili-Papyri I,” *Wiener Zeitschrift für die Kunde des Morgenlandes* 83 (1993), 39–81, 42.

8 Cf. Khaled Younes, “Joy and Sorrow in Early Muslim Egypt: Arabic Papyrus Letters: Text and Context” (PhD diss., Leiden University 2013), 8.4–5 (second/eighth century) and the commentary.



7–8. *wa-lā khabar ʿinda kitā[b]ī ilayka*. A short space has been left blank after *ilayka*. *Kitābī* is written with a long space between the *alif* and *bā*, while the *yā* returns horizontally backwards to cover the space.

8–9. *fa-idhā waqaʿa ʿindanā khabar katabtu bihi ilayka sarīʿan in shāʿa Allāh*. There is one ink spot under the *rā* of *sarīʿan* that could be mistaken for diacritics.

9–10. *wa-l-qamḥ ʿindanā thamāniya waybāt wa-[n]isf wa-l-shaʿr thalātha arādibb*. In his edition Grohmann claims that the amounts of wheat and the barley given here indicate the fixed price of each commodity in the market. He goes even further by arguing that the numbers refer to *dirhams*, meaning a pretty low price. Grohmann therefore praises the letter for its “special interest for Egypt’s economy as well as for the history of Egypt’s administration”.<sup>9</sup> A simpler and more realistic explanation in my view, however, is that the sender informs the addressee of what remains of wheat and barley using commodities they are both familiar with.

11–12. *wa-inna al-muz(ā)riʿin qad waḍaʿū aydiyahu[m] fī al-zarʿ bi-Asfal al-Ard*. The scribe left the medial *alif* of *al-muzāriʿin* out. The idiom *Asfal al-Ard* is used in both the narrative and documentary sources for Lower Egypt or the Delta. See Adolf Grohmann, *Studien zur historischen Geographie und Verwaltung des mittelalterlichen Ägypten* (Vienna: Rudolf M. Rohrer 1959), 25–26; Yūsuf Rāḡib, “Sauf-Conduits d’Égypte Omeyyade et Abbasside,” *Annales Islamologiques* 31 (1997): 148.

13. *wa-inna ʿummāl al-kuwar qad tasajjalū lahum*. The title *ʿāmil* (pl. *ʿummāl*) occurs frequently in papyri. From the early second/eighth century onwards the *ʿummāl* appear as the officials issuing tax receipts and safe conducts (Cf. Petra M. Sijpesteijn, *Shaping a Muslim State: The World of a Mid-Eighth-Century Egyptian Official* (Oxford: Oxford University Press, 2013), 14.22, second/eighth century and the commentary; Gladys Frantz-Murphy, *Arabic Agricultural Leases and Tax Receipts from Egypt*. Corpus Papyrorum Raineri XXI (Wien: Hollinek, 2001), 118). For *kūra* (pl. *kuwar*), see Grohmann, *Historischen Geographie*, 34. For the verb *tasajjala*, referring to fiscal register, see Frantz-Murphy, *Arabic Agricultural Leases*, 111–113; Geoffrey Khan, *Arabic Papyri: Selected Material from the Khalili Collection*, Studies in the Khalili Collection 1 (London/Oxford: Nour Foundation in association with Azimuth Editions, Oxford University Press, 1992), 61–65, esp. 64.

13–14. *wa-inna ibna[t]ī qad dakhalat ʿalā zawjihā*. Mixing private news with commercial and administrative affairs is common in letters from early Islamic

<sup>9</sup> Adolf Grohmann, *From the World of Arabic Papyri* (Cairo: Dār al-Maʿārif Press, 1952), 173.

Egypt. For similar expressions, cf. *wa-qad kuntu bi-l-Fustāt ḥattā qadima zawj bintī fadakhala ‘alayhā*, *Chrest.Khoury* I, 98 (second/eighth century). See also Younes, *Joy and Sorrow*, 38–39.

15. *wa-qad kuntu katabtu al-kitāb qabl al-[y]awm li-ab’ath bihi ḥattā [q]adi-[m]a ‘alaynā*. The construction *qad* + *kāna* followed by an imperfect should be translated as past perfect (Simon Hopkins, *Studies in the Grammar of Early Arabic: Based upon Papyri Datable to Before 300 A.H./912 A.D.* (Oxford: Oxford University Press, 1984), § 239).

16. For *wilāyat Ḥuwayy ibn Ḥuwayy ‘alā al-ṣalāh wa-l-kharāj*, see the discussion below.

17–18. *wa-qad wallā Ibn Falīḥ al-zimām wa-l-[kh]arāj wa Abī ‘Ubayda ibn ‘Uqba ibn Nāfi’ ‘alā al-ṣa’[ī]d wa-l-kharāj*. For the full identification of Ibn Falīḥ and Abū ‘Ubayda b. ‘Uqba b. Nāfi’, see the discussion below.

18. I was not able to find a satisfactory reading for the last word in this line. I read two denticles, an *alif*, a *dāl* or *dhāl* and a *hā’* or *tā’ marbūṭa*. Margoliouth reads this word as *kitābahu* which does not fit the *rasm*.

18–19. *wa-qad kataba Ḥuwayy ... ilā al-‘ummāl bi-ishkhāshim wa-l-‘arrāfīn*. Margoliouth reads *wa-l-‘arrāfīn* as *min al-‘Irāqayn* meaning from the two Iraqs, i.e. Kūfa and Baṣra, which does not make sense. For the *‘arīf*, see Sobhi Bouderbala, “Ĝund Miṣr: Étude de l’Administration Militaire dans l’Égypte des Débuts de l’Islam 21/642–218/833” (PhD diss., Université de Paris 1-Panthéon-Sorbonne, 2008), 261–268.

19–20. *aḥbibtu i’lā[m]uka dhālika li-takūna minhu ‘alā ‘ilm*. For similar expressions, see *aḥbibtu i’lāmuka dhālika li-taqīfa ‘alayhi* in *P.Hamb.Arab.* II 11v5–6, (second/eighth century). See also above lines 5–6.

20–21. *wa-innamā qarrat wilāyatuhu yawm al-aḥad li-thalāth khalawna min Ramaḍān*. On dating formulae using a form of the verb *khalawna*, see Adolf Grohmann, *Arabische Chronologie: Arabische Papyruskunde* (Leiden: Brill, 1966), 19–20. The ink is smudged in *yawm al-aḥad*.

21–22. *wa-lam yakūn ‘indānā ba’d khaba[r] naktubu bihi ilayka*. The long vowel is maintained in the jussive, *wa-lam yakūn*, where Classical Arabic requires a short vowel (Hopkins, *Grammar of Early Arabic*, § 81.a).

22. *wa-qad nuqilat al-tawābīt wa-l-dawāwīn i[lā]*. *Tābūt* (pl. *tawābīt*) is not a sort of police or bodyguard as Margoliouth put it, nor a water-wheel as Grohmann suggested, but a chest. Al-Kindī in two instances mentions that persons were appointed *‘alā al-tābūt*, “over the *tābūt*” as if it were an institution.<sup>10</sup> Elsewhere, however, al-Kindī writes about a *tābūt*, “chest”, of the chief

10 al-Kindī, *al-Wulāt*, 117–118.

*qāḍī* of Egypt in the central treasury in which the money for the orphans was stored in ca. 801 CE.<sup>11</sup> He also writes about a locked *tābūt* in the central treasury possibly related to pious foundations in ca. 841 CE.<sup>12</sup> Ibn ‘Abd al-Ḥakam also mentions that ‘Umar b. al-Khaṭṭāb stored conquest treaties in a *tābūt*.<sup>13</sup> There is no doubt that the administrative archives and central treasury made use of chests to store documents and money. The document’s administrative nature suggests these were chests containing documents or money in the archives or treasury. The unpublished papyrus *P.Cam.Michaelides* C 1096 refers to a similar chest. The document records a number of leather products taken from the *tābūt* in the years 261–262/875–876 to be delivered to a certain Abū Zakarīya. Transferring *dīwāns* is recorded in narrative sources to refer to the actual transfer of power from one governor/financial director to the other. The financial director Nawfal b. al-Furāt (in office 141–143/758–761) transferred the *dīwāns* to *dār al-raml* after the refusal of the governor Muḥammad b. al-Ash‘ath (in office 141–142/759–760) to give a guarantee for the required sum of taxes to the central administration.<sup>14</sup>

## 2 A Decree Issued in the Name of the *amīr* Ḥuwayy b. Ḥuwayy<sup>15</sup>

Fayyūm<sup>16</sup>  
182/797

4.7 × 11.3 cm

*P.UCL* Petrie Ars. inv. 60<sup>17</sup>  
Pl. 2

Light brown papyrus written in black ink with a medium-thick pen across the fibers by a skilled and experienced hand. The papyrus was cut on the right and left hand sides resulting in a considerable loss of text. There are also small lacunae at the bottom that have caused damage to the text. The original cutting

11 al-Kindī, 405.

12 al-Kindī, 450.

13 ‘Abd al-Raḥmān b. ‘Abd Allāh b. ‘Abd al-Ḥakam, *Futūḥ Miṣr wa-akhbārūhā*, ed. Charles Torrey as: *The History of the Conquests of Egypt* (Leiden: Brill, 1920), 89.

14 al-Kindī, *al-Wulāt*, 109.

15 This document is an early example of a decree. I would like to seize the opportunity to thank Naïm Vanthieghem for his comments and remarks on this document. For more about this genre of documents, see Vanthieghem’s forthcoming article “Le décret: genèse d’un genre documentaire au regard de nouveaux papyrus inédits.”

16 This papyrus with some other fragments came from W.F. Petrie’s excavations in the Fayyūm in the late 1880s and now kept at the department of Greek and Latin at the University College London.

17 I am grateful to Nikolaos Gonis for providing me with the image and for allowing me to work on and publish this papyrus.

lines have partially been preserved on the top and the bottom. At the top a margin of about eight centimeters has been left blank. The seal affixed at the foot of the document is impressed with unclear intaglio, presumably carrying the name of the executive, whose first name is missing at the top of the document.<sup>18</sup> Diacritical dots are only visible on one character.

### 2.1 Text

1. [بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ]
2. [هَذَا كِتَابٌ مِنْ ]
3. [ابن زُرارة عامل الأمير حوى بن حوى]
4. [اصلاحه الله على خراج كورة الفيوم]
5. [لتأويرينه السماك انى امرتك ]
6. [من خدمة الباب ]
7. [ومن يلزمهم ذلك من اهل القارى]
8. [ به والعادة الجارية على فن قرى]
9. [عليه كغابى هذا من ]
10. [وليعلم سلا من امره]
11. [ولا يجعل على نفسه سبيلا ان شاء الله وكتب فى]
12. [ربيع الاخر سنة ٤٠٣]

### 2.2 Diacritical Dots

(7) يلزمهم

### 2.3 Translation

1. [In the n]ame of God the Compassio[nate, the Mer]ciful.
2. [This is a le]tter [from ]
3. [son of Zur]‘a, the executive (*‘āmil*) of the *amīr* Ḥuwayy ibn Ḥu[wayy,]

18 For more about seals see Petra M. Sijpesteijn, “Seals and Papyri from Early Islamic Egypt,”



4. There is not much space available at the beginning of this line to restore anything more than the blessing *aṣḥaḥahu Allāh*. In the papyri from first–second/seventh–eighth centuries, the first mention of the caliph (*amīr al-muʿminīn*) or the governor (*amīr*) is always followed by this blessing. It also occurs frequently on weights. The caliph Yazīd II (r. 101–105/720–724) is said to have started this practice in 101/720. The last Umayyad financial director of Egypt, ʿAbd al-Malik b. Marwān (in office 132/750), was the first official of this rank to be given this blessing in documents and it remained in use for Abbasid governors until 176/792 after which it is no longer attested. See Sijpesteijn, *Shaping a Muslim State*, 1.4 (second/eighth century) and commentary; Frantz-Murphy, *Arabic Agricultural Leases*, 119. Other blessings are also given to *amīrs* in documents, such as, *ḥafīẓahu Allāh*, cf. *P.World*, pp. 132–134 (ca. 176–177/795); *CPR XXI* 4 (ca. 179–180/796) and *aṭāla Allāh baqāʾahu*, cf. Diem, “Einige frühe amtliche Urkunden,” nos. 6.4 (180/796) and 7.3 (168/784). See also Khan, *Arabic Papyri*, 138–140. Of *kūra* only the *kāf* and traces of the *wāw* are still preserved. Al-Fayyūm is reconstructed on the basis of the place of discovery.

5. *Al-sammāk* (pl. *samāmika*) is the Arabic transcription of the Greek *symmachos* (σύμμαχος), referring to an official involved in the collection of taxes. The title appears in Greek, Coptic and Arabic papyri (Sijpesteijn, *Shaping a Muslim State*, 14.5 (second/eighth century) and commentary). Tawrīnah is the Arabic form of the Greek and Coptic name *Taurinos* or *Taurine*. Cf. *P.Heid.Arab.* I app. F.

6. The *nūn* of *min* is still visible at the beginning of this line. A little stroke is attached at the top of the *dāl* of *khidma*. *Bāb* (pl. *abwāb*) is a technical fiscal term, referring to different categories of taxes (Jāsir Abū Šafīyya, *Bardiyyāt Qurra b. Šarīk al-ʿAbsī* (Riyadh: Markaz al-Malik Fayṣal li-l-Buḥūth wa-l-Dirāsāt al-Islamiyya, 2004), 94–96). The term also appears in the form of *abwāb al-māl* meaning different categories of money tax (Nabia Abbott, *The Qurrah Papyri from Aphrodito in the Oriental Institute. Studies in Ancient Oriental Civilisation* 15 (Chicago: Chicago University Press, 1938), 4.14–15, 5.3–4, 19–21; Adolf Grohmann, *Arabic Papyri in the Egyptian Library*, vol. 3 (Cairo: Egyptian Library Press, 1938), 146.2; 158.8 and the commentary, all dated 91/710 and provenance is Aphroditō/Kawm Ishqūh).

7. *wa-ma]n yulzimuhum dhālika min ahl al-qu[rā]*. The *yāʾ* of *al-qurā* can be seen extending backwards at the end of this line. In the Islamic period *qarya* (Gr. χωρίον) had the technical sense of a fiscal unit, consisting of a settlement and the accompanying land (Sijpesteijn, *Shaping a Muslim State*, 2.8 (second/eighth century) and commentary). The expression *ahl al-qurā* often appears in administrative letters. Cf. *fa-innahu balaghanī anna baʿḍ ahl al-qurā*, *P.MuslimState* 10.4; *ahl al-qurā fī, wa-wakkil bi-qabḍihi afdal ahl al-qurā wa-*

*ashaddahum*, *P.MuslimState* 23.7, 16, all dated to the second/8nd century and coming from the Fayyūm.

8. At the beginning of this line a denticle and a *hā'* or a *tā' marbūṭa* can be detected. The idiom *al-āda al-jāriya* is unattested in the papyri, but the meaning can be inferred from later expressions such as, *al-rasm al-jārī* (Frantz-Murphy, *Arabic Agricultural Leases*, 113). Of *alā* only the *ʿayn* can be seen at the end of this line.

9–11. The expression *fa-man qur'ā* [*alayhi*] *kitābī hā* [*dhā min*] [*wa-l-ya*] *lam ... min amrihi* [*wa-lā yaj'al*] *alā naḥsihi sabīlan in shā'a* [*Allāh*] is restored on the basis of parallels. Cf. *P.Ryl.Arab.* I 17.7–9 (second–third/eighth–ninth centuries); *P.Cair.Arab.* III 171.5 (242–247/856–861, probably from al-Ushmūnayn); Carl H. Becker, “Arabische Papyri des Aphroditofundes,” *Zeitschrift der Assyriologie und verwandte Gebiete* 20 (1907): 68–104, no. 4.12, 91/710, provenance is Aphroditō/Kawm Ishqūh.

10. The second word in this line is illegible. Only the final *lām-alif* is clear to me. Of *wa-l-ya lam* only the *ʿayn*, *lām* and *mīm* are preserved at the beginning of this line. Similarly, the *rā'* and *hā'* of *amrihi* are missing at the end.

11. The orthography *عل* is written for *ع* which is frequent in the early papyri (Hopkins, *Grammar of Early Arabic*, §55). For the expression *wa-kutiba* and other expressions to be used to signal the closure of letters, see Khan, *Arabic Papyri*, 194.

12. At the beginning of this line the *khā'* and *rā'* of *al-ākhīr* of Rabī' II can be detected. The date is given in Greek numerals.<sup>20</sup> Of the date only the two signs  $\pi\beta$  or 82 are preserved, which surely indicates the year of 182 ([ $\rho$ ] $\pi\beta$ ).

## 2.5 *Ḥuwayy b. Ḥuwayy (in Office third of Ramaḍān 181-Ramaḍān 182/28th October 797-November 798)*

The *amīr* mentioned in these two documents, Ḥuwayy b. Ḥuwayy, is one of those governors unlisted and forgotten by medieval historians. Moreover, his name is always misrepresented by them, by copyists and even by modern scholars. Fortunately, the present documents and a number of weights affirm that Ḥuwayy b. Ḥuwayy was designated as *amīr* and that he was appointed at the head of the religious management of the Muslim community and the financial administration of the province, i.e. *alā al-ṣalāh wa-l-kharāj*. Al-Kindī identifies him in two accounts in a general way as one of the notables (*ashraf*) of Egypt.<sup>21</sup> Ibn Yūnus (d. 347/958) in his biographical dictionary mentions in a very laconic

<sup>20</sup> Grohmann, *Egyptian Library*, 1:81.

<sup>21</sup> al-Kindī, *al-Wulāt*, 389, 398–399.

style that Ḥuwayy came to Egypt as governor “*qadīma Miṣr wāliyan*” without specifying his function.<sup>22</sup> Khalīfa b. Khayyāṭ (d. 240/854) misspelled his name as Ḥuwayy b. Juwayn, but he counted him among the governors of Egypt during the reign of Hārūn al-Rāshīd (r. 170–193/786–809), namely as the successor of ‘Ubayd Allāh b. al-Mahdī (in office Muḥarrām-Ramaḍān 179/March–November 795 and Jumādā 11 180–Ramaḍān 181/August 798–October 797). Nevertheless, he did not mention whether he ruled Egypt after the first or the second term of ‘Ubayd Allāh b. al-Mahdī.<sup>23</sup> Centuries later, Ibn Duqmāq (d. 809/1406) misspelled his name as Khuwayy b. Ḥuwayy, when he mentioned a guardhouse named after him in Fustāṭ.<sup>24</sup> Fortunately, this guardhouse is precisely recorded in a deed of a lease of a shop on parchment dated 280/893. The editor of this document quotes Ibn Duqmāq and edits the name as Khuwayy b. Ḥuwayy.<sup>25</sup> On the photograph of the document, however, no dot can be detected above the *ḥā’*. Strangely enough, Ibn Duqmāq also records a *funduq* named after Ḥuwayy b. Ḥuwayy giving the name correctly.<sup>26</sup> Years later, al-Maqrīzī (d. 845/1442) mentions that Ḥuwayy was nominated as financial director of Egypt after ‘Ubayd Allāh b. al-Mahdī in the year 181/797.<sup>27</sup> Al-Maqrīzī also mentions that Ḥuwayy’s sons took over high positions in Egypt, a point to which I shall return.

Documentary sources including papyri and weights give us more accurate information regarding this official. Four coin weights affirm that Ḥuwayy b. Ḥuwayy was designated as *amūr*.<sup>28</sup> But it is not clear whether the title refers to the financial director or to the governor appointed over *ṣalāh* only, since both of them were given the title of *amūr*.<sup>29</sup> Now let us turn from weights to papyri, which allow us to identify this official and his position further. Document 1 affirms unambiguously that Ḥuwayy b. Ḥuwayy was appointed at the head of the administrative and financial hierarchy (*al-ṣalāh wa-l-kharāj*) and

22 Abū Sa’īd ‘Abd al-Raḥmān b. Aḥmad ibn Yūnus, *Tārīkh Ibn Yūnus al-Miṣrī*, ed. ‘Abd al-Fattāḥ ‘Abd al-Fattāḥ (Beirut: Dār al-Kutub al-‘Ilmiyya, 2000), 2:71.

23 Abū ‘Amr Khalīfa b. Khayyāṭ ibn Khayyāṭ, *Tārīkh Khalīfa b. Khayyāṭ*, ed. Muṣṭafa N. Fawāz and Ḥikmat K. Fawāz (Beirut: Dār al-Kutub al-‘Ilmiyya, 1995), 307.

24 Ibrāhīm b. Muḥammad ibn Duqmāq, *al-Intiṣār li-wāṣaṭat ‘aqd al-amaṣār* (Beirut: al-Maktab al-Tujārī li-l-Ṭiba‘a wa-l-Tawzī‘ wa-l-Nashr, n.d.), 14.

25 Khan, *Arabic Papyri*, 13.3 and the commentary.

26 Ibn Duqmāq, *al-Intiṣār*, 40.

27 Taqīyy al-Dīn Aḥmad b. ‘Alī al-Maqrīzī, *al-Muqaffā al-Kabīr*, ed. Muḥammad al-Ya‘lāwī (Beirut: Dār al-Gharb al-Islāmī, 1991), 2:708.

28 See above the commentary to document 2, line 3.

29 For this discussion, see Adolf Grohmann, *Protokolle [1:] Einleitung und Texte. Mit einer Schrifttafel und vier Abbildungen im Texte. [2:] Tafeln*, Corpus Papyrorum Raineri 3, 1/2–3 (Wien: Burgverlag Ferdinand Zöllner, 1923–1924), 120; Sijpesteijn, *Shaping a Muslim State*, 73–81.



that he appointed a certain Ibn Falīḥ in charge of all *dīwāns* (*al-zimām*) and the fiscal administration (*al-kharāj*) and a certain Abū ‘Ubayda b. ‘Uqba b. Nāfi‘ over Upper Egypt and the fiscal administration (*al-Ṣa‘īd wa-l-kharāj*). Narrative sources indicate that Egypt’s administration was divided into two main districts after the conquest, one for Upper Egypt or *al-Ṣa‘īd* and another one for Lower Egypt or *Aṣfal al-Arḍ*. At the head of each district stood an official, who was selected and appointed by the governor himself.<sup>30</sup> Papyrological evidence confirms this situation, indicating that the whole financial organization was divided in two, with separate *dīwāns* being established and a double set of clerks and officials appointed.<sup>31</sup> This information solves the apparent paradox of repeating the office of fiscal supervisor in *al-zimām wa-l-kharāj* and in *al-Ṣa‘īd wa-l-kharāj*. *Kharāj* here does not refer to the *kharāj* of the entire province but to the fiscal office associated with each region; e.g. *al-Ṣa‘īd wa-l-kharāj* means Upper Egypt and its taxes. As for *al-zimām* (pl. *azimma*) it is an office of control and auditing. The Abbasid caliph al-Mahdī (r. 158–169/775–785) is said to have founded this office in 162/778–779, when the task of overseeing and controlling all the *dīwāns* of the administration became too much for a single person. It is suggested that every *dīwān* came to have a *zimām* attached to it by way of control and that responsibility of all the *azimma* might be held by one man, who had the general function of control over all the *dīwāns*.<sup>32</sup> This latter office is definitely the one that Ibn Falīḥ was holding. As for the finance office included in the title *al-zimām wa-l-kharāj*, this could refer to the finances of Lower Egypt corresponding to the one of Upper Egypt which was held by Abū ‘Ubayda. In any case, Ibn Falīḥ was a subordinate to Ḥuwayy and answered directly to him as did Abū ‘Ubayda.

Ibn Falīḥ in our papyrus is probably the same person mentioned by Ibn Yūnus and Ibn Duqmāq under the name Muḥammad b. Sulaymān b. Falīḥ, whose house in Fustāṭ is well known in *khitaṭ* works as Dār ibn Falīḥ.<sup>33</sup> It is remarkable that Ibn Falīḥ got his house built in 181/797, the exact year he headed the treasury according to the papyrus edited above. As for Abū ‘Ubayda b. ‘Uqba b. Nāfi‘, Margoliouth identifies him as the son of the famous governor of Ifrīqiya ‘Uqba b. Nāfi‘ al-Fihri (in office 49–55/669–674 and 62/681). On the basis of this identification Grohmann dated the papyrus to the second half of the first century.<sup>34</sup> Margoliouth’s identification appears to be wrong. Abū

30 al-Kindi, *al-Wulāt*, 35, 106, 182, 192, 278.

31 Grohmann, *Egyptian Library*, 3:143; Grohmann, *Historischen Geographie*, 24.

32 A.A. Duri et al., “Dīwān,” in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill), 11:509.

33 Ibn ‘Abd al-Ḥakam, *Futūḥ Miṣr*, 119; Ibn Duqmāq, *al-Intiṣār*, 9; Ibn Yūnus, *Tārīkh*, 2:206.

34 Grohmann, *From the World*, 173.

‘Ubayda b. ‘Uqba b. Nāfi‘ is the son of ‘Uqba b. Nāfi‘ al-Ma‘āfirī (d. 197/812). Note that there is a gap of more than one hundred and thirty years between the former and the latter. Ibn Yūnus records ‘Uqba b. Nāfi‘ al-Ma‘āfirī in his dictionary as a theologian, who died in Alexandria in 197/812. He added that ‘Uqba’s offspring, residing in Fuṣṭāṭ, was highly honoured and ranked. Abū ‘Ubayda was definitely one of them.<sup>35</sup>

In sum, document 2 confirms only that Ḥuwayy b. Ḥuwayy held authority over the fiscal administration. Document 1 gives conclusive evidence that Ḥuwayy b. Ḥuwayy was not merely a member of the elite of Fuṣṭāṭ or a financial director, as recorded by some chroniclers and document 2, but indeed a governor who was holding both the office of religious leadership and of financial directorship as some other narrative sources indicate.

While the nature of Ḥuwayy’s office might hereby be clarified, the length of it is still uncertain. The two documents edited above can help define his specific dates of appointment and dismissal. As shown above, the historian Khalifa b. Khayyāṭ enumerates Ḥuwayy b. Ḥuwayy after ‘Ubayd Allāh b. al-Mahdī and this fact is corroborated by al-Maqrīzī, who affirms that Ḥuwayy succeeded ‘Ubayd Allāh b. al-Mahdī precisely in the year 181/797, albeit according to him as financial director only. ‘Ubayd Allāh b. al-Mahdī was dismissed on the third of Ramaḍān of the year 181/797 which fits perfectly with the date of Ḥuwayy’s appointment stated in Document 1, lines 20–21. Document 2 affirms that Ḥuwayy was in office in Rabī‘ II of the year 182/798 and presumably continued to be so until the appointment of al-Layth b. al-Faḍl (in office Shawwāl 182–Jumādā II 187/798–803), as recorded in Khalifa b. Khayyāṭ’s list.

Finally, a short biography for Ḥuwayy b. Ḥuwayy and his family can now be formulated on the basis of the scattered accounts in chronicles and documentary sources. Ḥuwayy b. Ḥuwayy apparently came from Iraq to Egypt as governor on Sunday the third of Ramaḍān of the year 181/797. He stayed in office for a short period, presumably one year. When he was dismissed, Ḥuwayy stayed in Egypt and remained a member of the élite of Fuṣṭāṭ (*ashraf miṣr*), but he held no more official position.<sup>36</sup> During his time in Egypt, Ḥuwayy was involved in various struggles with the judges and jurists of Egypt. First with the judge Muḥammad b. Masrūq (in office 177–184/793–800) who introduced very strict regulations concerning the appointment of witnesses in court determining that only a restricted number of persons could act as official witnesses. This decision was rejected by the élites including Ḥuwayy b. Ḥuwayy and as a conse-

35 Ibn Yūnus, *Tārīkh*, 1:349.

36 al-Kindī, *al-Wulāt*, 389.

quence Muḥammad b. Masrūq showed great harshness towards them all.<sup>37</sup> The second incident was with the judge al-ʿUmarī (in office 185–194/801–809), who refused Ḥuwayy’s testimony regarding the parentage of the people of al-Ḥaras to Ḥawtak, a clan of Quḍā’a,<sup>38</sup> due to a previous strife between Ḥuwayy and Ashhab b. ʿAbd al-ʿAzīz (d. 204/820).<sup>39</sup> In the year 200/816 Ḥuwayy passed away leaving behind five sons. These all held high positions mainly in the police and army.<sup>40</sup> Aḥmad b. Ḥuwayy probably the eldest son of Ḥuwayy was appointed at the head of the police, i.e. *ṣāhib al-shurṭa*, by the governor ʿAbd Allāh b. Muḥammad al-ʿAbbāsī (in office 189–190/805–806). The latter later dismissed him for no apparent reason.<sup>41</sup> Ten years later Aḥmad held the same position under the second term of the governor al-Muṭṭalib b. ʿAbd Allāh (in office 199–200/814–815).<sup>42</sup> In the year 196/811, Ibrāhīm b. Ḥuwayy was appointed over the cities of Banā, Sanhūr and Sandafā<sup>43</sup> during the fight between ʿAbbād b. Muḥammad b. Ḥayyān, deputy of the caliph al-Maʿmūn (r. 198–218/813–833), and Rabīʿa b. Qays, deputy of the caliph al-Amīn (r. 193–198/809–813).<sup>44</sup> Ibrāhīm was killed during this fight in a battle against a certain Yazīd b. al-Khaṭṭāb in Damraw.<sup>45</sup> Abū al-Karam b. Ḥuwayy was killed in Fuṣṭāṭ, because he was the governor’s deputy over it in 197/812.<sup>46</sup> Their fourth brother Muḥammad was also killed in Fuṣṭāṭ in the month of Muḥarram of the year 198/813.<sup>47</sup> Ṣāliḥ was probably the youngest of Ḥuwayy’s sons, owing to the report that he was born and brought up in Egypt.<sup>48</sup> Ṣāliḥ died in 245/859.<sup>49</sup> It may also be worth men-

37 al-Kindī, 389.

38 Abū al-Munzir Hishām b. Muḥammad b. al-Kalbī, *Nasb Maʿad wa-l-Yaman al-Kabīr*, ed. Nājī Ḥasan (Beirut: Maktabat al-Nahḍa al-ʿArabiyya, 1988), 714.

39 al-Kindī, *al-Wulāt*, 398.

40 al-Maqrīzī, *al-Muqaffā*, 3:708.

41 al-Kindī, *al-Wulāt*, 142.

42 al-Kindī, 142, 154.

43 For Banā, Sanhūr and Sandafā, see Muhammad Ramzī, *al-Qāmūs al-jughrāfi li-l-bilād al-miṣrīya min ʾahd qudamāʾ al-miṣrīyīn ilā sanat 1945* (Cairo: al-Hayʾa al-Miṣriyya al-ʿamma li-l-Kitāb, 1994), part 2, 2:70–71, part 1, 287, part 1, 285; Sharaf al-Dīn Yahyā b. al-Maqarr b. al-Jrʿān, *al-Tuḥfa al-saniya bi-asmāʾ al-bilād al-miṣrīya*, ed. Bernhard Moritz (Cairo: Al-Maṭbaʿa al-Ahliyya, 1898), 73, 81; Shihāb al-Dīn Yāqūt b. Abd Allāh Yāqūt al-Ḥamawī, *Muʿjam al-buldān* (Beirut: Dār Ṣādir, 1977), 1:495, 3:268; Asʿd b. Mammātī b. Mammātī, *Kitāb qawānīn al-dawāwīn*, ed. ʿAzīz S. Aṭīya (Cairo: Maktabat Madbulī, 1991), 214, 144, 148.

44 al-Kindī, *al-Wulāt*, 149–150.

45 For Damraw al-Ḥammāra/al-Ḥammām, see Ramzī, *al-Qāmūs*, part 2, 2:19.

46 al-Kindī, *al-Wulāt*, 151.

47 al-Kindī, 151.

48 Ibn Yūnus, *Tārīkh*, 1:240.

49 Ibn Yūnus, 240.

tioning that Šāliḥ b. Ḥuwayy and his grandson Iṣḥāq b. Ibrāhīm (d. 320/932) were famous *ḥadīth* transmitters in Egypt.<sup>50</sup>

### 3 Letter Mentioning the *amīr* Muḥammad b. Saʿīd

Provenance unknown  
152–157/769–773

16×13 cm

P.CTYBR. inv. 2733  
Pl. 3

Dark brown papyrus written in black ink with a medium-thick pen across the fibers. The papyrus is badly damaged and the top is missing resulting in a loss of at least three lines. The original cutting lines have partially been preserved on the other three sides. There are several lacunae in different places of the papyrus which have caused damage to the text. The ink has also faded in places obscuring the reading. The text is laid out in paragraphs. The verso is blank. An address may have been written at the top of the verso but is now lost. A few diacritical dots are visible.

#### 3.1 Text

1. ] -[مدي
2. ] [بعافية [ا]الله اياكم
3. قد بعثت مع [ ] [محمد] [ كتاب ] [.] ساعة
4. ابى اسحق فان رايت على [ ] ان [ ] مع زكري
5. ] [ير الى [ ] حتى يقبل [ ]
6. واكتب الى بالذى يكون من رايبك فى كتاب
7. فان [ل]لقوا ابا اسحق غائبا فانى قد امرت زكري يد [فع]ها وكتابى
8. الى ابى عمرو القهرمان [ق]هرمان الامير محمد [بن] سعيد
9. [واكتب] الى بعلم ما يصنع من ذلك وبعثت اليه مع ا [ ]
10. ] [ازواج قراطيس (vac.)

50 al-Ḥāfiẓ b. Mākūla b. Mākūla, *al-Ikmāl fī rafʿ al-irtiyāb ʿan al-muʿtalaḥ wa-l-mukhtalaḥ fī al-asmāʾ wa-l-kunāʾ wa-l-ansāb*, ed. ʿAbd al-Raḥmān Y. al-Maʿamī (Cairo: Dār al-Kitāb al-Islāmī, 1993), 2:574–575.

- .11 وقد كتبت بطاقة ختمت عليها منزلة الاس سم (؟) فيها [ب] عطاءه
- .12 [فانظر] البطاقة ان هو دفعها الى ابى عمرو [فهد] هذه البطاقة
- .13 [ ] المتاع واستوفاه من [ز] كرى
- .14 فقد [ ] كراه رضى الله عنا وعنك كـ[ل] [الرضا برحمته
- .15 ابلغ [خا] صة نفسك وسهل وعمر منى ومن ابى كله السلم
- .16 كثيرا والسلم عليك ورحمت الله

### 3.2 Diacritical Dots

- (6 الذي؛ يكون؛ من 7 غاسا؛ كابي 8 سعيد 9 صنع 10 فراطيس 11 عليها؛ الابن 12) البطاقة 13 استوفاه 14 عنك

### 3.3 Translation

1. [ ] ...
2. [ ] the safeguard of [G]od towards you.
3. I sent with [ ] Muḥamma[d] a letter of ...
4. Abū Ishāq. If you saw 'Alī [ ] that [ ] with Zikrī
5. [ ] ... to [ ] until he comes [ ]
6. And write to me your opinion in a letter.
7. If they found Abū Ishāq absent, I ordered Zikrī to [deliv]er it and my letter
8. to Abū 'Amr the butler, the butler of the *amīr* Muḥammad [ibn] Sa'īd
9. [And write to me] what he did with it and I sent him with [ ]
10. [ ] pairs of papyrus rolls (vac.)
11. And I have written a money order and I sealed it with the rank of ..., in which his subsistence (is recorded).
12. So look if he delivered this money order to Abū 'Amr, because this money order
13. [ ] this ware and he received it in full from Zikrī.
14. [ ] his tenancy. May God be utmost pleased with us and you through His mercy.
15. Convey to yourself, Sahl and 'Amr greetings from me and from Abū Kalla.
16. Peace be upon you and God's mercy.

### 3.4 *Commentary*

1–2. The beginning of this letter with the *basmala* and the introductory formula is missing. The remains of the second line, however, seem to be part of this opening section and the contents of the letter suggest that not more than three lines are lost at the top. *Bi-‘āfiyat [Al]lāh iyyākum*. This expression and variants of it often follow the announcement of receiving the addressee’s letter and becoming informed of the sender’s well-being. Cf. *balaghanī kitābuka fa-qara’tuhu wa-fahimtu mā dhakarta fihi min ‘āfiyat Allāh iyyākum fa-‘un’imat bi-dhālika surūrunā*, Jean David-Weill, “Papyrus Arabes du Louvre 11,” *Journal of the Economic and Social History of the Orient*, 14 (1971): 1–24, 11.6–7 (second/eighth century). The plural form used in *iyyākum* contrasts with the singular used in the rest of the letter.

3. Only traces of letters and words can be read in this line due to the fragmentary state of the top of the papyrus.

4. *Abī Ishāq fa-in ra’ayta ‘Alī*. The conditional using *in* is expected to be followed by *fa-* in the apodosis if it is a verbal sentence, expressing a desire, command or prohibition. *Ishāq* is written with a *scriptio defectiva* of medial *ā* as it is written in line 7 (Hopkins, *Grammar of Early Arabic*, § 10.b.i). For this name, see, Shams al-Dīn Abū ‘Abd Allāh Muḥammad b. Aḥmad al-Dhahabī, *al-Mushtabih fī al-rijāl*, edited by P. De Jong (Leiden: Brill, 1893), 241. For its attestations in the papyri, see Younes, *Joy and Sorrow*, 134.

5. Only a few letters can be read among the ink traces remaining on this line.

6. *wa-ktub ilayya bi-lladhī yakūnu min ra’yika fī kitāb*. This expression and variants of it occur frequently in letters to request the addressee’s opinion. See for example, *fa-a’limnī ra’yaka fihā*, Petra M. Sijpesteijn, “The Archival Mind in Early Islamic Egypt,” in *From al-Andalus to Khurasan: Documents from the Medieval Muslim World*, eds. Petra M. Sijpesteijn, et al. (Leiden: Brill, 2007), 163–186, no. 1.5 (second/eighth century); *fa-ktub mā ra’yuka wa-anā ‘alā bay’ihā*, *P.Marchands* III 44.6 (third/ninth century); *a’limnī ra’yaka abqāka allāh*, Yūsūf Ragib, “Lettres Arabes 11,” *Annales Islamologiques* 16 (1980): 1–29, no. 16.5 (third/ninth century); *fa-‘arrifnī ra’yaka li-aqifa ‘alayhi in shā’a Allāh*, *P.Khalili* I 18.8 (third/ninth century). The two words *ilayya* and *bi-lladhī* are widely set apart.

7. *fa-in [l]aqū Abā Ishāq ghā’iban fa-innī qad amartu Zikrī yad[fa’u]hā wa-kitābī*. The personal pronoun in *yadfa’uhā* refers perhaps to the *biṭāqa* mentioned in lines 11 and 12. The word *yadfa’uhā* can also be read as *bi-daf’ihā*. For the use of the particle *qad* in the papyri, see Eva M. Grob, *Documentary Arabic Private and Business Letters on Papyrus: Form and Function, Content and Context* (Berlin/New York: De Gruyter, 2010), 138–139.

8. *ilā Abī ‘Amr al-qahramān qahra[m]ān al-amīr Muḥammad ibn Sa’īd. Ilā* is written with a long space between the *alif* and the *lām* while the *yā’* returns to

the right to cover the space as in line 6. *Al-qahramān* is a Persian title meaning the butler of the governor or the king.<sup>51</sup> To the best of my knowledge, this is the first attestation of this title in papyri. For the occurrence of Muḥammad b. Saʿīd on weights, stamps and papyri, see Grohmann, *Protokolle*, 120; Adolf Grohmann, “Arabische Papyri aus den Staatlichen Museen zu Berlin,” *Der Islam* 22 (1934): 14.

9. Due to the crumbling of the fibers at the beginning and the end of this line, no continuous sense can be made of it.

10. For *qarātīs* (sing. *qirtās*), papyrus rolls, see Grohmann, *From the World*, 22–30; Adolf Grohmann, *Einführung und Chrestomathie zur arabischen Papyruskunde*, vol. 1, *Einführung* (Prague: Státní Pedagogické Nakladatelství, 1954), 68–71. A number preceding *azwāj qarātīs* is to be expected in the lacuna at the beginning of this line (Hopkins, *Grammar of Early Arabic*, § 84.g). A space has been left blank at the end of this line indicating the beginning of a new paragraph in the next line.

11–12. *Al-biṭāqa* or the money order is the subject of numerous papyri. These money orders were quite small, written on documents of very small size. Cf. Grohmann, *From the World*, 147. I was not able to find a satisfactory reading for the word after *manzila* in line 11. *ʿAtāʾuhu* is written without *hamza* (Hopkins, *Grammar of Early Arabic*, § 21). For the term *ʿaṭāʾ*, see Petra M. Sijpesteijn, “Army Economics: An Early Papyrus Letter Related to ‘Aṭāʾ Payments,” in *Studies in the Social and Economic History of the Medieval Middle East: Essays in Honour of Avram L. Udovitch*, edited by R. Margarati, A. Sabra, and P.M. Sijpesteijn (Leiden: Brill, 2011), 245–267.

13. Form x of the root *w-f-y* refers in legal documents and texts to the complete payment of a debt. Cf. *CPR* XXIV 7.10–11 (333/945), 8.7 (345/956), 19.14 (third/ninth century).

15. For the expression *abligh khāṣṣat nafsika al-salām*, see Grob, *Arabic Private*, 72–74; Younes, *Joy and Sorrow*, 214–215.

16. *wa-l-salām ʿalayka wa-rahmat Allāh*. *Al-salām* is written with a *scriptio defectiva* of the long *ā* (Hopkins, *Grammar of Early Arabic*, § 10.a) and *rahmat* is written with a *tāʾ ṭawīla* instead of a *tāʾ marbūṭa* in the *status constructus* (Hopkins, *Grammar of Early Arabic*, § 47.a).

51 J.T.P. de Bruijn, “Kahramān,” in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill, 1978), 4:444–445; Muḥammad b. Mukarram b. Manzūr, *Lisān al-ʿArab*, ed. ʿAbd Allāh ʿA. al-Kabīr et al. (Cairo: Dār al-Maʿārif, n.d.), 2:3764.

### 3.5 *Muḥammad b. Saʿīd (in Office 152–157/769–773)*

According to al-Kindī, Ibn Yūnus, al-Jahshiyārī and al-Maqrīzī, Muḥammad b. Saʿīd administrated the finances of Egypt for an uncertain period sometime between 142 and 157 (759–774).<sup>52</sup> Al-Ṭabarī, Ibn al-Athīr (d. 630/1234) and Ibn Kathīr (d. 774/1373) record him as the successor of the governor Yazīd b. Ḥātim (in office 144–152/761–769) and delineate his term of activity for five years (152–157/769–773).<sup>53</sup> It is, however, striking that even very reliable Egyptian historians, such as al-Kindī and al-Maqrīzī, affirm that ‘Abd Allāh b. ‘Abd al-Raḥmān b. Mu‘āwiya was the direct successor of Yazīd b. Ḥātim. In his list of governors of Egypt, Von Zambaur noticed this discrepancy and suggested that ‘Abd Allāh b. ‘Abd al-Raḥmān b. Mu‘āwiya was only a commander under the authority of Muḥammad b. Saʿīd.<sup>54</sup> In his attempt to solve the paradox of the names of the governors of Egypt given by al-Ṭabarī and al-Kindī for the years 152–162/769–778, Hugh Kennedy reached the following conclusion: “al-Ṭabarī was working from records which detailed those in charge of the financial administration, while the local tradition used by al-Kindī emphasizes the role of the *wālī* who supervised prayers and public order.”<sup>55</sup> However, the opposite seems to be the case with Muḥammad b. Saʿīd. Al-Kindī identifies Muḥammad b. Saʿīd as financial director, while al-Ṭabarī lists him among the governors. Al-Kindī refers to Muḥammad b. Saʿīd in three accounts. In two of them Muḥammad b. Saʿīd cannot be anything but the financial director of Egypt while the third account is a bit confusing. In what follows I would like to shed light on these accounts aiming to reconstruct a better understanding of Muḥammad b. Saʿīd’s responsibilities.

In the first account the chief of police, Muḥammad b. Mu‘āwiya, under the governor Muḥammad b. al-Ash‘ath (in office 141–143/758–760) insulted the previous governor Abū ‘Awn ‘Abd al-Malik b. Yazīd (in office 133–136/750–753 and 137–141/754–758) in the middle of the Mosque of ‘Amr b. al-‘Āṣ. He did so out of revenge because Abū ‘Awn had had Muḥammad b. Mu‘āwiya beaten and reduced his subsistence from 200 to 120 dinars. The whole story occurred in

52 al-Kindī, *al-Wulāt*, 361–362; Ibn Yūnus, *Tārīkh*, 2:206; Abū ‘Abd Allāh Muḥammad b. ‘Abdūs al-Jahshiyārī, *Kitāb al-wūzarā’ wa-l-kuttāb*, ed. ‘Abd Allāh al-Ṣāwī (Baghdad: al-Maktaba al-‘Arabiya, 1938), 102; al-Maqrīzī, *al-Muqaffā*, 5:674.

53 Muḥammad b. Jarīr al-Ṭabarī, *Tārīkh al-rusul wa-l-mulūk*, ed. Muḥammad Ibrāhīm (Cairo: Dār al-Ma‘ārif, 1969), 8:41; ‘Alī b. Muḥammad b. al-Athīr, *al-Kāmil fi al-tārīkh*, ed. ‘Abd Allāh al-Qāḍī (Beirut: Dār al-kutub al-‘Ilmiyya, 1987), 5:202; Ismā‘īl b. ‘Umar b. Kathīr, *al-Bidāya wa-l-nihāya*, ed. ‘Abd Allāh al-Turkī (Cairo: Dār Hajr, 1997), 13:425.

54 Eduard von Zambaur, *Manuel de Généalogie et de Chronologie pour l’Histoire de l’Islam* (Hannover: Orientbuchhandlung Heinz Lafaire, 1955), 25–28.

55 Kennedy, “Central Government,” 33, n. 46.



the presence of Muḥammad b. Saʿīd, the “financial director” (*ṣāḥib al-kharāj*).<sup>56</sup> In the second account Muḥammad b. Saʿīd is also identified as the financial director of Egypt (*ʿalā kharāj miṣr*). The account starts when Muḥammad b. Saʿīd appointed a certain Ibn ʿUtba over Itrīb.<sup>57</sup> Ibn ʿUtba, however, behaved so aggressively and coarsely to the people of Itrīb that a certain Ibn Shajara al-Murādī, a soldier in the army of ʿAbd Allāh b. Ḥudayj, decided to get rid of him. One evening Ibn Shajara was waiting with drawn sword for Ibn ʿUtba to return from the office to his house. When he arrived, after sunset, Ibn Shajara attacked him. Ibn ʿUtba fell down and his helmet rolled to the side. Mistaking the rolling helmet for a severed head Ibn Shajara thought he had succeeded in cutting Ibn ʿUtba’s head off. Ibn Shajara hastily returned to the army quarters. A little while later Ibn ʿUtba was found unharmed. Muḥammad b. Saʿīd ordered to imprison all the people of Itrīb. The famous scholar al-Layth b. Saʿd was also imprisoned but he received special treatment, presumably because of his status, and was released after one hour only. A report was sent to the caliph al-Manṣūr (r. 136–158/754–775) who ordered the chief judge of Egypt, Abū Khuzayma (in office 144–154/761–771), to remain in Muḥammad b. Saʿīd’s office waiting for the caliph’s instructions. The caliph’s letter arrived before the end of the week. Muḥammad kept it and waited for the judge to arrive in the afternoon. Once the judge entered the office Muḥammad b. Saʿīd gave him the letter and asked him to open it. The judge, however, refused insisting instead on opening it in court. When he went to the court he read the letter and ordered to free the prisoners and to kill Ibn ʿUtba. Apparently still desiring to punish the people of Itrīb and in defiance of the caliph’s interpretation, Muḥammad b. Saʿīd later on asked his retinue to suggest to him a strong man to be appointed over Itrīb in revenge for what its people did to Ibn ʿUtba.<sup>58</sup>

In the third account Muḥammad b. Saʿīd appears more as a governor than as a financial director. The account records the census of the tribe of Qays after their arrival in Egypt.<sup>59</sup> We read: “we counted them (the people of Qays) under the rule (*fī wilāyat*) of Muḥammad b. Saʿīd and we found them all, young and old and all those who are grouped in their household, five thousand, give or take two hundred.”<sup>60</sup>

56 al-Kindī, *al-Wulāt*, 109–110.

57 For Itrīb, see Ramzī, *al-Qāmūs al-jughrāfi*, part 2, 118.

58 al-Kindī, *al-Wulāt*, 365–366.

59 In 109/727, the Muslim authorities in Egypt, reinforced by the caliph’s support in Damascus, had decided to evacuate several hundred families belonging to the Arab tribe of Qays from Syria and settled them in rural areas in the eastern edge of the Delta for political and economic purposes. See al-Kindī, *al-Wulāt*, 76.

60 al-Kindī, 77.

In sum, the three accounts show Muḥammad b. Saʿīd as a powerful independent-minded governor dealing with administrative matters such as maintaining law and order and appointing officials throughout Egypt and dealing with financial matters. This in turn leads us to conclude that Muḥammad b. Saʿīd was not only a financial director as was noted by al-Kindī, Ibn Yūnus, and al-Maqrīzī later on, but also the governor of the province as was recorded by al-Ṭabarī, Ibn al-Athīr and Ibn Kathīr. This assumption can be strengthened by the large number of weights, stamps, a papyrus protocol dated 153/770 (*P.Berl.Arab.* 13003)<sup>61</sup> and document 3.

From the various arguments set out above it can be concluded that Muḥammad b. Saʿīd was holding both offices, *al-ṣalāh wa-l-kharāj*, in the years 152–157/769–773 and that ʿAbd Allāh b. ʿAbd al-Raḥmān b. Muʿāwiya (in office 152–155/769–772), his brother Muḥammad (in office 155/772) and Mūsā b. ʿUlayy (in office 155–161/772–778) were only commanders under his authority and continued to be so under his successors. In the year 157/773 Muḥammad b. Saʿīd was dismissed from office and on Sunday the tenth of Jumādā II 158/775 he passed away.<sup>62</sup>

#### 4 Conclusion

The papyri edited in this paper are not alone in providing evidence for governors lacking in our narrative sources. The papyrus A.P. 00672 [= *PERF* 621] is a contract of lease issued by the financial official of the Fayyūm in the name of another unlisted governor ʿUmar b. Mihrān (in office 27 Ṣafar–24 Rabīʿ I 176/June–30 July 792) who held the governorship for a short term. He went unnoted among the officeholders of Egypt by the historians except for an anecdote mentioned by al-Jahshiyārī quoting a record by ʿUmar b. Mihrān himself.<sup>63</sup> Another precious official document (A.P. 1176 [= *PERF* 610]) and a papyrus protocol (*P.Berol.* 12815)<sup>64</sup> record the name of the governor Abū Ḍamra Muḥammad b. Sulaymān (in office 159–161/775–778) who does not appear in al-Kindī's list either.<sup>65</sup>

61 Grohmann, "Staatlichen Museen," 13–14, no. 3.

62 al-Maqrīzī, *al-Muqaḥḥā*, 5:674; Ibn Yūnus, *Tārīkh*, 2:206.

63 al-Jahshiyārī, *al-Wūzarā*, 171–174. See also Adolf Grohmann, "Aperçu de Papyrologie Arabe," *Études de papyrologie* 1 (1932): 23–95, 50; Frantz-Murphy, *Arabic Agricultural Leases*, 168–172; Grohmann, *Protokolle*, 129–133; Grohmann, *From the World*, 116–118.

64 Grohmann, *Protokolle*, 118, no. 130.

65 Diem, "Einige frühe amtliche Urkunden," 126–130; Grohmann, *Protokolle*, 130.

Al-Kindī was a highly esteemed historian not only because of his reliability, but also for his accuracy and trustworthiness owing to the fact that he based his work on oral traditions handed down to him through a series of transmitters together with the written records and the archival materials that were available to him.<sup>66</sup> Nevertheless, a number of governors dropped out of his list. It is remarkable that all those governors are from the Abbasid era, the period for which there is in general a considerable discrepancy in dates and names in al-Kindī's history when compared with documentary evidence or other later sources.<sup>67</sup> The present papyri are therefore of special interest as they form an important addition and check on contemporaneous historical records. In addition they produce valuable information about the history of the administration of Egypt under Arab rule and complete in the best possible way the data furnished by the historians.

Finally, these documents show not only that people in the countryside knew who the governors and financial directors were but also that authority was imposed by mentioning such governors and financial directors. Moreover, this article shows how papyri, although mostly found in the countryside, can offer very detailed information about the competence of governmental officials like governors and their subordinates in the capital. In order to fully understand the complex administrative apparatus of early Islamic Egypt, we should look into the history of the whole area where its authority was spreading, meaning mainly the Egyptian countryside where extensive correspondence with officials and locals had to be maintained for efficient management of the province.

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66 Wadād al-Qāḍī, "An Umayyad Papyrus in al-Kindī's Kitāb al-Quḍāt," *Der Islam* 84 (2008): 200–245.

67 Grohmann, *Protokolle*, 119–121; Kennedy, "Central Government," 33, n. 46.

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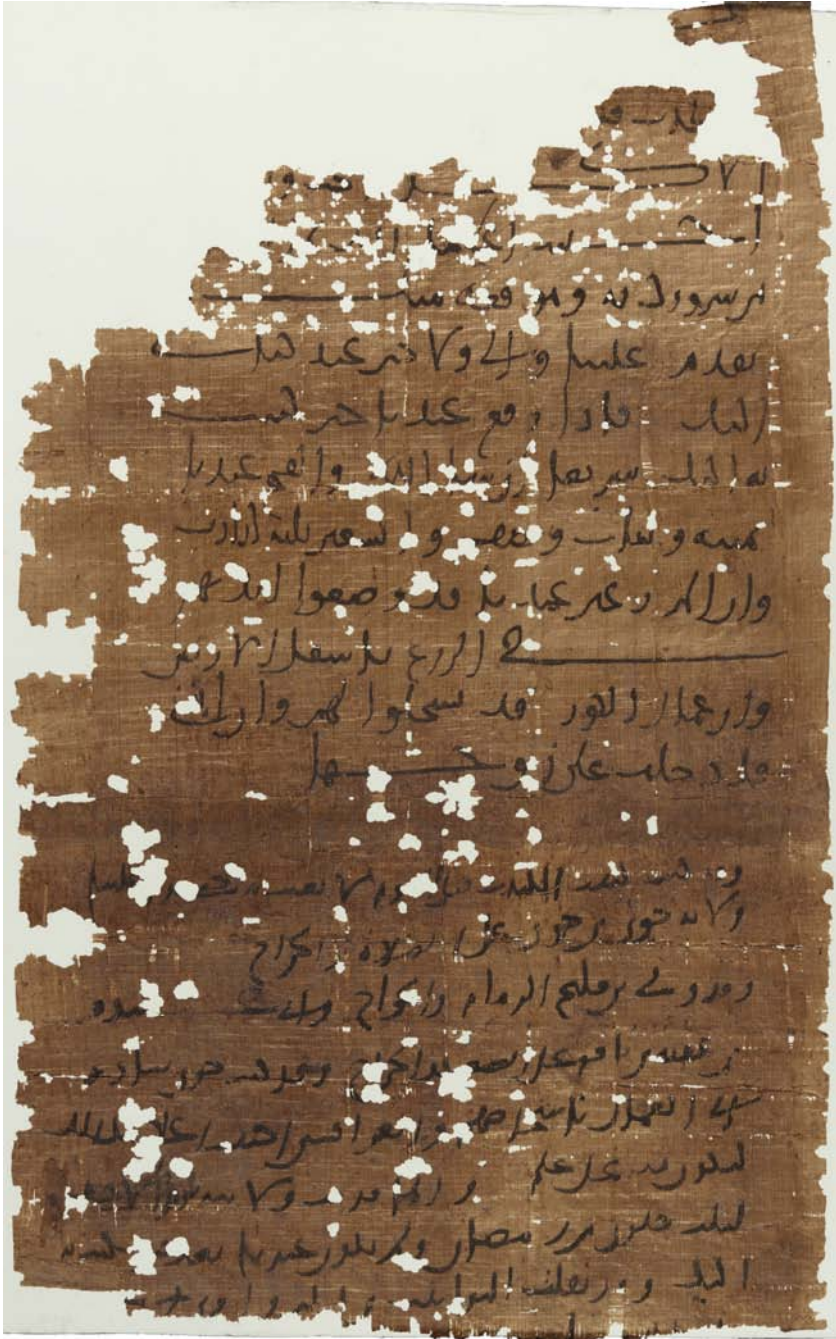


FIGURE 1.1 P.Ryl.Arab B 11 10 recto

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FIGURE 1.2  
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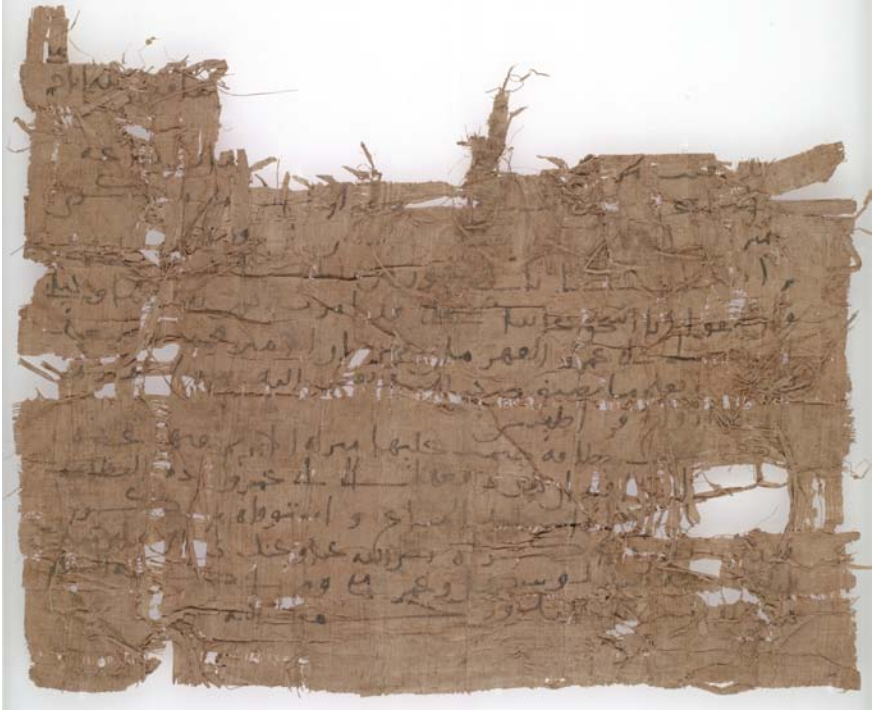


FIGURE 1.3 P.CTYBR. inv. 2733

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## “I’ll Not Accept Aid from a *mushrik*”

### *Rural Space, Persuasive Authority, and Religious Difference in Three Prophetic ḥadīths*

Luke Yarbrough

How did *ideas* concerning rural space help early Muslim leaders to exercise their authority – whether by coercion or suasion – across the vast empires of the caliphs? This essay offers an answer to this question by studying three texts that were circulated within a loose, empire-wide network of Muslim religious authorities: the *ḥadīth* transmitters. These three texts are *ḥadīths* in which the Prophet forbids the recruitment of non-Muslim troops. By placing the incidents described in rural settings that implicitly limited the potential audience for the Prophet’s words, *ḥadīth* transmitters made proprietary claims to knowledge of the Prophet’s normative example. They also emphasized his stern resolve on the issue by having him reject non-Muslim military aid in a rural space that was by nature anomie. By using new methods for dating and mapping the transmission of *ḥadīths*, we can see more clearly how early Muslim authorities used ideas of rural space to assert a particular kind of prescriptive control, first in the city of Medina, then across the empire.

The dictum “I/We shall not accept aid from a *mushrik*”<sup>1</sup> transfixes three well-known Prophetic *ḥadīths* that are set on the rural periphery of Medina. In this dictum, the Prophet Muḥammad expresses a normative sentiment that would become widespread among jurists: non-Muslims should not be recruited to fight for Muslim causes alongside Muslim combatants.<sup>2</sup> Although they have

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- 1 *lā/lan (n)astaʿīn bi-mushrik (|bil-mushrikīn ʿala l-mushrikīn)*. The word *mushrik*, untranslated below, means someone whose monotheism is defective. Often taken to refer in the Qurʾān to Arab polytheists, it may actually have meant monotheists, whether pagans or Jews, who “believed in the same Biblical God as the messenger” and for whom “lesser beings, indiscriminately called gods and angels, functioned much like (dead) saints in later Islam and Christianity” (Patricia Crone, “The Religion of the Qurʾānic Pagans: God and the Lesser Deities,” *Arabica* 57, no. 2–3 (2010): 151–200). Numerous polemical passages show that during the first Islamic century it came to be applied, widely though unevenly, to non-Muslims of any stripe.
  - 2 Discussions of the issue, citing these and other *ḥadīth pro* and *contra*, are found in *fiqh* of

been studied only in passing,<sup>3</sup> these *ḥadīths* are relevant to current debates about inclusion in the early Islamic state, specifically the question of who might fight for its causes.<sup>4</sup> They have also served for the last thirteen centuries as important proof texts for the controverted view that Muslims should not ally with non-Muslims in warfare or, frequently, in any collaborative undertaking at all. Absent critical study of their origins and early development, however, they are of limited use to historians. The events they relate may or may not have occurred as described. The dictum may or may not have been widely known and observed among the Arabian conquerors during their initial expansion, which saw intensive and dynamic military contact with non-Muslims.

- 
- various periods. Some other *ḥadīths* would indicate that the Prophet accepted the military aid of non-Muslims, monotheists and otherwise. See passages cited in Yohanan Friedmann, *Tolerance and Coercion in Islam: Interfaith Relations in the Muslim Tradition* (Cambridge: Cambridge University Press, 2003), 36 f.; al-Shāfi‘ī, *Kitāb al-Umm*, ed. M.Z. al-Najjār, 2nd ed. (Beirut: Dār al-Ma‘rifa, 1973), 4:261, 7:342; Ibn Qudāma, *al-Mughnī* (Cairo: Hajar, 1986–), 13:97 ff.; Ibn Ḥazm, *al-Muḥallā* (Cairo: Idārat al-Ṭibā‘a al-Muniriya, 1929–1934), 7:334–335. See also Ibn al-Mundhir, *al-Awsaṭ fi l-sunan wa-l-ijmā‘ wa-l-ikhtilāf*, ed. Ş. Ḥanif (Riyadh: Dār Ṭayba, 1999) 11:175–177; al-Taḥāwī, *Sharḥ Mushkil al-āthār*, ed. Sh. al-Arna‘ūṭ (Beirut: Mu‘assasat al-Risāla, 1994), 6:407–419; al-‘Allāma al-Ḥilli, *Muntahā l-maṭlab fi taḥqīq al-madḥab* (Mashhad: al-Majma‘, 1991–2008), 14:72–74, 15:188 f.; al-Ṭurayqī, *al-Isti‘āna bi-ghayr al-muslimīn fi l-fiqh al-islāmī* (Beirut: Mu‘assasat al-Risāla, 1989), 265 f.
- 3 Outside the Islamic tradition, one or more of the three is mentioned in Leone Caetani, *Annali dell’Islam* (Milan: Ulrico Hoepli, 1918), 8:380 f.; Majid Khadduri, *War and Peace in the Law of Islam* (Baltimore: Johns Hopkins University Press, 1955), 84; Yohanan Friedmann, “The Attitude of the *Jam‘iyyati ‘Ulama-I Hind* to the Indian National Movement and the Establishment of Pakistan,” in *Inventing Boundaries: Gender, Politics, and the Partition of India*, ed. Mushirul Hasan (New Delhi: Oxford University Press, 2000), 157–177, n. 30; Friedmann, *Tolerance*, 36 f.; Antoine Fattal, *Le statut légal des non-musulmans en pays d’islam*, 2nd ed. (Beirut: Dar al-Machreq, 1995), 233; Marco Schöller, *Exegetisches Denken und Prophetenbiographie: eine quellenkritische Analyse der Sira-Überlieferung zu Muhammads Konflikt mit den Juden* (Wiesbaden: Harrassowitz, 1998), 251; Tilman Nagel, *Mohammed: Leben und Legende* (Munich: R. Oldenbourg, 2008), 307; Gauthier H.A. Juynboll, *Encyclopedia of Canonical Ḥadīth* (Leiden: Brill, 2007), 384; Andreas Görke and Gregor Schoeler, *Die Ältesten Berichte über das Leben Muhammads: Das Korpus ‘Urwa ibn az-Zubair* (Princeton: Darwin Press, 2008), 101, 252, 254. A very important recent study of the issue is Wadād al-Qāḍī, “Non-Muslims in the Muslim Conquest Army in Early Islam,” in *Christians and Others in the Umayyad State*, ed. A. Borrut and F. Donner (Chicago: The Oriental Institute, 2016), 83–128.
- 4 Especially the thesis of Fred Donner that seventh-century proto-Islam was a confessionally plural, pietistic, monotheist “Believers’ movement” (see his *Muhammad and the Believers: At the Origins of Islam* (Cambridge, Mass.: The Belknap Press of Harvard University Press, 2010); “From Believers to Muslims: Confessional Self-Identity in the Early Islamic Community,” *al-Abḥath* 50–51 (2002–2003): 9–53; *Narratives of Islamic Origins* (Princeton: Darwin Press, 1998), 64–97). If the Prophet really did reject the military assistance of Jews, calling them *mushrikūn*, this sit poorly with Donner’s thesis.

The dictum pins these *ḥadīths* not only to one another, but also to a common origin. It is singularly improbable that the same phrase should have originated independently in three different settings, thence finding its way to the climax of three independent *ḥadīths* that all happen to follow the same narrative arc. Thus the accounts must have emerged from a shared milieu wherein the slogan circulated and the three *ḥadīths* shared points of historical contact.

Two candidates for this milieu emerge. The first is, of course, the circle of Muḥammad and his Companions. He, or they, before they dispersed widely in the campaigns that followed his death, would have first uttered the dictum, and later generations recalled it. The second is a later locale in which the slogan circulated. Recognizing the three *ḥadīths* as narrative representations, I use their *isnāds* to date and locate the composition of their shared narrative schema in early second/eighth-century Medina.<sup>5</sup> First, however, I discuss the significance of their contents in the Medinan setting, particularly that of their placement in an imagined Ḥijāzī hinterland. Finally, I attempt to lay the groundwork for use of the three *ḥadīths* as historical sources.

## 1 The *ḥadīths* and Their Use of Rural Space

The fourth/tenth-century Ḥanafī jurist al-Ṭahāwī presents versions of all three *ḥadīths*, as follows:<sup>6</sup>

1. The well armed squadron of Jews  
 ‘Ubayd b. Rijāl – Hadiya b. ‘Abd al-Wahhāb – al-Faḍl b. Mūsā al-Sīnānī – Muḥammad b. ‘Amr – Sa’d b. Mundhir al-Sā’idī – Abū Ḥumayd al-Sā’idī, who said: ‘The Prophet went out on the day of Uḥud, continuing until he had passed Thanīyat al-Wadā’.<sup>7</sup> Suddenly there appeared a well-armed squadron (*katība khashnā*). He said, “Who are these?” They replied, “Banū

5 In this task, I take methodological cues from the work of Harald Motzki (e.g., “Dating Muslim Traditions: A Survey,” *Arabica* 52, no. 2 (2005): 204–253) and Behnam Sadeghi (“The Traveling Tradition Test: A Method for Dating Traditions,” *Der Islam* 85, no. 1 (2010): 203–242).

6 al-Ṭahāwī, *Sharḥ*, 6:407–419. For biographical information on individual transmitters, including dates of death, see the Notes to Figures 2.1–2.3 in the Appendix to this essay.

7 A pass in the vicinity of Medina. There is disagreement as to whether it lay north or south of the city center; al-Samhūdī holds for north: al-Samhūdī, *Wafā’ al-Wafā’ bi-akhbār Dār al-Muṣṭafā*, ed. Q. al-Sāmarrā’ī (London: Mu’assasat al-Furqān li-l-Turāth al-Islāmī, 2001), 4:195–201.

Qaynuqā’, the tribe (*raḥt*) of ‘Abd Allāh b. Salām,<sup>8</sup> and the people (*qawm*) of ‘Abd Allāh b. Ubayy b. Salūl.”<sup>9</sup> Then he said, “Convert [to Islam]!” But they refused. He said, “Say to them, ‘Let them return, for we will not accept the aid of *mushrikūn* against *mushrikūn*.’”

2. The *mushrik* of Badr

Yūnus – Ibn Wahb – Mālik b. Anas – al-Fuḍayl b. Abī ‘Abd Allāh – ‘Abd Allāh b. Niyār al-Aslamī – ‘Urwa b. al-Zubayr – ‘Ā’isha, wife of the Prophet: The Apostle of God [*rasūl Allāh*, henceforth “the Prophet”] went out toward Badr. When he reached Ḥarrat al-Wabra,<sup>10</sup> he met a certain man who was renowned for daring and valor. The Companions of the Prophet rejoiced when they saw him. When he met him, he said to the Prophet, “I have come to follow you and raid (*uṣṭba*) with you.” The Prophet replied, “Do you believe in God ... and his Apostle?” He said, “No.” [The Prophet] replied, “Then go back, for I will not accept aid from a *mushrik*.” He said: Then he continued on until we were<sup>11</sup> at the tree.<sup>12</sup> There the man met him again, and spoke to him as he had the first time. The Prophet replied

8 A Jewish sage of Medina who recognized Muḥammad’s prophethood. See Josef Horowitz, “Abd Allāh b. Salām,” in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill), [http://dx.doi.org/10.1163/1573-3912\\_islam\\_SIM\\_0063](http://dx.doi.org/10.1163/1573-3912_islam_SIM_0063).

9 A major figure in Muḥammad’s Medina, the Khazrajite Ibn Ubayy (d. 9/631) is depicted as a halfhearted convert who, after Uḥud, became an increasingly bitter opponent and archetypical *munāfiq* (“hypocrite”). He is known to have had allies among the Banū Qaynuqā’. See W. Montgomery Watt, “Abd Allāh b. Ubayy b. Salūl,” in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill), [http://dx.doi.org/10.1163/1573-3912\\_islam\\_SIM\\_0065](http://dx.doi.org/10.1163/1573-3912_islam_SIM_0065).

10 Or “al-Wabara.” This is the *ḥarra* (basalt lava flow) to the west of Medina, at a distance of about 6 km. (al-Samhūdī, *Wafā’*, 4: 236 f., where a version is quoted; Otto Loth, “Die Vulkanregionen (Ḥarra’s) von Arabien nach Jākūt,” *Zeitschrift der Deutschen Morgenländischen Gesellschaft* 22, no. 3 (1868): 380).

11 Who is the narrator here? ‘Urwa was not yet alive at the time of these events, while ‘Ā’isha is not known to have joined in the Badr expedition. Later commentators occasionally solve the problem by making the first person “we were” refer to the Muslims – ‘Ā’isha identifies with them vicariously (see references in Notes to Figure 2.2). Other versions introduce this phrase with “She said” rather than “he said”, and render “we were” in the third person.

12 This refers to an acacia tree in Dhū l-Ḥulayfa, a village south-west of Medina. Here was built a mosque, known as Masjid al-Shajara. The distance from the porch of this mosque to the door of the Prophet’s mosque in Medina was evidently 19,732.5 hand cubits (9.8 km. at 1 hand cubit = 49.8 cm. (see Walther Hinz, “Dhirā,” in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill), [http://dx.doi.org/10.1163/1573-3912\\_islam\\_SIM\\_1825](http://dx.doi.org/10.1163/1573-3912_islam_SIM_1825)), or 5 2/3 Arab miles less 100 cubits by al-Samhūdī’s calculation, or 9.2 km. by modern satellite measurements). Here those making *ḥajj* from Medina entered *iḥrām* (i.e., it is the *mīqāt* of Medina). In one version the location is given as Dhū l-Ḥulayfa itself (al-Samhūdī, *Wafā’*, 3:421–427, 4:246). This account thus takes us well outside of Medina into the surrounding countryside.

as he had before, saying, “No,” and adding, “Go back, for I will not accept aid from a *mushrik*.” But he returned, and met him at al-Baydā'.<sup>13</sup> He said to him, as he had the first time, “Do you believe in God and his Apostle?” He replied, “Yes.” Then the Prophet said, “Then come along (*fa-nṭaliq*).”

3. The rejection of Khubayb

Ḥusayn b. Naṣr – Yazīd b. Hārūn – Mustalim b. Sa'īd – Khubayb b. 'Abd al-Raḥmān b. Khubayb – his father – his grandfather, who said: “I came to the Prophet before one of his raids, in the company of a man from my tribe [*qawm*]; we had not become Muslims. We said, ‘We are ashamed that our tribe should go to war [*an yashhada qawmunā mashhadan*] without us.’ [The Prophet] said, ‘Have you become Muslims?’ We said, ‘No.’ He replied, ‘We will not accept the aid of *mushrikūn* against *mushrikūn*.’”

In most versions, Khubayb and his companion responds to this rejection by converting.

Before taking a closer look at the texts of the three *ḥadīths*, it is worth noting two historical points of obvious significance. The first is that the questions that are raised and answered in these *ḥadīths* – questions concerning military recruitment and communal belonging, whether tribal or monotheistic – were existential ones for the Islamic state in its first century. All three *ḥadīths* posit, for example, a declaration of faith and allegiance as a prerequisite for military participation on the Muslims' behalf. In the first and third *ḥadīths*, this requirement is overlaid on a background of tribal affiliation. This implies that belonging to a certain tribe matters less than belonging to Islam when it comes to participation in warfare. The overlapping and sometimes conflicting claims of tribal and religious affiliation were also central to the Constitution of Medina.<sup>14</sup> Indeed, for a movement (the so-called “jihad state”) that was intent on conquering the Late Antique Near East, where political boundaries shadowed religious ones, the question of how religious difference affected the possibility of military cooperation was of perennial urgency. It is well known that non-Muslims frequently fought alongside the Arabian conquerors.<sup>15</sup> Such coopera-

13 An elevation immediately above Dhū l-Ḥulayfa to the west (al-Samhūdī, *Wafā'*, 4:176–178).

14 On the Constitution of Medina, an agreement to which Jews are party and in which mutual support in conflicts is also of central importance, see most recently Michael Lecker, *The Constitution of Medina: Muḥammad's First Legal Document* (Princeton: Darwin Press, 2004).

15 In the juristic literature the classic case is the Meccan Ṣafwān b. Umayya (d. ca. 41/61), who took part in the Battle of Ḥunayn on the Muslims' side before his conversion and with Muḥammad's evident sanction. See also al-Qāḍī, “Non-Muslims,” *passim*.

tion was probably even more commonplace than our sources indicate. It seems that conversion was not strictly necessary in order for an individual to become a *mawla* or “client” of an Arab tribe, the primary avenue to inclusion in the early Islamic community.<sup>16</sup> The three *ḥadīths* thus represent a firm normative position that would make religious alterity a barrier to military cooperation. This position became increasingly dominant in the Islamic juristic tradition. The *ḥadīths* are thus significant both because they intersect major religious and political trends of the first two Islamic centuries and because they lie at the head of a restrictive legal tradition that has cast a long shadow.

The second point to note – and the crucial one for this volume – is that the three *ḥadīths* are all set on the rural periphery of Medina. All three represent the delivery of the dictum as occurring after a physical movement from urban to rural space. Why? Whatever one thinks about the events’ historicity, they need not have been represented in this way.<sup>17</sup> I would argue that the rural setting reflects a Medinan rhetorical appropriation of rural space for the purpose of asserting normative authority. As will be shown below, these *ḥadīths* represent a Medinan viewpoint as it existed in that city in the early second/eighth century. They offer us a glimpse of a strain of control that was exercised by *ḥadīth* transmitters by means of imagined, rhetorical rural space.

To appreciate how imagined rural space could discharge this function, one ought to begin by noting that in early Islam, authority belonged to God, as the Qur’ān implies by the phrase *al-ḥukm li-lāh* (“Rule is God’s,” e.g., 12:40, 67, etc.). In principle, God conferred political authority on Muḥammad and his successors the caliphs or imams, whoever they should rightfully have been. How that authority was parlayed into control – coercive or otherwise – soon came under scrutiny from another quarter: that of the scholars, among them the *ḥadīth* transmitters. These last sought to leverage Muḥammad’s authority for causes they cared about by claiming proprietary knowledge of his paradigmatic *vita*, as conveyed in the *ḥadīth*.

16 On non-Muslim *mawālī*, see, e.g., Sobhi Bouderbala, “Les *mawālī* à Fustāt aux deux premiers siècles de l’Islam et leur intégration sociale,” in *Les dynamiques d’islamisation en Méditerranée centrale et en Sicile: Nouvelles propositions et découvertes récentes*, eds. A. Nef and F. Ardizzone (Rome: Ecole française de Rome, 2014), 103–117 (I owe this reference to Marie Legendre); Patricia Crone, *Slaves on Horses* (Cambridge: Cambridge University Press, 1980), 237, n. 358.

17 The etiology of representation was not an issue that engrossed *ḥadīth* critics, and is thus somewhat exogenous to their discourse. For *ḥadīth* as “fictional” narrative discourse, see Sebastian Günther, “Fictional Narration and Imagination within an Authoritative Framework,” in *Story-telling in the Framework of Non-fictional Arabic Literature*, ed. S. Leder (Wiesbaden: Harrassowitz, 1998), 433–471; Daniel Beaumont, “Hard-Boiled: Narrative Discourse in Early Muslim Traditions,” *Studia Islamica* 83 (1996): 5–31.



Imagined rural space played a strategic dual role in facilitating this project with respect to our three *ḥadīths*. In all three, Muḥammad “went out” from Medina, placing the events that follow beyond the view of all but his traveling companions. The *exeunt* fortified claims to proprietary knowledge of what he proceeded to do and say. Moses received the Law alone on a mountain. Jesus of Nazareth retired to lonely places to teach his disciples. Muḥammad himself received early revelations alone in a cave. Similarly, the well-armed squadron proffered its services at the appropriately obscure Thanīyat al-Wadāʾ, not at the mosque in Medina. Jesus’ own principled rejections of would-be followers took place after he and his disciples had left a village, “as they went in the way” (Luke 9:56–62). An effect of setting such events in rural space was to circumscribe debate about what had taken place there.<sup>18</sup> Eighth-century *ḥadīth* transmitters were a mainly urban group, but in the Prophet’s countryside that they imagined their political authority was amplified precisely because his policy statements *in rure* were spoken into empty space. True, those who accompanied Muḥammad at Badr and Uḥud included his most prominent Companions. This is why it is so striking that they should be marginal and anonymous in the three *ḥadīths*, in which their names are overlooked in favor of such obscure toponyms as Ḥarrat al-Wabra and al-Baydāʾ, the spatial transition among which opens rhetorical space for repetition and reinforcement of the dictum.

If the transmitters’ authority waxed in this way, it did so at the expense of the Prophet’s coercive control. Rejecting the aid of warlike *mushrikūn* not only deprived the Prophet’s forces of their aid, but left them roaming the hinterlands of Medina. Here the limits of state control over rural space are not only highly visible, but rhetorically advantageous. Beyond those limits lies contested space where state agents face choices unimaginable within or before city walls. Representation reflects experience; indeed, it relies on accurate reflection for its normative power.<sup>19</sup> Pre-modern urban space, like the rural battlefield, had a

18 Another effect of movement into rural space may have been to evoke the standard itinerary of the Late Antique “holy man,” who acquired authority at a remove from human society and exercised it upon his return. The classic study of the holy man in the late antique Syrian countryside is Peter Brown, “The Rise and Function of the Holy Man in Late Antiquity,” *Journal of Roman Studies* 61 (1971): 80–101. For a more recent adaptation of Brown’s paradigm in a rural setting, see Ariel Lopez, *Shenoute of Atripe and the Uses of Poverty* (Berkeley, Calif.: University of California Press, 2013), 95.

19 Cf. Günther, “Fictional Narration,” 469: “By means of arranging – and fictionalising – the elements of the world of experience of a former ‘ideal’ generation ..., the recipient is left to himself to draw his conclusions and lessons from the happenings recounted. The allegory inherent in these *ḥadīths* establishes, in fact, an exemplary connection between one sphere of existence ... and others.”

binarizing effect on military forces, concentrating or dissolving armies as discrete units. At cities, armies form up, attack, defend, loot, or are routed. They break or are broken. To garrison troops in a city creates instability, as residents of al-Mu‘taṣim’s Baghdad or al-Mustanṣir’s Cairo might testify. Partly for this reason, the early Muslims established the *amṣār* – garrison cities – away from existing population centers. In a garrison city, matters are of course different, and if these accounts had been formulated among the *jabbānas* of Kūfa – open urban spaces where the resident tribal fighters gathered and dispersed – rather than in Medina, the *exeunt* might have been superfluous.

Arid and semi-arid hinterlands, by contrast, when not playing host to the temporary conurbations of combat, were zones of military transition, where fighting men were raised and recruited, and where armies break camp for the march and disperse to requisition. Group agency and identity is diluted in the dust of the road, and the flanks exposed. Dilution, in turn, facilitates change in the vectors and composition of the army. It is no surprise, then, that Muḥammad should be depicted sealing the religious boundaries of his military forces in this anomic setting, where group boundaries were most permeable.<sup>20</sup>

The setting, in fact, throws the dictum into sharp relief; if space for inter-religious cooperation were to be found anywhere, then surely it would have been here, in the transitional countryside, and now, on the verges of Muḥammad’s most improbable triumph (Badr) and his most bitter defeat (Uḥud). That no such space was made lent authority to the transmitters’ controverted views about the religious modalities of legitimate state control. In a sense, they harvested rhetorical authority for themselves from the excluded *mushrikūn*, the undermanned army of Muḥammad, and the non-*cognoscenti* among their colleagues, in the fertile landscape of an imagined Ḥijāzī hinterland.

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20 On military organization and recruitment in Arabia and in early Islam, see Hugh Kennedy, *The Armies of the Caliphs: Military and Society in the Early Islamic State* (London: Routledge, 2001); Patricia Crone, “The Early Islamic World,” in *War and Society in the Ancient and Medieval Worlds: Asia, The Mediterranean, Europe, and Mesoamerica*, ed. K. Raaflaub and N. Rosenstein (Washington, D.C.: Center for Hellenic Studies, 1999), 309–332 (non-Muslim participation discussed at 314); Ella Landau-Tasseron, “Features in the Pre-Conquest Muslim Army in the Time of Muḥammad,” in *The Byzantine and Early Islamic Near East*, vol. 3, *States, Resources, and Armies*, ed. A. Cameron (Princeton: Darwin Press, 1995), 299–336; J.W. Jandora, “Developments in Islamic Warfare: The Early Conquests,” *Studia Islamica* 64 (1986): 101–113 (non-Muslim fighters mentioned at 109, 112).

## 2 The Milieu of Early Circulation

It remains, however, to show that the three *ḥadīths* in question did, in fact, originate in Medina, and to consider the question of the dates at which they were composed. The following schemata and accompanying tables present the putative paths along which each *ḥadīth* was transmitted, according to the testimony of the sources, as well as the overlap between shared paths of transmission and shared contents.

### Key to Figures 2.1–2.3

	A solid arrow denotes a source attribution in an <i>isnād</i> . No distinction is made among the various types of attribution ( <i>ḥaddathanā</i> , <i>akhbaranā</i> , <i>ʿan</i> , etc.).
	A dotted arrow denotes a defective source attribution in an <i>isnād</i> . This arises when an authority cites a source from whom he cannot possibly have heard the material in question. This does not imply dishonesty on the part of this authority, but merely inexhaustive citation.
	A name surrounded by a box denotes a printed work in which a given <i>ḥadīth</i> is to be found. The name belongs to the compiler to whom the work is attributed.
Mūsā b. Hārūn	A name not surrounded by a box denotes a transmitter credited as the proximate source of a given <i>ḥadīth</i> .
	A circle containing a letter or letters and placed on an arrow denotes the city in which the transmission that the arrow signifies is likely to have taken place. This is usually but not always determined by the place where the earlier transmitter is known to have settled at a mature age, i.e., at the time when he would have transmitted to others most actively. Where no circle appears, the <i>ḥadīth</i> did not “travel” to a new city, but instead “stayed” in the city of the previous transmission. A blank circle indicates that the place of transmission is uncertain, but probably not identical with that of the previous transmission. Letters represent places as follows: <b>Bg</b> = Baghdād; <b>Bl</b> = Balkh; <b>Bṣ</b> = Baṣra; <b>D</b> = Damas-

Key to Figures 2.1–2.3 (*cont.*)

cus; E = Egypt; K = Kūfa; If = Isfarāyin; Iṣ = Iṣbahān; Ğğ = Jurjān; Md = Medina; Mn = al-Madā’in; Mv = Marw; Nā = Nasā; Ns = Naysābūr; R = Rayy; Sq = Samarqand; W = Wāsiṭ

Key to Tables 2.1–2.3

Columns	Columns are headed with textual features that serve to distinguish versions from one another.
Rows	Rows are labeled with the name of the compiler, with one row for each discrete version. In order to reduce clutter, no effort is made to distinguish multiple versions found in a single compilation.
Dark bars	Row-label cells are joined by dark bars to indicate that they share a unique transmitter or transmitters ...
	... In Table 2.1, extra-thick dark bars serve precisely the same function (the thickness distinguishes them from adjacent dark bars). In Table 2.2, the transmitters directly from the common link (found in column 1) act in the same way, with additional dark bars indicating further connections above this generation of transmitters.



TABLE 2.1

	Uḥūd	600 Jews	‘Abdallah b. Salām mentioned	Ibn Ubayy on site	B. Qaynuqā’ mentioned	The Prophet and conversion		Dictum	
						Question	Command	simple	“against <i>mushrikīn</i> ”
Bayhaqī			×	not mentioned	×	×		×	
al-Ḥākim al-Naysābūrī			×	not mentioned	×	×		×	
Ḥiṣām b. ‘Ammār	×			×		×			×
Ibn Abī Shayba	×			×		×			×
Ibn Sa‘d	×	×	×	×	×	×			×
Ṭabarānī	×	×		×	×	×			×
Ḥāzīmī	×	×		×	×	×			×
Ibn al-Mundhir	×		×	×	×	×			×
Ibn Abī ‘Āṣim	×		×		×	×			×
Ṭaḥāwī	×		×		×		×		×



TABLE 2.2 The *mushrik* of Badr

	Ma'n	Ibn Sa'd	Ḥarrat al-Wabra	al-Shajara	al-Bayḍā'	Speech upon volunteering	Order to return	1st – prsn.	asta ʿīn	nasta ʿīn	Closing line
Ibn Wabb		×	×	×	×	<i>li-attabi'aka wa-uṣība ...</i>	×			× ( <i>lan</i> )	<i>fa-ḥāliq</i>
	Tirmidhī <sup>21</sup>	×	×				×		mss differ		(no conversion)
Ibn al-Mundhir	Sahnūn	×	×	×	×	<i>li-attabi'aka wa-uṣīra ...</i>	×		× ( <i>lan</i> )		<i>fa-ḥāliq</i>
		×	×	×	×	<i>li-attabi'aka wa-uṣība ...</i>	×	×	× ( <i>lan</i> )		<i>fa-ḥāliq</i>
	al-Bayhaqī	×	×	×	×	<i>li-attabi'aka wa-uṣība ...</i>	×		× ( <i>lan</i> )		<i>fa-ḥāliq</i>
Abū 'Awāna		×	×	×	×	<i>li-attabi'aka wa-uṣība ...</i>	×		× ( <i>lan</i> )		
	Abū 'Awāna	×	×	×	×	<i>li-attabi'aka wa-uṣība ...</i>	×		× ( <i>lan</i> )		
no <i>matn</i> given											

21 Tirmidhī notes that “there is more to the *ḥādīṭ* than this”, making his version a poor candidate for *matn* comparison.



TABLE 2.2 The *mushrik* of Badr (cont.)

	Harrat al-Wabra	al-Shajara	al-Baydā'	Speech upon volunteering	Order to return	1st – prsn.	<i>asta ʿin</i>	<i>nasta ʿin</i>	Closing line
	×	×	×	<i>li-attabi'aka wa-us̄iba ...</i>	×	×		× ( <i>lan</i> )	<i>fa-ṅtaliq</i>
	×	×	×	<i>li-attabi'aka wa-us̄iba ...</i>	×	×	× ( <i>lan</i> )		<i>fa-ṅtaliq</i>
Bišr	Badr only toponym mentioned			<i>akhruju ma'aka?</i>				× ( <i>lā</i> )	(no conversion)
	no <i>matn</i> given								
		Badr only toponym mentioned		<i>akhruju ma'aka?</i>				× ( <i>lā</i> )	(no conversion)
Ibn Sa'ūd		No toponym mentioned			×			× ( <i>lā</i> )	(no conversion)
		No toponym mentioned		<i>akūna ... wa-us̄iba ...</i>				× ( <i>lā</i> )	<i>wa-ṅtalaqa ma'ahu</i>

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22 This version and the following show truncated, non-specific knowledge of long version.

TABLE 2.2 The *mushrik* of Badr (cont.)

	Harrat al-Wabra	al-Shajara	al-Bayda’	Speech upon volunteering	Order to return	1st – prsn.	asta ʾin	nasta ʾin	Closing line
Nasāʾī	No toponym mentioned			<i>li-akūna ... wa-uṣība ...</i>				× ( <i>lā</i> )	<i>fa-ntalaqa maʿahu</i>
Nasāʾī	dictum only								
Ibn Ḥanbal	×	×	×	<i>li-attabiʿaka wa-uṣība ...</i>	×			×	<i>fa-kharaja bihi</i>
Ṭahāwī	No toponym mentioned				×			×	(no conversion)
Muslim	no <i>matn</i> given								
Ibn Ḥibbān	No toponym mentioned				×			×	(no conversion)
Dārimī	dictum only								
Nasāʾī	dictum only								
Ibn Rāḥawayh	dictum only								
Ibn Ḥanbal	dictum only (ʿAbdallāh supplies, without <i>isnād</i> , the above version from Ibn Ḥanbal to supplement)								
								×	(no conversion)

TABLE 2.2 The *mušrik* of Badr (*cont.*)

	Harrat al-Wabra	al-Shajara	al-Bayda'	Speech upon volunteering	Order to return	1st – prsn.	<i>asta ʿin</i>	<i>nasta ʿin</i>	Closing line
	Ibn Abī Shayba			dictum only				× ( <i>lā</i> )	(no conversion)
	Ibn Māja			dictum only				× ( <i>lā</i> )	(no conversion)
Unique	Nasāʾi	×	×	<i>li-attabiʿaka wa-uṣṣiba ...</i>	×	×		× ( <i>lan</i> )	<i>fa-ṣṭaliq</i>
	Jahdamī	×	×	<i>li-ubāyīʿaka wa-uṣṣiba ...</i>	×		×	× ( <i>lan</i> )	<i>fa-ṣṭaliq</i>
	Ibn Ḥanbal	No toponym mentioned		<i>attabiʿaka li-uṣṣiba ...</i>					<i>fa-ṣṭalaqa fa-tabiʿahu</i>
	Dārimī	no <i>matn</i> given, described only as longer than the other Dārimī version							
	Ṭaḥāwī	×	×	<i>abhruju maʿaka fa-uqātulu wa-uṣṣibu</i>	×			×	<i>fa-naʿam idhan</i>
	Ibn ʿAdī								<i>la tasta ʿinū</i>



TABLE 2.3 The rejection of Khubayb

	Prior Islam denied	Objective	Dictum		Conversion	Battle deeds, domestic aftermath
			simple	“against <i>mushrikūn</i> ”		
al-Ṭabarānī	×			×	×	
Abū Nu‘aym	×			×	×	×
al-Ṭabarānī			×			
al-Ṭabarānī (2 <i>isnāds</i> )		<i>wajh</i>	×		×	×
Ibn Abī Shayba		<i>wajh</i>		×	×	
al-Bukhārī		<i>wajh</i>		×	×	
Ibn Abī Khaythama				×		
Ibn Sa‘d	×	<i>ghazw</i>		×	×	×
al-Ḥākim	×	<i>ba‘d ghazawātih</i>		×	×	×
al-Bayhaqī	×	<i>ba‘d ghazawātih</i>		×	×	×
Baḥshal	×	<i>ba‘d maghāzih</i>		×	×	
Abū Nu‘aym (2 <i>isnāds</i> )	×	<i>ghazw</i>	×		×	×
Ibn Ḥanbal	×	<i>ghazw</i>		×	×	×
al-Rūyānī	×	<i>ba‘d ghazawātih</i>		×	×	×
al-Khaṭīb	×	<i>ghazw</i>		×	×	×
al-Ṭaḥāwī	×	<i>ghazw</i>		×		
al-Ṭaḥāwī	no <i>matn</i> given					

(For Notes to Figures 2.1–2.3, please see the Appendix)

The “Travelling Tradition Test” (TT Test), recently formulated by Behnam Sadeghi, is a useful tool for dating *ḥadīths* that share a common feature. It uses geographic clustering of wording, themes, or legal positions to put bounds on the dates of traditions that purportedly moved from one city to another. If an idea, word, phrase, or some other feature is thereby uniquely linked to a city, its presence in a tradition of uncertain provenance can be used to assign the tradition to that city. The report can be dated approximately to the time interval spanned by the transmitters hailing from the tradition’s city of origin.<sup>23</sup>

The TT Test requires that “candidate birthplaces” (“the first city in which a prototype containing the shared features of the traditions ... circulated”) be identified for each of a cluster of traditions sharing a common feature. In the present case, the common feature comprises variations on the dictum – “I’ll not accept aid from a *mushrik*” – in close combination with the distinctive narrative sequence in which it is embedded: 1. exit from Medina into rural space; 2. encounter with warlike non-Muslim(s); 3. dictum; 4. conversion. In some versions one or more of these components is omitted, while in others there is additional material. Never, however, is one of these components replaced with an incompatible alternative. In principle, the dictum might have been deployed in a wide variety of alternative narrative sequences, but in fact it was not.

What, then, are the candidate birthplaces of each of these three *ḥadīths*? The candidate birthplaces are determined on the basis of the cities in which each *ḥadīth* was known to circulate during its early transmission history, based upon the names of the transmitters and information known about their lives. (For what next follows, see Figures 2.1–2.3.) Thus for the squadron of Jews, the candidate birthplaces are Medina and, if one chooses to treat the *isnāds* bypassing the later potential “common link” (al-Faḍl b. Mūsā) as Juynbollian “dives,” a choice that I will argue on textual grounds to be unwise,<sup>24</sup> Marw.<sup>25</sup> For the

23 Sadeghi, “Traveling Tradition Test,” 203–204.

24 For the term “dives” – spurious *isnāds* “launched” in order to bypass a transmitter’s real source, ascribing a given *ḥadīth* to an earlier, false source – see Juynboll, *Encyclopaedia*, xxiii ff.; cf. Motzki, “Dating,” 229 f.

25 Since three of the four transmitters from the earlier “common link” are from Iraq, an Iraqi birthplace is theoretically possible. However, the fact that one transmitter is Baṣran and two Kūfan (one of whom settled in Damascus and is seen narrating this *ḥadīth* only to a confirmed Damascene), while another is Marwazī, makes this possibility remote. It requires one transmitter to have fabricated the *ḥadīth*, falsely ascribing it to Muḥammad

*mushrik* of Badr, Medina is the only viable candidate birthplace. For the rejection of Khubayb, Wāsiṭ and Medina are both candidate birthplaces.

The TT Test yields Medina as the only candidate birthplace common to all three *ḥadīths*. The *isnāds* thus give these *ḥadīths* the appearance of regionalism (“geographic clustering of contents”).<sup>26</sup> But why should we believe that *isnāds* carry historical information about the actual paths, human and thus geographical, along which the *ḥadīths* were disseminated? Sadeghi argues persuasively that “*isnāds* often carry valid geographical information.” Supposing that “unity of distinctive contents implies unity of origin,” if *isnāds* do not carry valid geographical information then there is no reason that the *isnāds* of *ḥadīth* that share features should habitually give the appearance of regionalism. Yet they often do so, suggesting that the geographical information conveyed in the *isnāds* is valid. Put differently, the regular concurrence of common features with common milieus is unlikely to be due to chance, and common geographical origin “usually provides the most plausible explanation” for this concurrence.<sup>27</sup>

These formulations apply to the present case, and point to a Medinan origin for all three *ḥadīths*. They arise from a single insight about *ḥadīths*: shared distinctive contents tend to go along with shared geographical paths of transmission. I would propose a minor refinement to Sadeghi’s formulation, based on our case: there *is* reason for the appearance of regionalism to come about even if the *isnāds* are wholly fictitious in cases where the *ḥadīths* in question narrate events that happen in a certain place. This is because of the natural presumption that residents of a certain place are most likely to have knowledge of events that occurred there. We might say of a shared feature that the more geographically specific it is, the less confident we may be that the appearance of regionalism arises from a historical transmission process. This assumes that the place mentioned corresponds to the place of the observed regionalism; if the places differ, we may be relatively more confident that the appearance of regionalism reflects reality. Thus one can readily imagine a motive for spuriously attributing each of our three *ḥadīths* to early Medinan transmitters.<sup>28</sup>

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b. ‘Amr, and the other three to have unanimously falsified the actual source of their information.

26 Sadeghi, “Travelling Tradition Test,” 204.

27 Sadeghi, “Travelling Tradition Test,” 205 f.

28 Another observation concerning the TT Test is that the “reality of regionalism” is obscured as well as proved by the fact that cities developed distinctive positions on certain issues that could themselves be distinctive. As a rule of thumb, the more idiosyncratic or peculiar an issue on which authorities in different cities held apparently regionally distinct

This refinement recognizes that transmitters of any *ḥadīth* relating events that occurred near Medina, or any given city, might want to cite the authorities of that city. It does not explain how certain clusters of *ḥadīths*, including the three at hand, came to have related *non-region-specific* contents as well (in this case, the shared narrative structure and dictum). Moreover, it is undermined by the fact that many *ḥadīths* about events that occurred in Medina were attributed to Arabs who settled in Syria, Iraq, and elsewhere very early in the Islamic period. Nevertheless, it will be well to test the reliability of these *isnāds* in another way, using not only principles that apply to any cluster of textually related *ḥadīths*, but also the data for these particular *ḥadīths*. A further reason for such an independent test is that we have only three related *ḥadīths* that converge on Medina – not an unusual number for that city, as Sadeghi points out, and thus not a sure indicator that that dictum was peculiar to it. However, one might here invoke Sadeghi’s own caveat: “shared distinctive features can significantly strengthen the likelihood of shared origins even for a small number of traditions.”<sup>29</sup> The dictum in combination with its associated narrative sequence is distinctive to these three *ḥadīths*.

We possess an independent test of the *isnāds’* integrity in *matn-cum-isnād* analysis: comparison of the contents of the different versions of a certain *ḥadīth*, with attention to the putative routes of transmission found in their *isnāds*. *Matn-cum-isnād* analyses of the three *ḥadīths* that contain variations on the dictum “I will not accept aid from a *mushrik*” strongly suggest that their *isnāds* give historically valid information about the human and thus geographical paths along which they were disseminated.

For what follows, refer to Tables 2.1–2.3. The suggestion of the *isnāds’* historical validity is strong because in numerous cases, versions whose *isnāds* claim for them a shared path of transmission tend to share specific features or combinations of features. For example, in Table 2.2, the six versions of the *ḥadīth* about the *mushrik* of Badr whose *isnāds* claim that they were transmitted from Mālik, the “common link,” by Wakīʿ b. al-Jarrāḥ (d. 197/812) contain only the dictum. The six versions allegedly via Ibn Wahb (d. 197/813) all give a much more elaborate narrative, in which the phrase by which the *mushrik* attempts to enlist is virtually identical. Only the two versions that pass via Bishr

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positions happens to be, the less confident we may be that these positions were actually regionally distinct, since the very commonality of preoccupation erodes the assumed separation on which regionalism is predicated. So for Sadeghi’s “idealized sample” (“Traveling Tradition Test,” 208–209), one’s confidence in the results depends on the perceived idiosyncrasy of the issue on which Meccan and Baṣran authorities differed.

29 Sadeghi, “Traveling Tradition Test,” 209.



(d. 207/822) mention, of toponyms, only Badr, while only versions via Yaḥyā b. Saʿīd (d. 198/813) include the verbal form *akūnu/akūna* in the *mushrik's* enlistment pitch. Other similarities may be observed in Table 2.2.

Analogous patterns are observed for the other two *hadīths*. In the case of the rejection of Khubayb (Table 2.3), for example, there is a perfect correlation between the four shared paths of transmission and the respective words used to designate the objective of Muḥammad's expedition. In the case of the well-armed squadron of Jews (Table 2.1), only three versions give the number of Jews (600): the two that were allegedly transmitted from al-Faḍl b. Mūsā by Khālid b. Khidāsh, and a third version that, although it does not claim to have been transmitted by Khālid, was allegedly transmitted by al-Ṭabarānī (d. 360/971), who also transmitted a version from Khālid. More arresting is the correspondence between the two versions that are unique not in sharing but in lacking a certain transmitter; the only two versions that do not claim to have passed via al-Faḍl b. Mūsā in Marw also happen to be the only two versions ignorant of the "fact" that the Jews were of Banū Qaynuqā', a detail that creates chronological difficulties that are discussed below. This coincidence suggests that the Medinan Muḥammad b. 'Amr (d. 144–145/761), or a Medinan near contemporary of his, actually transmitted a proto-version of this *hadīth*, and that he did not (or at least did not always) mention the Jews' tribal affiliation. A similar though less striking example of this phenomenon may be observed in the case of the rejection of Khubayb, where only one version consists of the naked dictum: that which "dives" beneath Yazīd b. Hārūn (d. 117/735) to his putative source, Mustalim b. Saʿīd (d. ?). The most persuasive account of all this evidence is that the concurrences were in fact produced by the transmission process that the *isnāds* indicate to have taken place, in more or less the way they depict it.

*Matn-cum-isnād* analysis' strong suggestion that these *isnāds* convey historically valid information remains a suggestion rather than a demonstrated proposition because the correlation between shared putative paths of transmission and shared content is imperfect. There are of course minor, random differences in the contents of *hadīths* allegedly transmitted by common routes – this is expected because the common routes are usually only partial, leaving room for non-shared transmitters, including the named compilers themselves or their students, to have introduced modifications. More problematic are cases where there is a strong correlation between the contents of versions that do not claim to share routes of transmission after the common link, or where there is little correlation between the contents of versions that do claim to share routes of transmission. For an example of the first scenario, in the case of the rejection of Khubayb, one can easily explain why the ver-

sion of al-Ṭabarānī that allegedly came to him via Ibn Abī Shayba (d. 235/849) should use the same distinctive, unforeseeable word for Muḥammad’s objective – *wajh* – as the version found in the latter transmitter’s *Muṣannaḥ*. It is less easy to explain why one and only one other version – that of al-Bukhārī (d. 256/870) – should use the same word, when it allegedly came via an independent route. For an example of the second scenario, relating to the *ḥadīth* about the *mushrik* of Badr, one version cited by Ibn Ḥanbal (d. 240/855) gives the longer narrative, while the two other versions from Ibn Ḥanbal’s putative source for this version (Ibn Mahdī, d. 198/814) that are found in other compilations correspond quite closely to one another and show no knowledge of the longer narrative.

There are two plausible, overlapping explanations for this phenomenon. The first is borrowing or influence of *matn* material that the *isnāds* do not reflect. Thus al-Bukhārī’s source, ‘Abd Allāh al-Ju‘fī (d. 229/844), might have heard a version that used the term *wajh* from someone other than Yazīd b. Hārūn, but narrated the *ḥadīth* as though he had heard it straight from Yazīd (he might of course really have heard a version from Yazīd, but been influenced by a version he heard elsewhere). Or, Ibn Ḥanbal’s source for the longer version of the *ḥadīth*, Ibn Mahdī, might have heard the *ḥadīth* about the *mushrik* of Badr from someone familiar with the elaborate version, but ascribed his transmission straight to Mālik (d. 179/796). The second explanation for unexpected concurrence of contents is variation in the wording of versions that a single person transmitted at different times. Thus Mālik might have transmitted different versions of the *ḥadīth* about the *mushrik* of Badr at different times, and Ibn Mahdī and Ibn Wahb might have heard the same version from him on the same occasion, while Wakī‘ (for example) might have heard from Mālik only the dictum. Then, Ibn Mahdī, having heard the long version from Mālik, might have at times transmitted it in full, and at times transmitted the abbreviated version that other collectors claim to have from him. The second explanation accounts not only for unexpected correlation, but also for some portion of the observed variation. Combinations of these two phenomena undoubtedly operated in the transmission history of these and most other *ḥadīths*. This fact erodes but does not efface the strong impression made by the *matn-cum-isnād* analyses: that the *isnāds* of these *ḥadīths* contain historically accurate human and thus geographical information.

The “single-strand” portion of the *isnāds* below (in Figures 2.1–2.3) the “common links” is immune to *matn-cum-isnād* analysis. Here Sadeghi’s TT Test is most helpful. The TT Test indicates that the common portion of the three *ḥadīths*, comprising dictum and closely associated narrative sequence, originated in Medina. This indication has implications for dating that are in line

with views advanced by Harald Motzki.<sup>30</sup> Specifically, two of the *ḥadīths* should be assigned to a period earlier than the common-link phenomenon might lead one to believe on the Schachtian assumption that the common link of a *ḥadīth* was usually responsible for bringing it into circulation and attaching to it a fictitious *isnād*.<sup>31</sup> According to the TT Test, a prototype account of the squadron of Jews predates al-Faḍl b. Mūsā (d. 192/807) and originated in Medina. Thus it may well have been narrated by the earlier common-link candidate, Muḥammad b. ‘Amr, the latest Medinan transmitter in the stemma. A prototype account of the rejection of Khubayb b. Yisāf would really have been narrated by a Medinan transmitter before Mustalim, perhaps even by Khubayb b. ‘Abd al-Raḥmān (d. 132/749), who is the latest Medinan in the stemma. It would not have been invented two generations later in Wāsiṭ, as a Schachtian reader of the stemma (Figure 2.3) might conclude.

The combination of the TT Test and *matn-cum-isnād* analysis yields the probable conclusion that a proto-account embedding the dictum in this distinctive narrative sequence first circulated in Medina, and is to be dated before the death of the earliest last Medinan transmitter in any of the three stemmata: Khubayb b. ‘Abd al-Raḥmān (d. 132/749). In my view, this is the only plausible account of how the three *ḥadīths* came to share distinctive contents. To appreciate the significance of the stemmata found in Figures 2.1–2.3, consider a counterfactual. If all three *ḥadīths* had the same two candidate birthplaces (say, Medina and Baṣra), it would be impossible to determine whether the shared contents indicated a Medinan or Baṣran birthplace. In fact, however, the *ḥadīth* about the squadron of Jews allegedly moved diffusely from Medina to Kūfa, Damascus, and Marw, that about the *mushrik* of Badr must have been transmitted by the Medinan Mālik, and that about the rejection of Khubayb moved only to Wāsiṭ. It is of course possible to conceive of scenarios in which parts of one or two of the *ḥadīths* originated somewhere other than Medina. These are of low probability, however, and will not be detailed here. Furthermore, the most plausible of these low-probability alternative scenarios require the import of information from Medina – the names of transmitters, the dictum, etc. – along paths that must have closely resembled those we already have. Even

30 For Motzki, the common links observed in the *isnād* stemmata are not necessarily the originators but “the first major collectors and professional disseminators of knowledge in general, and of traditions about individuals of the first Islamic century in particular” (“Dating,” 228).

31 For a synopsis of Schacht’s position, see Motzki, “Dating,” 219 f. Similar assumptions animated the scholarship of Gauthier H.A. Juynboll (see, e.g., *Encyclopedia*, xxviii, col. 1). For a succinct critique of Juynboll’s method, see the review by Jonathan Brown (*Journal of Islamic Studies* 19, no. 3 (2008): 391–397).

if they were somehow to prove true, these alternative explanations would have little effect on the notion that the dictum and associated narrative sequence is of Medinan origin.

### 3 Early Muslim View on the Recruitment of Non-Muslim Troops

There is thus no evidence to indicate that Muslims possessed widely shared, principled reasons not to recruit non-Muslims in warfare during the main period of the conquests, roughly coinciding with the pre-Abbasid period. This conclusion is the product of a syllogism. The major premise is that all of the versions of these three *ḥadīths*, cited from numerous compilations, whose origins reach from Egypt to Transoxania, contain reports with *isnāds* that converge on pre-Abbasid Medina. Given the general reliability of their *isnāds* postdating this convergence, as established above, these *ḥadīths*, with the prophetic dictum they bear, are unlikely to have circulated widely beyond Medina before the Abbasid period. The minor premise is that in numerous juristic discussions of even greater geographic, temporal, and sectarian diversity, such as those cited in note 2 above, one finds no widely shared, principled reasons against allying with non-Muslims in warfare apart from these three *ḥadīth*. These juristic discussions may be considered reliable weirs, set in the current of the tradition that bore with it the available, principled rationales against recruiting non-Muslims. Now, if principled Islamic rationales for this view are restricted to these three *ḥadīths*, and if these three *ḥadīths* were restricted to Medina in pre-Abbasid times, then principled Islamic rationales against recruiting non-Muslims were restricted to Medina in pre-Abbasid times. The conquering Arabs may of course have had a range of reasons to refuse aid from willing, warlike infidels, from tactical to tribal. But these reasons are unlikely to have been widely shared, or to have been overtly Islamic in character. This conclusion highlights the significance of the geographical concurrence of these *isnāds*; if they had travelled along independent routes in diverse locales (say, Medina, Baṣra, and Ḥims) during the first century, it might be argued that they were widely known among the Arabs, perhaps because they reflected a shared memory of Muḥammad’s policy. Since this is not the case, the reverse holds true.

Of course, this conclusion is not apodeictically certain. Other *ḥadīths* opposing interreligious military alliance might have circulated widely among the early Muslims, but been overlooked by later jurists who wrote on the topic. Or, certain Qur’ānic verses (such as 3:28, 3:118, or 5:51) might have been widely read as forbidding the recruitment of non-Muslims, but their significance for

the matter been ignored or rejected by later jurists.<sup>32</sup> Or, versions of these three *ḥadīths* might have left Medina earlier than the extant *isnāds* reveal, and circulated widely, but memory of these early transmissions have been lost.<sup>33</sup> These and other such possibilities are remote. The permissive views on military alliance with non-Muslims held by such early figures as al-Zuhrī (d. 124/742), Abū Ḥanīfa (d. 150/767), al-Awzā'ī (d. 157/774), and al-Thawrī (d. 161/778) also suggest that there were no early, widely accepted Islamic reasons against such alliance.<sup>34</sup> As I suggest below, this diversity of opinion also highlights the possibility that the three *ḥadīths* entered circulation in the context of debates on the issue, and not prior to these debates.

32 There does exist a report that Q. 3:28 was revealed to the Prophet so that 'Ubāda b. al-Ṣāmit (d. ca. 34/654 or 55) would not accept the aid of 500 Jewish fighters. It occurs with a unique *isnād*, and was not widely known among jurists. It was purportedly included in *tafsīr* material attributed to Ibn 'Abbās (d. 68/687 or 688) by al-Ḍaḥḥāk b. Muzāḥim (d. ca. 105/723), according to Juwaybara b. Sa'īd al-Azdi (d. ca. 145/762). Al-Ḍaḥḥāk is said to have heard Ibn 'Abbās' *tafsīr* material from the Kūfan Sa'īd b. Jubayr (d. 95/713–714) in Rayy, and Juwaybara, who was regarded as an extremely suspect transmitter, heard from al-Ḍaḥḥāk in Balkh. The observation that these are the same eastern environs in which the well armed squadron *ḥadīth* circulated proves significant; in fact, a version of the well armed squadron *ḥadīth* was also attributed via Juwaybara to al-Ḍaḥḥāk as final authority. Clearly the *ḥadīth* was borrowed without acknowledgment, and other *tafsīr* material extrapolated from it. It is textually linked to the version given by Ibn Abī Shayba. For this rare version, see al-Shaybānī, *Kitāb al-siyar li-l-Shaybānī*, ed. M. Khaddūrī (Beirut: al-Dār al-Muttaḥida li-l-Nashr, 1975), 99, no. 41; al-Samarqandī, *Tafsīr al-Samarqandī*, ed. 'A. Mu'awwad et al. (Beirut: Dār al-Kutub al-'Ilmiya, 1993), 1:314. For the 'Ubāda tradition, see Schöller, *Exegetisches Denken*, 234, and to his citations add al-Tha'labī, *al-Kashf wa-l-bayān*, ed. Abū Muḥammad b. 'Āshūr (Beirut: Dār Iḥyā' al-Turāth al-'Arabī, 2002), 3:47. On al-Ḍaḥḥāk, see A. Paket-Chy and C. Gilliot, "Works on *ḥadīth* and its Codification, on Exegesis, and on Theology," in *History of Civilizations of Central Asia*, ed. C.E. Bosworth and M.S. Asimov (Paris: UNESCO, 2000), 4:98, part. 2. For another isolated *ḥadīth* on this topic, somehow related to that concerning Khubayb, see Notes to Figure 2.3.

33 This possibility is raised, for instance, by the appearance of textually distinct versions, without *isnāds*, in other sources, notable the *Sharḥ Kitāb al-siyar* of al-Sarakhsī (attrib. to al-Shaybānī) and the *Kitāb al-maghāzī* of al-Wāqidī. These are readily explicable within the model of transmission here proposed; al-Wāqidī was Medinan, and al-Shaybānī knew only the *ḥadīth* about the well-armed squadron, which we know to have circulated in al-Shaybānī's native Kūfa (via Ya'lā b. 'Ubayd and, possibly, Sa'īd b. Yahyā, a Kufan who settled in Damascus) at an early enough date for him to have learned it thence. Al-Shaybānī also studied in Medina with Mālik, transmitting the *Muwaṭṭa'*, but evinces no knowledge of the *ḥadīth* about the *mushrik* of Badr. See Figures 2.1–2.3 and Notes thereto.

34 For these views, see Ibn Qudāma, *Mughnī*, 13:97 ff., and Ibn Ḥazm, *Muḥallā*, 7:334–335.

#### 4 Toward Using the *ḥadīths* as Historical Sources

At present it is not possible to reach conclusions about the historical accuracy of the three *ḥadīths* that contain the dictum. Such conclusions will require study of all available evidence of the limits set by Muḥammad on inclusion in the polity he founded, and in its military activities in particular. Nevertheless, it will be expedient to prepare the way for such study by gesturing to a few features of the evidence that are relevant to the question of historical accuracy. Preliminary indications are that Fred Donner’s vision of regular military cooperation among various monotheists in Islam’s early decades does not face a serious challenge from this quarter. The evidence is addressed under two headings: *isnāds* and *matns*.

##### 4.1 *Isnāds*

The usual source problem of early Islamic history applies fully to these *ḥadīths*. They are first found in works compiled nearly two centuries after the events they relate. Their *isnāds* remain – for us as for medieval Muslims – the chief means of evaluating their utility as historical sources for those events. While I have argued that careful examination of the *isnāds* leads to a much earlier dating for the *ḥadīths* than for the works in which they are contained – earlier, even, than a Schachtian or Juynbollian reader of the *isnāds* would conclude – it does not yield the conclusion that they represent accurate accounts of Muḥammad’s life. In each of the three cases, in fact, the early portions of the *isnāds* contain points of uncertainty that call into question the continuity of their transmission from the time of Muḥammad. After converging on Medina, each *isnād* enters a phase of obscurity. These phases are briefly noted below for each *ḥadīth*.

The *isnād* attached to the *ḥadīth* about the squadron of Jews bears signs of having “grown” backwards. Specifically, the only two versions which do not claim to have been transmitted in Marw by al-Faḍl b. Mūsā name only one transmitter earlier than the common link, Muḥammad b. ‘Amr, but all of the versions transmitted by al-Faḍl name two (see Figure 2.1 and Notes thereto). One of these two versions, that of Ibn Abī Shayba, names Sa’d b. al-Mundhir (d. ?) as the informant of Muḥammad b. ‘Amr and the ultimate authority for the tradition (all the versions which pass via al-Faḍl also name Sa’d, but not as the ultimate authority). The other version, that of the compiler Hishām b. ‘Ammār (d. 245/859), gives the name “al-Munkadir b. Ḥumayd al-Anṣārī,” which is a corruption of the full name of the same Sa’d b. al-Mundhir. The important point is that Hishām b. ‘Ammār’s version contains only one name – surely that of Sa’d b. al-Mundhir – allegedly predating the common link. A traditional *ḥadīth*

critic would call both versions *munqaṭiʿ* or *mursal*, because they narrate events without claim of direct witness thereto. Critical re-reading can often discern in such versions, when they are early and have likewise underdeveloped *matns*, the backward growth of an *isnād*. The older name (a *kunya*, Abū Ḥumayd), found only in *isnāds* via al-Faḍl, happens to be the grandfather of the same Saʿd b. al-Mundhir; his personal name, according to some authorities, was also Saʿd b. al-Mundhir. The younger Saʿd b. al-Mundhir was an extremely obscure figure, who transmitted from only two people, one of whom was this grandfather, and to only two people, one of whom was Muḥammad b. ʿAmr. There are thus indications that a primitive version of the *ḥadīth* narrated by Muḥammad b. ʿAmr did not claim to go back to a contemporary of the events described, and that the appearance of such a claim was created later. At any rate, the transmission is too muddled for one to set great store by the early reaches of the *isnād* on its own merits. The Medinan Muḥammad b. ʿAmr (d. 144 or 145/761) is the earliest person who can be said with any confidence to have transmitted the *ḥadīth*.

One encounters similar patches of obscurity in the *ḥadīth* about the *mushrik* of Badr, beyond the curious fact that such a vividly instructive tale should have languished in occultation until the middle of the second Islamic century. This is apparently the only report of any kind that ʿAbd Allāh b. Niyār (d. ?) transmitted from the famous ʿUrwa b. al-Zubayr (d. 93/712),<sup>35</sup> giving it an anomalous appearance; it is not corroborated by any of the numerous other accounts that ʿUrwa related about Muḥammad's life, to transmitters with whom he had sustained interaction. ʿAbd Allāh b. Niyār is a hazy figure. His father's name frequently comes through as Dīnār, and the famously reliable Kūfan transmitter Wakīʿ b. al-Jarrāḥ is supposed<sup>36</sup> to have split him in two, giving the *isnāds* of this report (as preserved in such works as the *Sunans* of Ibn Māja and al-Dārimī and the *Muṣannaf* of Ibn Abī Shayba) without Mālik's alleged informant, al-Fuḍayl b. Abī ʿAbd Allāh, in the form Mālik – ʿAbd Allāh b. Yazīd – Ibn Niyār (Ibn Māja, Ibn Abī Shayba, and Ibn Ḥanbal *apud* al-Khallāl) or Mālik – ʿAbd Allāh b. Dīnār (al-Dārimī). This would not be so problematic – even Wakīʿ can be forgiven the occasional mistake – but for the fact that Wakīʿ also knew only a version of the report limited to the naked dictum. Once again, the concurrence of a truncated *matn* with a muddled *isnād* makes it look as though a primitive early version of the report underwent later improvement. Mālik's alleged informant, al-Fuḍayl b. Abī ʿAbd Allāh, is another extremely obscure transmitter whom Mālik virtually “monopolized,” and who allegedly transmitted from only one person other

35 Görke and Schoeler, *Ältesten Berichte*, 101, 252, 254.

36 In the opinion of, among many others, al-Dāraquṭnī (see Notes to Figure 2.2).

than the hazy ‘Abd Allāh b. Niyār. Mālik is supposed to have transmitted from both Medinan transmitters who narrated the other two *ḥadīth* containing the dictum, which, if one regards his alleged informant al-Fuḍayl as a spurious link in the *isnād*, could explain how he really heard it. He might of course really have learned it from al-Fuḍayl (or from an unknown transmitter), whose version might or might not have been informed by the others then circulating in Medina.

The *ḥadīth* about the rejection of Khubayb also appears to have passed through a long tunnel of obscurity in Medina, in this case a tri-generational family *isnād* – before breaking into public view in late second/eighth-century Wāsiṭ. Only a single, minor Wāsiṭī appears to have heard it in Medina, but upon its arrival in Wāsiṭ it attracted considerable interest. In this case we have no evidence of layers of development in the *isnād*, but neither does that *isnād* encourage one to endorse it as a guarantor of the account’s accuracy.

It is true that the authenticity of many early reports about Muḥammad’s life is subject to similar vague concerns. Some comparable reports, however, can be shown with varying degrees of certainty to have been in circulation within a few decades of Muḥammad’s death, and even to contain factual elements.<sup>37</sup> These three *ḥadīth* do not belong to this group. The problematic aspects of their *isnāds* should make historians attentive to indications that they were shaped by forces other than memory of the events they describe. Specifically, taken along with the evidence of their contents, the *isnāds* suggest that these *ḥadīth* bear the marks of second/eighth-century juristic controversies. Although I will not study these controversies exhaustively in this paper, a base for such study is laid in the Conclusion.

#### 4.2 *Matns*

The aspect of the three *ḥadīths*’ contents most relevant to the question of authenticity is, in fact, external: the fact that there exist multiple *ḥadīth* that convey precisely the opposite normative message. The term “precisely” is used advisedly. Muḥammad may have been inconsistent in his policies, but it is striking that he should have both allied and refused to ally with precisely the

37 See Motzki’s guardedly optimistic conclusions in “The Murder of Ibn Abi l-Ḥuqayq: On the Origin and Reliability of Some *Maghāzī* Reports,” in *The Biography of Muḥammad: The Issue of the Sources*, ed. H. Motzki (Leiden: Brill, 2000), 170–239. In a careful recent study of reports attributed to ‘Urwa b. al-Zubayr, Görke and Schoeler conclude that these “reflect the general outline of the events correctly”; it is noteworthy that they are cool toward the *ḥadīth* allegedly from ‘Urwa with which we are dealing here (pp. 101, 252, 254, 284, 294 [whence the quotation]).



same Jewish tribe. Yet this is what he did, if we believe a *ḥadīth* cited by al-Shāfiʿī (d. 204/820) on the authority of Ibn ‘Abbās (d. 68/687 or 88). Other reports, found in the *Muṣannaḥ* of ‘Abd al-Razzāq and often associated with Ibn Shihāb al-Zuhrī, also claim that Muḥammad allied with Jews, without giving particulars. They are also concerned with the share of the spoils to be given to *mushrikūn* who fight alongside the Muslims, taking it for granted that they may do so.<sup>38</sup> It is beyond the scope of this essay to subject these reports to the critical scrutiny they deserve. Thus I refrain from drawing conclusions about whether this contradiction arises from inconsistencies in Muḥammad’s policies, or castoff armaments forged for early juristic debates. Preliminary study suggests the latter. The trajectory of thought among Muslim jurists generally was increasingly to oppose the employment of non-Muslims in political and military roles. As time went on, transmitters would thus have been increasingly likely to have circulated *ḥadīths* that opposed such employment than ones that supported it. Moreover, it is *prima facie* more plausible that the nascent Islamic state was pragmatically willing to accept military aid from non-Muslims, and that later jurists voiced opposition to the practice from a position of strength, than that Muḥammad took a little-remembered, principled stand on the matter from a position of Muslim weakness only for later scholars to compose *ḥadīths* that cast him in a more inclusive role.

The contradiction between these two sets of *ḥadīths* was perceived by jurists. For those opposed to accepting military aid from infidels, one strategy was to discredit the *ḥadīth* that claimed that Muḥammad allied with Jews and *mushrikūn* (in the latter case, the *mushrik* is usually Ṣafwān b. Umayya, who fought for the Muslim cause at the Battle of Ḥunayn). Ibn al-Mundhir al-Naysābūrī,<sup>39</sup> for instance, ruled that infidel assistance was unlawful because of the *ḥadīth* about the well-armed squadron and the *mushrik* of Badr, declaring that al-Shāfiʿī’s account of the Banū Qaynuqā’ could not serve as proof because its source was not firmly known.<sup>40</sup> Al-Ḥāzimī (d. 584/1188) cited the oppos-

38 ‘Abd al-Razzāq, *al-Muṣannaḥ fi l-ḥadīth*, ed. H. al-Aʿzamī (Beirut: al-Majlis al-ʿIlmī, 1970–), 5188–189, no. 9328–9330; Friedmann, *Tolerance*, 37, no. 130; Schöller, *Exegetisches Denken*, 251f. Cf. Abū ‘Ubayd al-Qāsim b. Sallām, *Kitāb al-amwāl*, ed. M. ‘Umāra (Cairo: Dār al-Shurūq, 1989), 294, no. 120; and especially the wealth of reports in Ibn Abī Shayba, *al-Kitāb al-muṣannaḥ fi l-ḥadīth wa-l-āthār*, ed. K.Y. al-Ḥūt (Beirut: Dār al-Tāj, 1989), 6:487f.

39 On Ibn al-Mundhir see Scott Lucas, “Abu Bakr Ibn al-Mundhir, Amputation, and the Art of Ijtihād,” *International Journal of Middle East Studies* 39, no. 3 (2007): 352–354.

40 Ibn al-Mundhir, *al-Awsaṭ*, 11:177. He had plainly read only the first of al-Shāfiʿī’s two discussions of the issue; in the second an *isnād* is given, obviating Ibn al-Mundhir’s charge that “perhaps he took this from the *maghāzī* reports.” Al-Shāfiʿī quotes several authorities

ing view, found in al-Shāfi‘ī’s *Kitāb al-Umm*, that the principle established by the *ḥadīth* about the *mushrik* of Badr was abrogated by that in which Muḥammad received support from Ṣafwān b. Umayya.<sup>41</sup> The Imāmī al-‘Allāma al-Ḥillī (d. 726/1375) made Muḥammad’s stance conform to two later conditions for accepting non-Muslim aid, explaining what Muḥammad really meant by the dictum: “By this he meant [that infidel aid was to be refused] in the absence of one of the two conditions.” These conditions are 1. that the Muslims have need of assistance, and 2. that the non-Muslims be trustworthy. Al-Ḥillī cites the *ḥadīths* about the *mushrik* of Badr and the rejection of Khubayb, explaining away the contradiction in several ways. They assume the lack of need for assistance, or lack of trustworthiness in the infidels in question, or Muḥammad’s prophetic knowledge that if he pronounced the dictum the *mushrik* would convert, or that both *ḥadīth* were abrogated by Muḥammad’s later alliance with the Banū Qaynuqā’.

Al-Ṭaḥāwī, in a subtle treatment of the problem that cites all three *ḥadīths*, distinguished between “seeking assistance” (*istī‘āna bi-*) and “fighting with.” Muḥammad would naturally not seek the assistance of a *mushrik*, but had no objection to one “fighting with” him. What then, he asks rhetorically, of the *ḥadīth* (not discussed above) in which Muḥammad begs Jews of the Banū al-Naḍīr for military aid on the eve of Uḥud? Al-Ṭaḥāwī answers that Jews are not *mushrikūn*. In fact, *vis-à-vis mushrikūn*, Muslims and Jews are, as *ahl al-kitāb*, “a single hand,” and there is no bar to fighting alongside them. Why then Muḥammad’s rejection of the well armed squadron? This, al-Ṭaḥāwī tells us, is because by allying with Ibn Ubayy the B. Qaynuqā’ had forfeited their Jewishness and become *de facto mushrikūn*.

There are difficulties with this creative explanation. First, Ibn Ubayy was not himself a *mushrik*, but a *munāfiq* at worst, and at Uḥud his most violent disagreements with Muḥammad still lay ahead of him. Did a group of Jews become *mushrikūn* by allying with a man who was not himself a *mushrik*? Second, the text cannot bear this interpretation, for even if we disregard the two versions that do not mention Ibn Ubayy, we must still make sense of Muḥammad’s question: “Have they converted?”<sup>42</sup> In al-Ṭaḥāwī’s scenario, converted

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to the effect that the Prophet’s alliance with non-Muslims was universally acknowledged, and that the debate revolved around the share of the spoils due to them.

41 al-Ḥāzimi, *Kitāb al-i‘tibār* (Hyderabad: Maṭba‘at Majlis Dā‘irat al-Ma‘ārif al-‘Uthmāniya, 1940), 218f.

42 Al-Ṭaḥāwī’s is the only version in which the Prophet commands the Jews to convert. In all others he *asks* whether they have already converted. The *question* implies that alliance with Ibn Ubayy is compatible with eligibility (of Muslims) to fight for the Prophet. Al-

allies of Ibn Ubayy, who in concluding such an alliance must have broken faith with Muḥammad as much as if they had remained Jews, could fight as Muslims, but his unconverted Jewish allies, as *mushrikūn*, could not (unless perhaps they fought “with” the Muslims without seeking Muḥammad’s explicit consent?). As casuistry, al-Ṭahāwī’s solution is a triumph, but as historical explanation it falls short. Most jurists took the text at face value: Jews are *mushrikūn*, and their military assistance must be rejected.

There is a final difficulty with the *ḥadīth* about the well-armed squadron: some sources report that the Banū Qaynuqāʿ were expelled from Medina before Uḥud.<sup>43</sup> What were they doing there on the day of the battle? A learned article by Abū l-Walīd Khālīd b. Fathī b. Khālīd al-Aghā al-Ghazzī al-Anṣārī (b. 1386/1966 or 1967) undertakes to resolve this chronological problem.<sup>44</sup> Al-Ghazzī himself takes the view that the *isnād* is weak, but since several esteemed early compilers saw fit to cite the *ḥadīth* he attempts to date the expulsion of Banū Qaynuqāʿ to after Uḥud. His strategy is to impugn the reliability of people who wrote *maghāzī*, while leveraging canonical *ḥadīths* that allude to a Banū Qaynuqāʿ presence in Medina after their supposed expulsion. He might have adopted a more straightforward explanation, had he not erred in stating that the version given by Ibn Abī Shayba does not mention Uḥud, but does mention Banū Qaynuqāʿ. In fact, the reverse is true. This means that this version corresponds perfectly in this respect with that of Hishām b. ʿAmmār, which like it bypasses the transmitter by which all other versions travel (al-Faḍl b. Mūsā). Both versions, as we have seen, also have defective *isnāds*. The problematic presence of six hundred well-armed Banū Qaynuqāʿ in the countryside around Medina months after the tribe’s expulsion, if one believes al-Wāqīdī’s account, is thus readily explained as al-Faḍl’s initiative to renovate the *matn* as he had done the *isnād*.

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Ṭahāwī would of course want to avoid this implication. He holds that allying with Ibn Ubayy has made *mushrikūn* of Jews; would it be without relevant effect on Muslims? The command, by contrast, implies that the squadron must take a decisive step to associate with the Prophet, and to dissociate from Ibn Ubayy. This squares with al-Ṭahāwī’s argument; he may have altered the text to achieve this effect.

43 J.M.B. Jones, “The Chronology of the ‘Maghāzī’: A Textual Survey,” *Bulletin of the School of Oriental and African Studies* 19, no. 2 (1957): 247; on the expulsion see Schöller, *Exegetisches Denken*, 230–255, who sees *sīra* accounts of the episode as having been constructed from exegetical material or patterned on similar accounts. The dating (and even occurrence) of this particular expulsion is by no means certain, but this *ḥadīth* should not serve as a fixed point by which to establish it (cf. Schöller, *Exegetisches Denken*, 251 f.).

44 Entitled *al-Qilāda al-ḥasnāʿ fī al-kalām ʿalā ḥadīth al-katība al-khashnāʿ*, this article is available at [https://archive.org/details/alqilada\\_alhasna](https://archive.org/details/alqilada_alhasna).

Future historical study of these three *ḥadīths* will take account of the parallels to be found in the *Maghāzī* of the Medinan al-Wāqidī, and in the work of his scribe, Ibn Sa’d (see Notes to Figures 2.1 and 2.3). Al-Wāqidī knew of both the rejection of Khubayb, which he gives in a form vastly more detailed than any version of the *ḥadīth*, and that of the well-armed squadron, which is somewhat truncated and uses markedly different language. It is not currently possible to determine whether these accounts represent independent parallels or creative appropriations of these *ḥadīths*.

## 5 Conclusion

It may eventually be possible to learn more about the circumstances under which the dictum and the narratives in which it is embedded were formulated. Even in the early Islamic heartland of Medina, it is not difficult to identify potential reasons to condemn the recruitment of non-Muslim fighters: the Christian Taghlibites in the army of Yazīd b. Mu’āwiya who marched under the banner of St. Sergius, for instance, or the two hundred Christians of Ayla who were employed by Mu’āwiya to keep order in Medina.<sup>45</sup> Or, the catalyst might have been not an event but an objectionable doctrine, such as the one implied in the *ḥadīth* that Ibn Shihāb al-Zuhri narrated in Medina, describing Muḥammad’s military cooperation with Jews. On this model, the Medinan origin of these three *ḥadīths* might be explained by reference to the fact that al-Zuhri, arguably the Marwānids’ most important learned apologist, happened to be Medinan. These are hypotheses to be tested in future studies, not the conclusions of this one.

Instead, the following arguments have been made in this essay: all versions of the three *ḥadīths* that embed variations on the dictum “I will not accept aid from a *mushrik*” in a distinctive narrative sequence arose from a proto-version that circulated in Medina no later than the first half of the second/eighth century. The principle that the dictum expresses influenced conceptions of the religious modalities of legitimate state control in early Islam. There is a variety of reasons, most notably obscurities in putative paths of transmission and striking contradictions with parallel accounts, to be wary of assigning these *ḥadīths* an earlier date. The common geographical origin indicated by the *isnāds*, which can be shown to convey accurate data about paths of transmission, offers the most plausible explanation for their shared content. I have also suggested that

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45 Fattal, *Le statut*, 234.

before the 'Abbāsid period, during the period of their most dramatic military gains, the Arabian conquerors are unlikely to have shared any principled reasons not to recruit non-Muslims, as such.

In addition, the rural setting of the events narrated in these three *ḥadīth* provided rhetorical advantages to their transmitters. It reinforced the proprietary nature of their knowledge of Muḥammad's normative dictum, raising the authority value of the reports by implicitly limiting their potential circulation. It leveraged the real implications of rural settings for pre-modern fighting forces, implying that if Muḥammad did not accept non-Muslim aid in the transitional, invisible desert, where the boundaries of fighting forces were porous, then such aid was *a fortiori* illicit in cities, or on the rural battlefield. Finally, movement among the arid spaces of the Ḥijāzī hinterland created rhetorical space for the repetition and consequent reinforcement of the dictum, and thus of the normative principle it encapsulates. In both this narratological analysis and in adapting the TT Test formulated by Behnam Sadeghi, I have suggested that imagined rural spaces played significant roles in the spatial extension of normative authority in the early Islamic period, and that Islamicists should appreciate the multiple roles played by extra- and inter-urban physical space in their study of the *ḥadīth* and *akhbār*, our most important sources for the history of early Islam.

## Appendix

### *Notes to Figure 2.1*

Transmitters (dates approximate)

Abū Mu'āwiya 'Abbād b. 'Abbād b. Ḥabīb al-Muhallabī al-Baṣrī, d. 181/797, mixed evaluations of reliability, significant transmitter, al-Ṭabarānī gives no *isnād* between 'Abbād and himself (al-Mizzī, *Tahdhīb al-kamāl fi asmā' al-rijāl*, edited by B. A. Ma'rūf, 35 vols. (Beirut: Mu'assasat al-Risāla, 1992), 14:128 ff., no. 3083); Abū Ḥumayd al-Sā'idī al-Anṣārī al-Madanī, d. 60/680, grandfather of Sa'd, transmits also to 'Urwa b. al-Zubayr, said (perhaps due to this report) to have witnessed Uḥud (Ibn Ḥajar al-'Asqalānī, *Tahdhīb al-tahdhīb*, 7 vols. (Beirut: Dār al-Kutub al-'Ilmiya, 2004), 7:350, no. 9602); Abū Muslim Muḥammad b. Muḥammad b. al-Junayd (I am unable to identify this informant of al-Ḥāzimī); Aḥmad b. Muḥammad b. 'Abdūs al-'Anazī al-Ṭarā'ifī al-Naysābūrī, d. 346/957, described as the *musnad* of Naysābūr (Shams al-Dīn al-Dhahabī, *Tadhkirat al-ḥuffāz*, 4 vols. (Beirut: Dār Iḥyā' al-Turāth al-'Arabī, 1969), 3:863); Abū 'Abd Allāh al-Faḍl b. Mūsā al-Sīnānī al-Marwazī, b. 115/733, d. 192/807, generally quite reliable, but narrated *manākīr* (Ibn Ḥajar, *Tahdhīb*, 5:265 f., no. 6392); Abū

Şāliḥ **Hudīya b. ‘Abd al-Wahhāb** al-Marwazī, d. 241/855, little known, mixed reviews, explicitly linked to both al-Faḍl and Ibn Abī ‘Āṣim (Ibn Ḥajar, *Tahdhīb*, 6:627, no. 8538); Abu l-Ḥusayn Aḥmad b. Muḥammad b. al-Ḥusayn, **Ibn Fād-hishāh** al-Iṣbahānī, d. 433/1041, good marks, bad theology, major transmitter from al-Ṭabarānī (al-Dhahabī, *Sīyar a’lām al-nubalā’*, edited by Sh. al-Arna’ūṭ et al., 25 vols. (Beirut: Mu’assasat al-Risāla, 1981–), 17:515 f., no. 339); **Khālid b. Khidāsh** b. ‘Ajlān al-Azdī al-Baṣrī, d. 223/838, *mawlā*, both strong and weak marks (Ibn Ḥajar, *Tahdhīb*, 2:264 f., no. 1921); Abū Manṣūr **Maḥmūd b. Ismā’il** b. Muḥammad al-Ashqar al-Iṣbahānī, d. 514/1121, transmitter of al-Ṭabarānī’s *al-Mu’jam al-kabīr* (al-Dhahabī, *Sīyar*, 19:428 f., no. 250); Abū Bakr **Muḥammad b. ‘Alī b. Shu‘ayb** b. ‘Adī al-Simsār, d. 290/903, minor transmitter, moved in Baghdād Ḥanbalī circles (Nāyif b. Şalāḥ al-Manṣūrī, *Irshād al-qaṣī wal-dānī ilā tarājim shuyūkh al-Ṭabarānī* (Riyadh: Dār al-Kayān, 2006), 594, no. 966); **Muḥammad b. ‘Amr** b. ‘Alqama al-Laythī al-Madanī, d. 144 or 5/761, mediocre transmitter, Mālik allegedly did not think highly of him, but narrated from him in the *Muwatta’a* (Ibn Ḥajar, *Tahdhīb*, 5:772 f., no. 7322); **al-Munkadir b. Ḥumayd** al-Anṣārī [sic], a corruption of names belonging to earlier transmitters (Mundhir, [Ibn] Abī Ḥumayd, al-Anṣārī); Abū ‘Imrān **Mūsā b. Hārūn** b. ‘Abd Allāh al-Bazzāz, d. 294/907, high marks, alternated years in Baghdad and Mecca before old age (al-Khaṭīb al-Baghdādī, *Ta’rīkh madīnat al-salām [TMS]*, edited by B.‘A. Ma’rūf, 17 vols. (Beirut: Dār al-Ma’rifa, 2001), 15:48 ff., no. 6971); **Sa’d b. al-Mundhir** b. Abī Ḥumayd al-Sā’idī al-Anṣārī al-Madanī, d.?, narrates from his grandfather and one other person, and to Muḥammad and one other person – altogether minor and obscure (Ibn Ḥajar, *Tahdhīb*, 2:611 f., no. 2658); **Sa’id b. Yahyā** b. Şāliḥ al-Lakhmī al-Kūfī, d.?, mixed marks tending to positive, settled in Damascus (Ibn Ḥajar, *Tahdhīb*, 2:701 f., no. 2837); **‘Ubayd b. Rijāl** = Abu l-Qāsim ‘Ubayd b. Muḥammad b. Mūsā al-Bazzāz al-Miṣrī, d. 284/897, a major informant of al-Taḥāwī (Badr al-Dīn al-‘Aynī, *Maghānī al-akhyār fī sharḥ asāmī rijāl ma’ānī al-āthār*, edited by A.M. al-Ṭayyib, 3 vols. (Mecca: Maktabat Nizār Muṣṭafā, 1997), 2:685); **‘Uthmān b. Sa’id** b. Khālid al-Sijistānī al-Dārimī, d. 280/894, a pro-traditionist Ḥanafī, travelled extensively as a cloth merchant, died in Herāt (Josef van Ess, “Dāremī, Abū Sa’id ‘Othmān,” in *Encyclopaedia Iranica*, edited by E. Yarshater (London/Boston: Routledge and Kegan Paul, 1982–), 7:31 f.); **Ya’lā b. ‘Ubayd** b. Umayya al-Iyādī al-Kūfī, b. 117/735, d. 209/825, *mawlā*, very high marks (Ibn Ḥajar, *Tahdhīb*, 7:226 f., no. 9170); Abū Ya’qūb **Yūsuf b. ‘Īsā** b. Dīnār al-Zuhrī al-Marwazī, d. 249/863, well respected (Ibn Ḥajar, *Tahdhīb*, 7:244 f., no. 9209).

## Sources

Aḥmad b. al-Ḥusayn al-Bayhaqī, *al-Sunan al-kubrā*, edited by M. ‘Aṭā, 11 vols. (Beirut: Dār al-Kutub al-‘Ilmiya, 1994), 9:64, no. 17878; Muḥammad b. ‘Abd Allāh al-Ḥākim al-Naysābūrī, *al-Mustadrak ‘ala l-ṣaḥīḥayn*, 5 vols. (Cairo: Dār al-Ḥaramayn, 1997), 2:147, no. 2620; al-Ḥāzimī, *Kitāb al-i’tibār*, 218 f. The *isnād* given for this *ḥadīth* is corrupt: for Maḥmūd b. Ismā‘īl – Muḥammad b. Aḥmad b. Muḥammad b. al-Ḥusayn, read Maḥmūd b. Ismā‘īl b. Muḥammad – Aḥmad b. Muḥammad b. al-Ḥusayn; Abu l-Walīd Hishām b. ‘Ammār al-Dimashqī, *Ḥadīth Hishām b. ‘Ammār*, edited by M. Āl Ḥumayd (Riyadh: Dār Ishbīliya, 1999), 391, no. 138; Aḥmad b. ‘Amr al-Ḍaḥḥāk Ibn Abī ‘Āṣim, *al-Āḥād wa-l-mathānī*, edited by B.F. al-Jawābira, 6 vols. (Riyadh: Dār al-Rāya, 1991), 4:97, no. 2068; Ibn Abī Shayba, *al-Muṣannaf*, 6:488, no. 33160, 7:369, no. 36767 (this version contains the variant *lā nasta’nu bi-l-kuffār*); Ibn al-Mundhir, *al-Awsaṭ*, 11:176, no. 6564; Ibn Sa‘d, Muḥammad, *Kitāb al-ṭabaqāt al-kabīr*, edited by ‘A.M. ‘Umar, 11 vols. (Cairo: Maktabat al-Khānjī, 2001), 2:45; Sulaymān b. Aḥmad al-Ṭabarānī, *al-Mu‘jam al-awsaṭ*, 10 vols. (Cairo: Dār al-Ḥaramayn, 1995), 5:221, no. 5142; al-Taḥāwī, *Sharḥ*, 6:316 f., no. 2580.

## Cf.

- a version close to that of Ibn Abī Shayba but attributed to an eighth-century *mufassir* (see n. 32 above);
- a version, without *isnād*, considerably interpreted, in Muḥammad b. Aḥmad al-Sarakhsī, *Sharḥ kitāb al-siyar al-kabīr*, edited by Ṣ. al-Munajjid, 5 vols. (Cairo: Ma‘had al-Makḥṭūṭāt bi-Jāmi‘at al-Duwal al-‘Arabīya, 1971–1972), 4:1423, no. 2753 – in text ascribed to al-Shaybānī (d. 189/805);
- a version without *isnād*, embedded in the account of Uḥud and stripped of much detail, in al-Wāqidī, *The Kitāb al-Maghāzī of al-Wāqidī*, edited by M. Jones, 3 vols. (London: Oxford University Press, 1966), 1:215 f.;
- a related account, with partial *isnād* (Ibn Wahb [Egypt] – Jarīr b. Ḥāzim al-Baṣrī – al-Zuhrī [Medina/Syria]), in which the Anṣār ask why they do not seek the aid at Uḥud of their Jewish confederates (*allā nasta’na bi-ḥulafā’inā mina l-yahūd*) – the Prophet responds *lā ḥājata lanā fihim* (Saḥnūn b. Sa‘īd al-Tanūkhī, *al-Mudawwana al-kubrā*, 4 vols. (Beirut: Dār al-Kutub al-‘Ilmiya, 1994), 1:525). This response reflects pragmatic more than principled opposition to seeking military aid from Jews.

### Notes to Figure 2.2

#### Transmitters

‘**Abd Allāh b. Niyār b. Makram al-Madanī al-Aslamī**, d. ?, an obscure early figure from whom Mālik allegedly claimed to narrate, but who was also conflated with a certain Companion, *nasab* in these *isnāds* often comes through as Dīnār, this is the sole *ḥadīth* he is known to narrate from ‘Urwa (Ibn Ḥajar, *Tahdhīb*, 3:688 f., no. 4263); **Abū Muḥammad ‘Abd Allāh b. Yūsuf al-Kalā’ī al-Miṣrī al-Tinnīsī**, d. 218/833, originally Damascene, major transmitter from Mālik, good marks, settled in Egypt (Ibn Ḥajar, *Tahdhīb*, 3:714 f., no. 4324); **Abu l-‘Abbās ‘Abd al-Malik b. Aḥmad b. ‘Abd al-Raḥmān al-Zayyāt**, d. 330/942, minor figure, good marks, moved in Baghdādī circles (al-Khaṭīb al-Baghdādī, *TMS*, 7:184, no. 5541); **Abu l-‘Abbās Muḥammad b. Ya‘qūb b. Yūsuf al-Sinānī al-Aṣamm al-Naysābūrī**, d. 346/957, major figure, high marks (al-Dhahabī, *Sīyar*, 15:452 f., no. 258); **Abu l-Mundhir Ismā‘īl b. ‘Umar al-Wāsiṭī**, d. after 200/816, a trader, settled in Baghdād, good marks (al-Mizzī, *Tahdhīb*, 3:154 ff., no. 468); **Abū Ṭāhir Aḥmad b. ‘Amr b. ‘Abd Allāh al-Qurashī al-Umawī al-Miṣrī**, d. 250/864, major transmitter, good marks (al-Mizzī, *Tahdhīb*, 1:415 ff., no. 86); **Abū Umayya Muḥammad b. Ibrāhīm b. Muslim al-Khuzā‘ī al-Thaghri al-Ṭarasūsī**, d. 273/886, originally Baghdādī or Sijistānī, good marks, settled in Tarsus, travelled to Egypt to transmit without his book, causing mistakes (al-Mizzī, *Tahdhīb*, 24:327 ff., no. 5032); **Abū ‘Abd Allāh Aḥmad b. al-Ḥasan b. ‘Abd al-Jabbār al-Ṣūfī al-Kabīr al-Baghdādī**, d. 306/918, good marks, minor figure (al-Dhahabī, *Sīyar*, 14:152 f., no. 88); ‘Ā’isha bt. Abī Bakr, d. 58/678, wife of and major transmitter from the Prophet, and to ‘Urwa, was ca. 10 years old at the time of the expedition she describes (W. Montgomery Watt, *s.n.*, in *ET*<sup>2</sup>); **Abū l-Ḥasan ‘Alī b. ‘Abd Allāh b. Mubashshir al-Wāsiṭī**, d. 324/936 (al-Dhahabī, *Sīyar*, 15:25, no. 13); **Abū l-Ḥasan ‘Alī b. ‘Abd al-Raḥmān b. Muḥammad al-Qurashī al-Makhzūmī al-Kūfī→al-Miṣrī** (‘Allān), d. 272/886, active, few but good marks (al-Mizzī, *Tahdhīb*, 21:51 ff., no. 4101); **‘Alī b. Muḥammad b. Abī l-Khaṣīb al-Hāshimī al-Washshā’ al-Kūfī**, d. 258/872, minor figure, mixed marks (al-Mizzī, *Tahdhīb*, 21:123 f., no. 4129); **Abū Ḥafṣ ‘Amr b. ‘Alī b. Baḥr al-Bāhilī al-Fallās al-Baṣrī**, d. 249/864, significant transmitter, high marks (al-Mizzī, *Tahdhīb*, 22:162 ff., no. 4416); **Abū Mūsā Ishāq b. Mūsā b. ‘Abd Allāh al-Anṣārī al-Khaṭmī al-Madanī→al-Kūfī**, d. 244/858, good marks, transmitted also in Baghdād and Sāmarrā’, served as *qāḍī* in Naysābūr, went to Syria with al-Mutawakkil, where he died (al-Mizzī, *Tahdhīb*, 2:480 ff., no. 385); **Abū Muḥammad Bishr b. ‘Umar b. al-Ḥakam al-Zahrānī al-Azdi al-Baṣrī**, d. 207/822, high marks, noteworthy transmitter of Mālik’s works (al-Mizzī, *Tahdhīb*, 4:138 ff., no. 701); **al-Fuḍayl b. Abī ‘Abd Allāh al-Madanī**, d. ?, *mawla*, narrates from Ibn Niyār and one other person, to Mālik and one other person, very obscure (Ibn Ḥajar, *Tahdhīb*, 5:270 f., no. 6402); **Abu ‘Amr Ḥafṣ**



**b.** ‘Amr b. Rabāl al-Raqāshī al-Baṣrī, d. 258/872, good marks (al-Mizzī, *Tahdhīb*, 7:52 ff., no. 1413); **Ibn Abī Uways** = Ismā‘īl b. ‘Abd Allāh b. ‘Abd Allāh al-Madanī, d. 226/841, nephew of Mālik, well known but very weak (al-Mizzī, *Tahdhīb*, 3:124 ff., no. 459); Abū Sa‘īd ‘Abd al-Raḥmān **Ibn Mahdī** b. Ḥassān al-‘Anbarī al-Baṣrī, d. 198/814, pivotal transmitter, sterling marks (al-Mizzī, *Tahdhīb*, 17:430 ff., no. 3969); **Ibn al-Mubāarak** = ‘Abd Allāh b. ‘Abd al-Raḥmān al-Ḥanzalī, d. 181/797, major transmitter, good marks, travelled widely (James Robson, *s.n.*, in *EI*<sup>2</sup>); Abū ‘Abd Allāh ‘Abd al-Raḥmān **Ibn al-Qāsim** b. Khālīd al-‘Utaqī, d. 191/806, the most important disciple of Mālik, key transmitter of his corpus, less so of *ḥadīth*, died in Egypt (Joseph Schacht, *s.n.*, in *EI*<sup>2</sup>); Abū ‘Uthmān Sa‘īd b. Kathīr **Ibn ‘Ufayr** al-Miṣrī, d. 226/841, learned, strongly mixed marks (al-Mizzī, *Tahdhīb*, 11:36 ff., no. 2344); ‘Abd Allāh **Ibn Wahb** b. Muslim al-Fihri al-Qurashī, d. 197/813, famous Egyptian pupil of Mālik (Jean David-Weill, *s.n.*, in *EI*<sup>2</sup>); **Imrān b. Mūsā** al-Dajjājī (I am unable to identify this transmitter); Abū Yaḥyā **‘Īsā b. Aḥmad** b. ‘Īsā al-Baghdādī/al-Balkhī, d. 268/882, very active, little discussed, few but positive marks (al-Mizzī, *Tahdhīb*, 22:584 ff., no. 4617); **Ishāq b. Ibrāhīm** b. Makhlad al-Marwazī, **Ibn Rāhawayh**, d. 238/853, *nazīl Naysābūr*, famous, highly esteemed and well travelled transmitter, frequently narrated reports discouraging interreligious fraternization (al-Mizzī, *Tahdhīb*, 2:261 ff., no. 332); Abū ‘Abd Allāh **Mālik b. Anas** b. Mālik al-Aṣbaḥī al-Madanī, d. 179/796, eponym of the Mālikī school of law, giant of early Islamic legal thought (Joseph Schacht, *s.n.*, in *EI*<sup>2</sup>); Abū Yaḥyā **Ma‘n b. ‘Īsā** b. Yaḥyā al-Ashja‘ī al-Qazzāz al-Madanī, d. 198/814, *mawlā*, major student of Mālik, mixed reviews tending to positive (al-Mizzī, *Tahdhīb*, 22:336 ff., no. 6115); Abū ‘Abd Allāh **Muḥammad b. ‘Abd Allāh** b. ‘Abd al-Ḥakam al-Miṣrī, d. 268/882, scion of a famous scholarly family, well regarded as transmitter (al-Mizzī, *Tahdhīb*, 25:497 ff., no. 5354); **Muḥammad b. Ḥayyawayh** = M. b. Yaḥyā b. Mūsā al-Isfarāyīnī, d. 259/873, good marks, a local favorite in Isfarāyīn (Ibn ‘Asākir, *Ta’rīkh madīnat Dimashq*, edited by ‘A. Shīrī, 80 vols. (Beirut: Dār al-Fikr, 1995–1998), 56:232 ff., no. 7102; al-Dhahabī, *Siyar*, 12:360 f., no. 153); Abū Bakr **Muḥammad** b. Ziyād b. Ma‘rūf al-‘Ijlī al-Rāzī, d. 257/871, good marks, settled in the town of Jurjān (al-Sahmī, *Ta’rīkh Jurjān* (Hyderabad: Maṭba‘at Majlis Dā‘irat al-Ma‘ārif al-‘Uthmāniya, 1950), 340, no. 639); Abū l-Ḥārith **Muḥammad b. Salama** b. ‘Abd Allāh al-Murādī al-Jamalī al-Miṣrī, d. 248/862, *mawlā*, student of Ibn al-Qāsim, good marks (al-Mizzī, *Tahdhīb*, 25:287 ff., no. 5254); Abū l-Ḥasan **Musaddad** b. Musarhad b. Musarbal al-Asadī al-Baṣrī, d. 228/843, well-known, high marks, odd name acknowledged (al-Mizzī, *Tahdhīb*, 27:443 ff., no. 5899); Abū ‘Abd Allāh **Nu‘aym b. Ḥammād** al-Khuzā‘ī al-Marwazī, d. 228/843, lived in Egypt and Baghdād, suspected of fabricating *ḥadīth* (Charles Pellat, *s.n.*, in *EI*<sup>2</sup>); **Nu‘mān b. Shibl** al-Bāhilī al-Baṣrī, d. ?, very weak, suspect transmit-

ter, known to narrate from Mālik, who with al-Fuḍayl is skipped in this *isnād* (Ibn ‘Adī al-Jurjānī, *al-Kāmil fī ḍu‘afā’ al-rijāl*, 7 vols. (Beirut: Dār al-Fikr, 1984), 7:2480); Abū Muḥammad **Rawḥ** b. ‘Ubāda b. al-‘Alā’ al-Baṣrī, d. 205/820, significant figure, mixed reviews (al-Mizzī, *Tahdhīb*, 9:238, no. 1930); Abū l-Ḥusayn **Ṣāliḥ b. Aḥmad** b. Yūnus b. Abī Muqātil al-Qirāṭī al-Harawī, d. 316/928, moved to Baghdād, notorious liar (al-Khaṭīb, *TMS*, 10:447 f., no. 4818); Abū ‘Abd Allāh **‘Urwa b. al-Zubayr** b. al-‘Awwām al-Qurashī al-Asadī al-Madanī, d. 93/712, massively important early historian and transmitter (Görke/Schoeler, *‘Urwa, passim*; Gregor Schoeler, *s.n.*, in *EI*<sup>2</sup>); Abū Sufyān **Wakī’** b. al-Jarrāḥ b. Malīḥ al-Kūfī, d. 197/812, a giant of *ḥadīth* transmission in his day (Raif Georges Houry, *s.n.*, in *EI*<sup>2</sup>); **Yaḥyā b. Ma‘īn** b. ‘Awn al-Murrī al-Ghaṭafānī al-Baghdādī, d. 233/847, major transmitter and *ḥadīth* critic (Fred Leemhuis, *s.n.*, in *EI*<sup>2</sup>); Abū Sa‘īd **Yaḥyā b. Sa‘īd** b. Farrūkh al-Qaṭṭān al-Tamīmī al-Baṣrī, d. 198/813, extremely important transmitter and critic (al-Mizzī, *Tahdhīb*, 31:329 ff., no. 6834); Abū Zakariyā **Yaḥyā b. ‘Uthmān** b. Ṣāliḥ al-Qurashī al-Sahmī al-Miṣrī, d. 282/896, mediocre marks (al-Mizzī, *Tahdhīb*, 31:462 ff., no. 6883); Abū Mūsā **Yūnus b. ‘Abd al-‘Alā** b. Maysara al-Ṣadafī al-Miṣrī (d. 264/877), major figure, high marks (al-Mizzī, *Tahdhīb*, 32:513 ff., no. 7178); Abū Khaythama **Zuhayr b. Ḥarb** b. Shaddād al-Nasā‘ī, d. 234/849, settled in Baghdād, good marks (al-Mizzī, *Tahdhīb*, 9:402 ff., no. 2010).

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*wal-ridda ... min Kitāb al-jāmi'*, edited by I. b. Ḥ. b. Sulṭān (Riyadh: Maktabat al-Ma'ārif, 1996), 1:195 f., no. 332; **Ibn Ḥibbān** (d. 354/965) = Ibn Balabān = 'Alā' al-Dīn 'Alī b. al-Fārisī, *al-Iḥsān fī taqrīb Ṣaḥīḥ Ibn Ḥibbān*, edited by Sh. al-Arna'ūt, 18 vols. (Beirut: Mu'assasat al-Risāla, 1991), 11: 28, no. 4726 (for other versions by *isnāds* via Aḥmad b. al-Ḥasan, see al-Mizzī, *al-Tahdhīb*, 16:232 f., and Abū Bakr b. al-Muqri' al-Iṣbahānī, *al-Muntakhab min gharā'ib aḥādīth Mālik b. Anas*, edited by R. Būshāma (Riyadh: Dār Ibn Ḥazm, 1999), 48 f., no. 11; as expected these versions agree in wording with that of Ibn Ḥibbān); **Ibn Jārūd** = 'Abd Allāh b. 'Alī al-Naysābūrī, *Kitāb al-muntaqā* (Beirut: Dār al-Kutub al-'Ilmiya, 1996), 398 f., no. 1048; **Ibn Māja** = Muḥammad b. Yazīd al-Qazwīnī, *al-Sunan*, edited by Sh. al-Arna'ūt, 5 vols. (Damascus: Dār al-Risāla al-'Ālamīya, 2009), 4:1010, no. 2832; **Ibn al-Mundhir**, *al-Awsaṭ*, 9:175, no. 6563 (for another version via a long *isnād* from Muḥammad b. 'Abd Allāh b. 'Abd al-Ḥakam, see al-Ḥusayn b. Ibrāhīm al-Jawraqānī, *al-Abāṭil wa-l-manākīr wa-l-ṣiḥāḥ wa-l-mashāhīr*, edited by 'A. al-Faryawā'ī, 2 vols. (Benares: Idārat al-Buḥūth al-Islāmīya, 1983), 2:201 f.); **Ibn Sa'd**, *Kitāb al-ṭabaqāt*, 3:496; **Iṣḥāq b. Rāhawayh**, *Musnad*, edited by 'A. al-Balūshī, 5 vols. (Medina: Maktabat al-Īmān, 1990–1995), 2:256, no. 759\_216; Ismā'īl b. Iṣḥāq al-**Jahḍamī** al-Azdī al-Qāḍī, *al-Juz' al-khāmis min musnad Mālik b. Anas*, edited by M. Muranyi (Beirut: Dār al-Gharb al-Islāmī, 2002), 70 f., no. 116; **Muslim** b. al-Ḥajjāj al-Qushayrī, *Ṣaḥīḥ Muslim*, edited by M.F. 'Abd al-Bāqī, 5 vols. (Cairo: Dār Iḥyā' al-Kutub al-'Arabīya, 1955–1956), 3:1449, no. 1817, whence by an *isnād* to al-Ḥāzimī, *Kitāb al-i'tibār*, 217 f.; al-Nasā'ī, Aḥmad b. Shu'ayb, *Kitāb al-sunan al-kubrā*, edited by Sh. al-Arna'ūt, 12 vols. (Beirut: Mu'assasat al-Risāla, 2001), 8:85, no. 8707 f., 147, no. 8835, 10:304, no. 11536 whence by an *isnād* to Khalaf b. 'Abd al-Malik Ibn Bashkuwāl, *Kitāb ghawāmiḍ al-asmā' al-mubhama*, edited by 'I. al-Sayyid, M. 'Izz al-Dīn, 2 vols. (Beirut: 'Ālam al-Kutub, 1987), 1:209 (for another version by an *isnād* via Muḥammad b. Salama, see 'Abd al-Raḥmān b. 'Abd Allāh al-Jawharī, *Musnad al-Muwatta'*, edited by L. al-Ṣaghīr and Ṭ. Būsariḥ (Beirut: Dār al-Gharb al-Islāmī, 1997), 494 f., no. 628, according to which the tradition was found in three recensions of the *Muwatta'*, a point confirmed by Aḥmad b. Ṭāhir al-Dānī, *Kitāb al-īmā' ilā aṭrāf aḥādīth Kitāb al-muwatta'*, edited by 'A. 'Abd al-Ḥamīd, 5 vols. (Riyadh: Maktabat al-Ma'ārif, 2003), 4:469 f., no. 53); **Saḥnūn**, *Mudawwana*, 1:525 f.; al-Ṭaḥāwī, 6:407 ff., no. 2572–2576; Muḥammad b. 'Īsā al-Tirmidhī, *Sunan al-Tirmidhī*, 10 vols. (Ḥimṣ: Maṭābi' al-Fajr al-Ḥadītha, 1965–1968), 5:280, no. 1858.

### Notes to Figure 2.3

#### Transmitters

'Abd Allāh b. Aḥmad b. Ḥanbal, d. 290/903, son of and principal transmitter from Aḥmad b. Ḥanbal, active in Baghdād; Abū Muḥammad 'Abd Allāh

b. Muḥammad b. al-‘Abbās b. Khālid al-Sulamī **al-Iṣbahānī**, d. 296/909, minor figure, described as *ṣāhib uṣūl* (al-Manṣūrī, *Irshād*, 389, no. 602); **‘Abd Allāh** b. Muḥammad b. ‘Abd Allāh **al-Ju‘fī** al-Bukhārī al-Musnadī, d. 229/844, high marks, said to have brought *ḥadīth* from Wāsiṭ to Bukhārā, transmitted 44 *ḥadīth* to the famous al-Bukhārī (Ibn Ḥajar, *Tahdhīb*, 3:642 f., no. 4162); Abū Muḥammad **‘Abd Allāh b. Rawḥ** al-Madā‘inī, d. 277/890, indifferent marks, minor figure (al-Dhahabī, *Siyar*, 13:5, no. 1); Abū Muḥammad **‘Abd al-Raḥmān** b. ‘Abd Allāh b. Sa‘d al-Rāzī **al-Dashtakī**, d. ?, high marks (Ibn Ḥajar, *Tahdhīb*, 4:73 f., no. 4755); **‘Abd al-Raḥmān b. Khubayb**, d. ?, known only from passing mention in biographies of his father and son (see Khubayb, below); **Abū Bakr Aḥmad** b. Ja‘far b. Ḥamdān **b. Mālīk** al-Qaṭī‘ī al-Ḥanbalī al-Baghdādī, d. 268/882, high marks, transmitted works of Ibn Ḥanbal (al-Khaṭīb, *TMS*, 5:116 f., no. 1966); **Abū Ja‘far ‘Īsā** b. Abī ‘Īsā Māhān **al-Rāzī** al-Tamīmī, d. ?, *mawlā*, also linked to Baṣra and Khurāsān, mixed marks tending to negative (Ibn Ḥajar, *Tahdhīb*, 7:328 f., no. 9484); **Abū ‘Umar** al-Qāsim b. Ja‘far b. ‘Abd al-Wāhid **al-Hāshimī**, a Baṣran ‘Alid, d. 414/1024, *qāḍī*, respected transmitter (al-Khaṭīb, *TMS*, 14:462 f., no. 6887); Abū Bakr Aḥmad b. Manṣūr b. Sayyār al-Ramādī, d. 265/878, active in Baghdād, mixed marks tending to positive (al-Khaṭīb, *TMS*, 6:362 f., no. 2856); Abū Mas‘ūd **Aḥmad b. al-Furāt** b. Khālid al-Ḍabbī al-Rāzī, d. 258/872, major figure, well respected despite scattered dissent, settled at Isfahan (Ibn Ḥajar, *Tahdhīb*, 1:65 f., no. 117); Abu l-Ḥasan **‘Alī b. Shayba** b. Ṣalt al-Sadūsī, d. 272/885, *mawlā*, Baṣran who lived in Baghdād for a time but settled in Egypt, good marks (al-Khaṭīb, *TMS*, 13:393 f., no. 6285); **‘Amr b. ‘Alī**, above; Abū l-‘Abbās **al-Ḥasan b. Sufyān** b. ‘Amir al-Shaybānī al-Nasawī, d. 303/915, the leading transmitter of Khurāsān in his day, high marks, heard the books of Ibn Abī Shayba from their author (al-Dhahabī, *Tadhkira*, 2:703 f., no. 724); Abū ‘Alī **Ḥusayn b. Naṣr** b. al-Mu‘ārik al-Baghdādī, d. 261/875, came to Egypt and transmitted there, respected – the Khaṭīb seems to have made two entries of this Ḥusayn, one of which stresses transmission from Yazīd, the other transmission to al-Ṭahāwī (al-Khaṭīb, *TMS*, 8:723 f., no. 4190 f.); **al-Ḥusayn b. Ishāq** al-Da‘iqī **al-Tustarī**, d. 293/905, minor figure much cited by al-Ṭabarānī, peripatetic (al-Manṣūrī, *Irshād*, 280, no. 399); Abū l-‘Abbās Muḥammad b. Aḥmad b. Aḥmad, **Ibn al-Athram** al-Muqri’, d. 336/947–948, generally high marks, moved from Baghdād to Baṣra, where al-Hāshimī heard from him (al-Khaṭīb, *TMS*, 2:80 f., no. 47); **Ishāq b. Rāhawayh**, above; Abu l-Ḥārith **Khubayb b. ‘Abd al-Raḥmān** b. Khubayb al-Anṣārī al-Khazrajī al-Madīnī, d. 132/749, narrated to Mālīk as well as Mustalim, minor, little-known transmitter (Ibn Ḥajar, *Tahdhīb*, 2:308 f., no. 2017); **Khubayb b. Yisāf/Isāf** b. ‘Inaba b. ‘Amr al-Anṣārī al-Khazrajī, d. during caliphate of ‘Uthmān, little known save in connection with this story, Badr itself, and a few subsequent raids (Khalifa b. Khayyāt, *Kitāb al-*

*ṭabaqāt*, edited by A.Ḍ. al-ʿUmarī (Riyadh: Dār Ṭayba, 1982), 106; Ibn Saʿd, above; al-Wāqidi, *Kitāb al-Maghāzī*, 1: *passim*); Abū ʿAbd al-Rahmān **Muḥammad b. ʿAbd Allāh b. Numayr al-Hamdānī al-Khārifi al-Kūfi**, d. 234/849, major figure, glowing marks, visit to Wāsiṭ expressly mentioned (al-Mizzī, *Tahdhīb*, 25:566 ff., no. 5379); Abū ʿAmr **Muḥammad b. Aḥmad b. Ḥamdān al-Ḥirī**, d. 376/987, *musnad Khurāsān*, major figure, high marks, transmission from al-Ḥasan at sixteen expressly mentioned (al-Dhahabī, *Siyar*, 16:356 ff., no. 254); Abu Jaʿfar **Muḥammad b. Muḥammad b. ʿAbd Allāh al-Jammāl al-Baghdādī**, d. 346/958, travelled widely after *ḥadīth*, settled in Rayy, Nishapur, and Samarqand (al-Khaṭīb, *TMS*, 4:354 f., no. 1538); Abū Bakr **Mukram b. Aḥmad b. Muḥammad al-Qāḍī al-Bazzāz**, d. 345/956, minor figure, accounted reliable (al-Khaṭīb, *TMS*, 8:723 f., no. 4190 f.); **Mustalim b. Saʿīd al-Thaqafi al-Wāsiṭī**, d. ?, known more for ascetic exertion than *ḥadīth* transmission, in which he nevertheless took part competently (Ibn Ḥajar, *Tahdhīb*, 6:233 f., no. 7789); Abū Jaʿfar Muḥammad b. ʿAbd Allāh b. Sulaymān al-Ḥaḍramī al-Kūfi, **Muṭayyan**, d. 297/909, high marks, author of a *musnad* and *taʾrikh* (al-Manṣūrī, *Irshād*, 579 f., no. 943); **Tamīm b. al-Muntaṣir b. Tamīm al-Hāshimī al-Wāsiṭī**, d. 244/858, *mawlā*, indifferent marks, grandfather of Baḥshal (see Sources below) (Ibn Ḥajar, *Tahdhīb*, 1:484 f., no. 960); **ʿUthmān b. Muḥammad b. Ibrāhīm, Ibn Abī Shayba al-ʿAbsī al-Kūfi**, d. 237/851, elder brother of Abū Bakr, also a major scholar (al-Mizzī, *Tahdhīb*, 19:478 ff., no. 3857); Abū Muḥammad **ʿUbayd b. Ghannām b. Ḥafṣ b. Ghiyāth al-Nakhaʿī al-Kūfi**, d. 297/909, major transmitter from Ibn Abī Shayba and to al-Ṭabarānī (al-Manṣūrī, *Irshād*, 403 f., no. 626); Abū Khālīd **Yazīd b. Hārūn b. Zādhī/Zādhān al-Sulamī al-Wāsiṭī**, b. 117/735, d. 206/821, *mawlā*, a major, highly respected transmitter (al-Mizzī, *Tahdhīb*, 32:261 ff., no. 7061); **Zuhayr b. Ḥarb**, above.

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**Abū Nuʿaym Aḥmad b. ʿAbd Allāh al-Iṣbahānī**, *Ḥilyat al-awliyāʾ wa-ṭabaqāt al-asfīyāʾ*, 10 vols. (Cairo: Maktabat al-Khānjī 1932–1938), 1:364 f.; Abū Nuʿaym Aḥmad b. ʿAbd Allāh al-Iṣbahānī, *Maʿrifat al-ṣaḥāba*, edited by ʿĀ. al-ʿAzāzī (Riyadh: Dār al-Waṭan, 1998), 2:988, no. 2525 (this compiler was also aware of the report through Abū Jaʿfar that bypassed Yazīd b. Hārūn, calling it “abridged” [*mukhtaṣar*]); Aslam b. Sahl **Baḥshal, Taʾrikh Wāsiṭ**, edited by K. ʿAwwād (Baghdād: Maṭbaʿat al-Maʿārif, 1967), 85; al-**Bayhaqī**, *Sunan*, 9:64, no. 17879; Muḥammad b. Ismāʿīl al-**Bukhārī**, *al-Taʾrikh al-kabīr*, 9 vols. (Hyderabad: n.p., 1958–1964), 3:209, no. 715, whence by an *isnād* to Ibn Bashkuwāl, *Kitāb ghawāmiḍ al-asmāʾ*, 1:210; al-**Ḥākim al-Naysābūrī**, *al-Mustadrak*, 2:146, no. 2619; Aḥmad b. Zuhayr b. Ḥarb **Ibn Abī Khaythama**, *al-Taʾrikh al-kabīr*, edited by Ṣ. Hala, 2 vols. (Cairo: al-Fārūq al-Ḥadītha, 2006), 2:707, no. 2918; **Ibn Abī Shayba**, *al-*

*Muṣannaf*, 6:487, no. 33159; **Ibn Ḥanbal**, *Musnad*, 25:42, no. 15763, whence Ibn al-Jawzī, *Tahqīq*, 2:342, no. 1873; **Ibn Sa’d**, *Kitāb al-ṭabaqāt*, 3:496; **al-Khaṭīb al-Baghādī**, *Muwaḍḍiḥ*, 1:209 f.; Muḥammad b. Hārūn al-Rūyānī, *Musnad al-Rūyānī*, edited by A. Abū Yamānī, 3 vols. (Cairo, 1995), 2:450, no. 1469; **al-Ṭabarānī**, *al-Muʿjam al-kabīr*, edited by Ḥ. al-Salafī, 25 vols. (n.p., 1984), 4:223, no. 4194; **al-Ṭahāwī**, *Sharḥ*, 413 f., no. 2577 f.

Cf.

- the colorful, detailed version via a combined *mursal isnād* (al-Wāqidi – Ibn Jurayj al-Makkī – Abān b. Ṣāliḥ al-Madanī – Sa’īd b. al-Musayyib al-Madanī [not a Companion]), lacking the distinctive phrasing of our three *ḥadīth*, in al-Wāqidi, *Kitāb al-maghāzī*, 1:46 f.
- an abbreviated version without an *isnād* in Khalīfa b. Khayyāt, above
- a distinct *ḥadīth* alluding to the same incident, without names, and giving Muḥammad b. al-Sā’ib al-Kalbī al-Kūfī (d. 146/763) as ultimate authority (via Abū Yūsuf to al-Shaybānī, *Kitāb al-siyar*, 99, no. 42). The unique nature of this report, and the fact that culminates with al-Kalbī, make it impossible to relate to the other versions studied here – its wording is faintly reminiscent of al-Wāqidi’s account (above).

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**PART 2**

*Territoriality*





# The Rural Hinterland of the Visigothic Capitals of Toledo and Reccopolis, between the Years 400–800 CE

*Javier Martínez Jiménez*

When I first approached the topic of this volume,<sup>1</sup> I felt that the recent archaeological finds of Spain deserved attention from the broader (i.e., English speaking) academic world, as these finds were not often discussed in wider studies of early medieval and late antique rural transitions. This has thankfully improved since then.<sup>2</sup> However, by presenting a case study from the Iberian Peninsula using the rich archaeological records, this paper aims to offer a comparative viewpoint from the “Far West” and to put it in its context with the eastern examples presented in this volume.

The province of Madrid has numerous rural sites dating to the late Roman and Visigothic period which have been recently excavated and published, but very few of these places seem to continue archaeologically into the Umayyad period. By contrast, the evolution of the main towns of this area (Complutum and Reccopolis, and to a lesser extent, Toledo) is fairly well-known throughout this period. Strikingly, these two developments have hardly been studied together as part of the same historical processes.

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1 This paper was written in 2010, and since then, some of the sites presented in this paper have been further published, and their context within the territory of Toledo in the transition between the Visigothic and Umayyad periods has also been discussed in print. The most up-to-date publication on this area and topic would be the proceedings of the “AD711” conference held at the Regional Archaeological Museum of Madrid in Alcalá de Henares (Luis A. García Moreno, ed., 711: *Arqueología e Historia entre dos mundos*, Zona Arqueológica 15 (Alcalá de Henares: Museo Arqueológico Regional, 2011)). I have, furthermore, included part of these conclusions in more recent publications: Javier Martínez Jiménez, and Carlos Tejerizo García, “Central Places in the Post-Roman Mediterranean: Regional Models for the Iberian Peninsula,” *Jornal of Mediterranean Archaeology* 28, no. 1 (2015): 105–132 and Javier Martínez Jiménez, Isaac Sastre de Diego, and Carlos Tejerizo García, *The Iberian Peninsula Between 300 and 850: An Archaeological Perspective*, Late Antique and Early Medieval Iberia 6 (Amsterdam: Amsterdam University Press, 2018), but I decided to leave the text of this chapter closer to the original version.

2 Jamie Wood and Martínez Javier Jiménez, “New Directions in the Study of Visigothic Spain,” *History Compass* 14, no. 1 (2016): 29–38.



In this paper I will present a synthetic overview of the available material, showing how the rural landscape of this region was closely linked to the evolution of its towns, and how the creation and destruction of the Visigothic kingdom caused, first, the expansion and, later, the decline of its capitals and their rural network. Likewise, these political changes are closely linked to the evolution of the elites, who not only controlled the rural territory, but also played an important role in the politics of the Visigothic kingdom.

In short, this paper will show how the Roman rural villa system collapsed by the end of the fifth century, how it was restructured on a different pattern of villages during the Gothic period, and then how this ceased to exist once the Visigothic system and its seats of power were substituted by new Umayyad centres.

## 1 The Region of Toledo and Reccopolis

This paper will focus on the central part of the Peninsula: the hinterland of the Visigothic capital of Toledo which roughly matches the modern province of Madrid, but also including part of the neighbouring provinces of Toledo and Guadalajara. It is there that the impact of the successive processes of state formation (the Visigothic and the Umayyad) on the rural landscape can be seen most clearly.

The province of Madrid (figure 3.1) is a triangular region, roughly covering 8,000 square kilometres and geographically divided into three areas: the mountains (*la sierra*) which engulf the north-west edge of the triangle ranging between 800 and 2500 miles above sea level, the meadows (*las vegas*) constituting the fertile lands around the rivers Tajo, Manzanares, Jarama, Guadarrama and Henares (with their tributaries) expanding down to Toledo in the south, and, finally, the plains (*la campiña*) consisting of the region towards the East into the province of Guadalajara and the region of Reccopolis.

The rural sites discussed in this paper are located mostly in the meadows and at the main rivers, but a significant number of sites is located at the feet of the mountain ranges. The location next to the rivers provided direct access to water for consumption and irrigation and facilitated transport, as the main roads of the period either followed these rivers from north to south or linked the different valleys from east to west.<sup>3</sup>

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3 Carlos Caballero Casado, "Caminos sobre caminos: un recorrido por las rutas visigodas en Madrid," in *La investigación arqueológica de la época visigoda en la Comunidad de Madrid*,

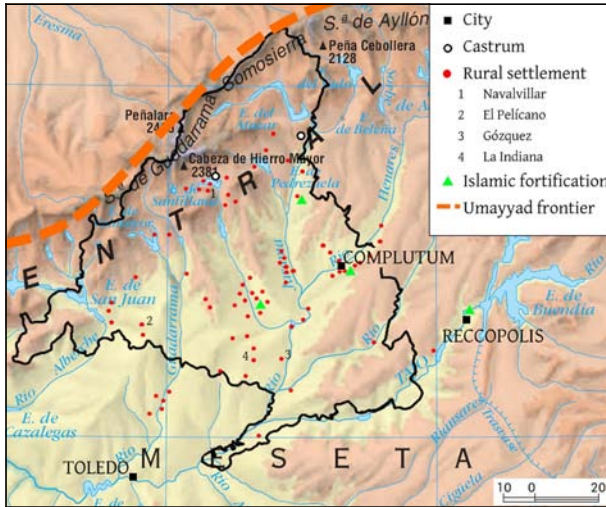


FIGURE 3.1 Map of Madrid and the surrounding provinces, showing the distribution of late Antique settlements, highlighting those mentioned in the text  
MAP MADE BY THE AUTHOR

There are too many excavated sites to make a detailed account of each of them here, but they can be clustered into three groups, each of which will be discussed in detail:<sup>4</sup>

1. dispersed nuclei or isolated farms, linked to small burial sites and which tended to be short-lived (e.g. La Huelga, Fuente de la Mora, Cacara del Valle);
2. settlements with evidence for the existence of a village community, with a longer duration in time, some of them linked to high status rural settlements, like monasteries (e.g., Gózquez, Navalvillar, El Pelicano, Congosto);
3. and fortified hilltops, which were walled enclosures close to key roads or mountain passes (the sites of Patones and Cancho del Confesionario).

ed. Jorge Morín de Pablos, *Zona Arqueológica 8* (Alcalá de Henares: Museo Arqueológico Regional, 2007), 92–102.

4 Alfonso Vigil-Escalera Girado, “El modelo de poblamiento rural en la meseta y algunas cuestiones de visibilidad arqueológica,” in *Gallia e Hispania en el contexto de la presencia ‘germánica’* (ss. V–VII): *balance y perspectivas*, eds. Jorge López Quiroga, Artemio Manuel Martínez Tejada and Jorge Morín de Pablos, *British Archaeological Reports International Series 1534* (Oxford: Archaeopress, 2006), 89–91.

All these have varying chronologies, but they can all be characterised as ‘late antique’<sup>5</sup> inasmuch as they show a different settlement distribution pattern from the ones we know from the Roman and later medieval periods.

One note of caution concerning the archaeological material is, however, in order. Most sites have been identified through rescue archaeology and thus have a serious sampling problem. In other words, the location of the known sites may not be representative. We only know those sites that have been excavated *and reported* in the areas where in recent years have seen constant construction. That is why most of the sites are located in the continuously developing southern ‘industrial belt’ of Madrid (see figure 3.1). While we obviously cannot discuss sites we have not found, we should be careful not to consider the sites discussed here as the only existing ones or even as being representative.

## 2 The Collapse of the Roman System of Town and Country

The administrative and political changes imposed during the Tetrarchy (293–313 CE) triggered a series of long-term transformations which changed the way elites interacted with their urban and rural environments and the relationship between cities and their territories.<sup>6</sup> These changes were aimed at increasing the centralisation of the administration at all levels at the expense of local governance. The centralisation of taxes limited the amount city councils could invest in monuments and maintenance, while the decline of traditional magistracies deterred the *curiales* from investing private funds into public munificence. Cities which preserved their administrative status continued to indulge in a Roman-style urban life, but secondary and tertiary nuclei failed to do so. The urban nuclei in our study fall in the second category.<sup>7</sup>

5 The Spanish literature refers to these more usually as ‘early Medieval’, but I believe that as they belong to a Historical process which begins as a response to the political end of Rome but within a Christian Roman cultural context, should be still be seen as late antique (cf. Martínez Jiménez, Sastre de Diego and Tejerizo García, *Iberian Peninsula*, ch. 1).

6 Wolfgang Liebeschuetz, “The End of the Ancient City,” in *The City in Late Antiquity*, ed. John Rich, (London/New York: Routledge, 1992), 7–15. Bryan Ward-Perkins, *The Fall of Rome and the End of Civilisation* (Oxford: Oxford University Press, 2005); Peter Heather, *The Fall of the Roman Empire: A New History of Rome and the Barbarians* (Oxford: Oxford University Press, 2005).

7 Summarised in Javier Martínez Jiménez, “Crisis or Crises? The End of Roman Towns in Iberia Between the Late Roman and the Early Umayyad Periods,” in *Tough Times: The Archaeology of Crisis and Recovery. Proceedings of the GAO Annual Conferences 2010 and 2011*, eds. Elsbeth van der Wilt and Javier Martínez Jiménez, British Archaeological Reports International Series 2478 (Oxford: Archaeopress, 2013), 77–90.

In Toledo and Complutum traditional Roman townscapes transformed. These changes started in the fourth century, but they became noticeable during the fifth. The streets and public buildings like fora and basilicas were encroached upon or pulled down.<sup>8</sup> Public services such as water supplies, baths or *spectacula* ceased to function.<sup>9</sup> In Complutum the transformation of the Roman landscape went even further, as it developed into a poli-nucleated town with the old centre being depopulated in favour of newly emerging suburbs stretching along the main road. The new main foci of the town were not the abandoned forum or the basilica, but the martyrs' shrine of Saints Justus and Pastor and the small settlement around the old villa of El Val.<sup>10</sup> The case of Toledo is more difficult to assess, because we know so little about the early Roman town. It is clear, however, that the upper town continued to function during the fourth century, while an incipient Christianisation is clearly detectable in the lower town during the fifth.<sup>11</sup>

During the Roman period the cities and their rural hinterland had become thoroughly interconnected mostly through a network of villa estates. Although the villa-based economy survived and continued into the fourth century, a bifurcation in the evolution of villa estates is already noticeable by the mid-fourth century. While some were slowly turning into simpler production sites, with the luxury residence ceasing to be a focal element, others experienced an opposite change, turning into lavish rural palaces. Examples of the latter development in the area under study are the palaces of Carranque and Noheda.<sup>12</sup> This evolution might reflect an amalgamation of various smaller estates into

8 Sebastián Rascón Marqués and Ana Lucía Sánchez Montes, "Urbanismo de la ciudad de Complutum los siglos VI–VII," in *Recópolis y la ciudad en la época visigoda*, ed. Lauro Olmo Enciso, Zona Arqueológica 9 (Alcalá de Henares: Museo Arqueológico Regional, 2008), 247, 254.

9 For Complutum: Sebastián Rascón Marqués, "La ciudad de Complutum en la tardoantigüedad: restauración y renovación," in *Acta Antiqua Complutensia 1: Complutum y las ciudades hispanas en la antigüedad tardía*, eds. Luis García Moreno and Sebastián Rascón Marqués (Alcalá de Henares: Universidad de Alcalá, 1999), 237, 241. For Toledo, cf. Javier Martínez Jiménez, "Aqueducts and Water Supply in the Towns of post-Roman Spain AD 400–1000" (PhD diss., Oxford University, 2014), 49.

10 Rascón Marqués and Sánchez Montes, "Urbanismo," 255.

11 Josep Maria Gurt Esparraguera and Pilar Diarte Blasco, "La basílica de santa Leocadia y el final de uso del circo romano de Toledo: una nueva interpretación," *Zephyrus* 69 (2012): 149–163.

12 Miguel Ángel Valero Tévar, *La villa romana de Noheda: la sala triclinar y los mosaicos* (PhD diss., University of Castilla-La Mancha, 2015); Dimas Fernández-Galiano, *Carranque: Esplendor de la Hispania de Teodosio* (Barcelona: Museu d'Arqueologia de Catalunya, 2001).

several larger ones and the changing relationship between urban elites and their rural estates. After the Barbarian invasions the gradual disappearance of the Roman imperial apparatus prompted the collapse of the rural system based on cash-crops and large villa estates in the fifth century.<sup>13</sup>

The dismantling of these villas is clearly visible in the archaeological record: villas lost their original functionality, were reused as multi-family dwellings, production areas, or even for burials. New buildings were built in timber and *pisé* (rather than in masonry) and sunken features (*Grunbenhäuser*) became widespread.<sup>14</sup> Besides these changes a process of Christianisation of the material culture is obvious.<sup>15</sup> These changes underline how the villa changed from an elite residence to a full-on productive settlement inhabited by a new Christianised population continuing to live on site.

The villas of La Indiana (Pinto), El Val (Alcalá de Henares), Tinto Juan de la Cruz (Pinto), Prado de los Galápagos (Alcobendas) and Valdetorres del Jarama are the ones in which these transformations are most clearly visible.<sup>16</sup> Whereas some villa sites were abandoned in the course of the fifth century, like the villa of Valdetorres, the vast majority slowly transformed into other types of rural settlements after the elite residence had been abandoned.<sup>17</sup> This is the case, for instance, in the villa of El Prado de los Galápagos, on the fertile banks of the Jarama river. Once the villa collapsed in the course of the fifth century, the site was sub-divided into a new small settlement located 200 meter away from the old villa and a minor reoccupation of the *pars urbana*.<sup>18</sup> At the site of El

13 Martínez Jiménez, Sastre de Diego and Tejerizo García, *Iberian Peninsula*, ch. 3.

14 Alfonso Vigil-Escalera Girado, "Cabañas de época visigoda: evidencias arqueológicas del sur de Madrid: Tipología, elementos de datación y discusión," *Archivo Español de Arqueología* 73 (2000): 223–252; Carlos Tejerizo García, "Estructuras de fondo rehundido altomedievales en la Península Ibérica," *Munibe* 65 (2014): 215–237.

15 Cf. Miguel Ángel García García, "Sarcófagos romanos decorados del siglo IV en el territorio andaluz: enfoques y problemática vigente," *Spal* 21 (2012): 183–193; Jorge López Quiroga, "¿Dónde vivían los germanos? Poblamiento, hábitat y mundo funerario en el occidente europeo entre los ss. V y VIII. Balance historiográfico, problemas y perspectivas desde el centro del reino 'godo' de Toledo," in *La investigación arqueológica de la época visigoda en la Comunidad de Madrid*, ed. Jorge Morín de Pablos, Zona Arqueológica 8 (Alcalá de Henares: Museo Arqueológico Regional, 2007), 318–319.

16 Jorge Morín de Pablos et al., "Repertorio de yacimientos de época visigoda en la Comunidad de Madrid," in *La investigación arqueológica de la época visigoda en la Comunidad de Madrid*, ed. Jorge Morín de Pablos, Zona Arqueológica 8 (Alcalá de Henares: Museo Arqueológico Regional, 2007), 56.

17 Vigil-Escalera Girado, "El modelo de poblamiento," 95.

18 Vicente M. Sánchez Sánchez-Moreno, Lorenzo Galindo San José and Rebeca Recio Martín, "Trabajos arqueológicos en el yacimiento 'El Prado de los Galápagos,'" in *La investigación arqueológica de la época visigoda en la Comunidad de Madrid*, ed. Jorge Morín de Pablos,

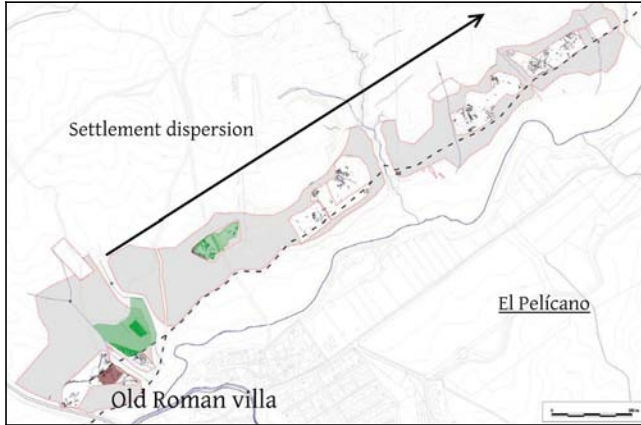


FIGURE 3.2 Plan of the excavations at the site of El Pelicano (Arroyomolinos), in its sixth–seventh century phase, showing the disperse settlement along the river away from the original Roman settlement, marking out the land plots and the communal spaces

FROM VIGIL-ESCALERA, “LAS ALDEAS ALTOMEDIIEVALES,” FIGURE 11

Pelicano (Arroyomolinos), the old villa was abandoned in the 430s. The rich owner [?] was buried in a large mausoleum and the tenants resettled in a new nucleated village close to the old villa (figure 3.2).<sup>19</sup> The first-century villa of La Indiana (Pinto) was transformed in the fifth century to house several families in timber and *pisé* houses.<sup>20</sup>

Most of these villas were apparently abandoned and then reoccupied or slowly modified and transformed into a completely different settlement. In a few cases, however, villas seem to have been abandoned after an episode of violence. This is the case for the villas of El Val and Tinto Juan de la Cruz, but it is very difficult to establish a link with the Barbarian invasions in the region as hardly anything is known about these.<sup>21</sup>

Zona Arqueológica 8 (Alcalá de Henares: Museo Arqueológico Regional, 2007), 447–469; López Quiroga, “¿Dónde vivían los germanos?” 339–341.

19 Alfonso Vigil-Escalera, “Las aldeas altomedievales madrileñas y su proceso formativo,” in *The Archaeology of Early Medieval Villages in Europe*, ed. Juan Antonio Quirós Castillo, Documentos de Arqueología e Historia 1 (Bilbao: Euskal Herriko Unibersitatea, 2009), 321–324.

20 Alfonso Vigil-Escalera Girado, “La Indiana (Pinto, Madrid): estructuras de habitación, almacenamiento, hidráulicas y sepulcrales de los ss. VI–IX en la Marca Media,” in *XXIV Congreso Nacional de Arqueología* 5 (1999): 205–207.

21 Morín de Pablos et al., “Repertorio de yacimientos,” 56.

The fifth century marked a period in which the late Roman political and economic model, developed after the Tetrarchy, came to an end. The resulting instability and lack of strong political authority caused new patterns to emerge substituting the Roman architectural and visual manifestations.

### 3 The Emergence of the Village: Freedom in a Power Vacuum?

As explained above, starting in the fifth century the villa as a settlement type and economic unit was substituted by radically different villages. This transformation process took place between the mid-fifth and the mid-sixth century and it appears to be a wide-spread phenomenon all across Europe.<sup>22</sup> The dissolution of the Roman state and its tax-system brought an end to the rural economy model based on the colonate liberating the peasants as described by Hydatius.<sup>23</sup> This may well be a reason behind the process of village formation. At the same time no strong political authority, either Roman or Germanic, was able to control the central areas of the Iberian Peninsula resulting in a long period of power vacuum. The earliest archaeologically identifiable village is that of Congosto (Rivas) dated to the second half of the fifth century.<sup>24</sup> Other sites, such as at Gózquez (San Martín de la Vega) and Navalvillar (Colmenar Viejo) similarly emerged at this moment of apparent power vacuum.<sup>25</sup>

22 For the chronology, see e.g. Juan Antonio Quirós Castillo, "Early Medieval Villages in Spain in the Light of European Experience: New Approaches in Peasant Archaeology," in *The Archaeology or Early Medieval Villages in Europe*, ed. Juan Antonio Quirós Castillo, *Documentos de Arqueología e Historia* 1 (Bilbao: Euskal Herriko Unibersitatea, 2009), 13–28. For the geographical spread, see Helena Hamerow, *Early Medieval Settlements: The Archaeology of Rural Communities in Northwest Europe, 400–900* (Oxford: Oxford University Press, 2002).

23 Boudewijn Sirks, "Reconsidering the Roman Colonate," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Romanistische Abteilung* 110, no. 1 (1993): 331–369. Hydatius "Chronica subita," in *The Chronicle of Hydatius and the Consularia Constantinopolitana*, ed. Richard Burgess (Oxford: Clarendon, 1993), 40.

24 Vigil-Escalera, "El modelo de poblamiento," 96; Vigil-Escalera, "Aldeas altomedievales," 334.

25 Vigil-Escalera, "Aldeas altomedievales," 329; Concepción Concepción Abad Castro, "El poblado de Navalvillar (Colmenar Viejo)," in *La investigación arqueológica de la época visigoda en la Comunidad de Madrid*, ed. Jorge Morín de Pablos, *Zona Arqueológica* 8 (Alcalá de Henares: Museo Arqueológico Regional, 2007), 396; Fernando Colmenarejo García and Cristina Rovira Duque, "Los yacimientos arqueológicos de Colmenar Viejo durante la Antigüedad Tardía," in *La investigación arqueológica de la época visigoda en la Comunidad de Madrid*, ed. Jorge Morín de Pablos, *Zona Arqueológica* 8 (Alcalá de Henares: Museo Arqueológico Regional, 2007), 378.

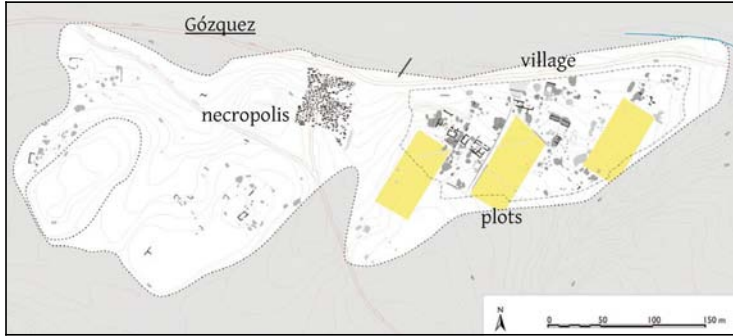


FIGURE 3.3 Plan of the site of Gózquez de Arriba (San Martín de la Vega), showing the core settlement in the east and the necropolis to the west  
FROM VIGIL-ESCALERA, "LAS ALDEAS ALTOMEDIEVALES," FIGURE 15

During this first formative stage villages developed the structural, social, and economic characteristics that would define them for the rest of the Visigothic period and beyond. We have already seen that villa structures were dismantled and new constructions in reused and perishable materials became the norm. The villages' economy changed from monoculture and cash crops to a more diversified production of food and goods. This was especially the case where the import of staple foods and daily objects became unreliable. Social life was characterised by the presence of peasant communities articulated through communal spaces, family plots or allotments, and by new ways of defining social hierarchies.<sup>26</sup> These characteristics are noticeable in villages grown out of villas and in newly settled ones.

Smaller plots were probably the result of the subdivision of old Roman ones. This is visible at the site of El Pelicano. But the presence of small plots is also characteristic of newly established villages such as Gózquez (San Martín de la Vega).<sup>27</sup> Communal features consist of necropoleis, olive presses, grazing grounds, silos and, from the seventh century onwards, churches.<sup>28</sup> Gózquez, built *ex novo* ca. 530, is probably the best excavated example, as it has communal oil presses and necropoleis (figure 3.3).<sup>29</sup>

26 Chris Wickham, *Framing the Early Middle Ages: Europe and the Mediterranean: 400–800* (Oxford: Oxford university Press, 2005), 436–441.

27 Vigil-Escalera, "El modelo de poblamiento," 94.

28 For the churches, see Vigil-Escalera, "El modelo de poblamiento," 90–91, although these do not appear inside the village area, but in other, nearby rural contexts.

29 Vigil-Escalera, "Aldeas altomedievales," 329–331.



The presence of these communal spaces and smaller plots does not, however, mean that these were egalitarian peasant communities. Evident traces of social differentiation confirm this. The village communities seem to have been linked through horizontal networks of patronage without any relation to the previous Roman rural elites. This suggests some degree of self-administration. It is possible, however, that the local Roman aristocracies still could exercise some degree of control over the village communities as well. During periods of crisis or transformation like this transition from the fifth to the sixth century, social hierarchies are not properly defined with a high degree of hierarchical competition. Those ending up on top may well have been the descendants of the old Roman rural elite. As their position was contested by new contenders amongst whom possibly newly arrived Visigoths, they found ways to re-establish and redefine their position in a changed society. The emerging elite based its position solely on personal prestige visible in burial practices, similar to what we see in rural Gaul and Germany.<sup>30</sup>

Indicating rank through prestige is the “big-man” model of anthropological literature. In this society prestige was partly demonstrated by the conspicuous destruction of wealth by including grave goods. In the few necropoleis that we have for this area, such as Daganzo and Gózquez, we find small knives, weapons, and other small objects that characterise the “Duero Necropoleis”. Rather than ethnic indicators of the new Germanic settlers, these objects functioned as markers of status referring to the militarised Roman elites, who from the fourth century onwards wore these items as status symbols.<sup>31</sup>

These new village communities developed against the background of a collapsed villa economic system and the disappearance of traditional means of Roman elite representation. The new economic and social structures reflected a landscape without a strong state to exercise direct control, but with internal differentiation. This situation would be further accentuated once the Visigothic kingdom extended its urban networks of patronage and authority into the rural countryside.

30 Guy Halsall, *Barbarian Migrations and the Roman West, 376–568*, Cambridge Medieval Textbooks (Cambridge: Cambridge University Press, 2007), 125–131, 342–346, 352–357.

31 Ángel Fuentes Domínguez, *La Necrópolis tardorromana de Albalate de las Nogueras (Cuenca) y el problema de las denominadas ‘Necrópolis del Duero’*, *Arqueología Conquense* 10 (Cuenca: Diputación Provincial de Cuenca, 1989); Carlos Tejerizo García, “Ethnicity in Early Middle Age Cemeteries: The Case of the “Visigothic” Burials,” *Arqueología y Territorio Medieval* 18 (2011): 29–43.

#### 4 Village Networks in the Visigothic System

By the mid-sixth century the Visigoths had already shifted their main focus of action to the Iberian Peninsula. Liuvigild (r. 568–586) began a series of state reforms, a process known by modern historians as *aemulatio imperii*.<sup>32</sup> It included a reorganisation of the fiscal system, the coinage and the territorial administration. These changes continued trends that already began in the 550s according to the historical sources, but only at this stage do they become archaeologically evident. Liuvigild moved his capital to Toledo. The large twenty hectare palatine suburb which has been recently excavated there, must be connected to the *praetorium suburbanum* mentioned in the sources. This palatine complex was a physical projection of the new Visigothic state apparatus.<sup>33</sup> He also created a new city in 578 CE, Reccopolis (figure 3.4), named after his son, which included a large public building identified as a palace, a basilica, walls, suburbs and an aqueduct.<sup>34</sup> It was linked to a new province called Celtiberia probably to substitute the declining Complutum or the long-disappeared Ercavica as regional centre. Celtiberia's limit might well have been somewhere in the modern-day province of Madrid. This new city was a royal centre of fiscal and territorial administration, as can be concluded from the presence of a mint.<sup>35</sup> This process of urban renewal affected many other sites, not only in the core of the kingdom, but also in areas further away. In

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- 32 Evangelos Chrysos, "The Empire, the *gentes* and the *regna*," in *Regna and Gentes: The Relationship between Late Antique and Early Medieval Peoples and Kingdoms in the Transformation of the Roman World*, eds. Hans-Werner Goetz, Jörg Jarnut and Walter Pohl (Brill: Leiden, 2003), 13–20; Edward Thompson, *Los Godos en España* (Madrid: Alianza, 2007), 78–83, 107–112.
- 33 Lauro Olmo Enciso, "La Vega Baja en época visigoda: una investigación arqueológica en construcción," in *La Vega Baja de Toledo*, ed. María del Mar Gallego García (Toledo: Toletum Visigodo, 2009), 69–94; Lauro Olmo Enciso, "Ciudad y Estado en época Visigoda: la construcción de un nuevo paisaje urbano," in *Espacios urbanos en el Occidente Mediterráneo ss. VI–VIII*, eds. Antonio García, Ricardo Izquierdo, Lauro Olmo and Diego Peris (Toledo: Toletum Visigodo, 2010), 87–112; Ricardo Izquierdo Benito, "La Urbs Regia," in *Hispania Gothorum: San Ildefonso y el reino visigodo de Toledo*, ed. Rafael García Serrano (Toledo: Toledo Visigodo, 2007), 143–159.
- 34 Olmo Enciso, "Recópolis," 40–63. For the aqueduct, Javier Martínez Jiménez, "A Preliminary Study of the Aqueduct of Reccopolis," *Oxford Journal of Archaeology* 34, no. 3 (2015): 301–320.
- 35 John of Biclar, "Chronica a. DLXVII–DXC," in *Chronica Minora*, v. 2, *Monumenta Germaniae Historica Auctores Antiquissimi* v. 11, ed. Theodor Mommsen (Berlin: Preussische Akademie 1934, 207–220), s.a. 578; Morín de Pablos *et al.*, "Repertorio de yacimientos," 62; Olmo Enciso, "Recópolis."

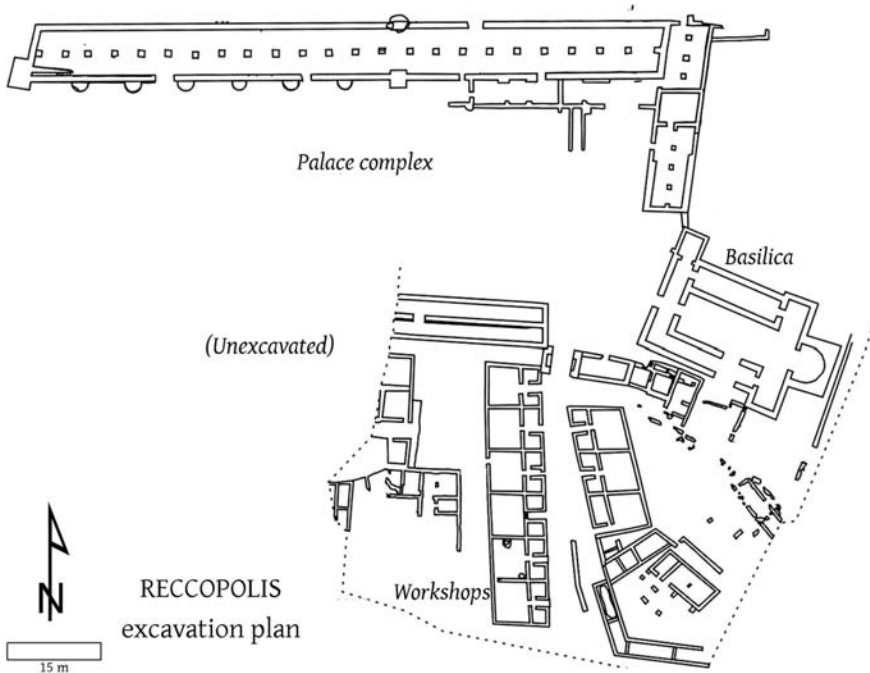


FIGURE 3.4 Plan of the excavations of Reccopolis  
FROM OLMO ENCISO, "RECÓPOLIS," FIGURE 3

Barcelona and Valencia new buildings arose linked to a new urban administration. These trends can also be observed in the newly founded bishopric and fortified town of Eio.<sup>36</sup>

36 Martínez Jiménez and Tejerizo García, "Central Places."

On Barcelona: Julia Beltrán de Heredia Bercero, "Continuity and Change in the Urban Topography: Archaeological Evidence of the North-East Quadrant of the City," in *From Barcino to Barchinona (first to seventh centuries): The Archaeological Remains of the Plaça del Rei in Barcelona*, ed. Julia Beltrán de Heredia Bercero (Barcelona: Museu d'Història de la Ciutat, 2002), 96–111. By the same author, "Barcino durante la antigüedad tardia," in *Recópolis y la ciudad en la época visigoda*, ed. Lauro Olmo Enciso, Zona Arqueológica 9 (Alcalá de Henares: Museo Arqueológico Regional, 2008), 274–291. On Valencia: Albert Ribera Lacomba, "La ciudad de Valencia durante el periodo visigodo," in *Recópolis y la ciudad en la época visigoda*, ed. Lauro Olmo Enciso, Zona Arqueológica 9 (Alcalá de Henares: Museo Arqueológico Regional, 2008), 303–320; Albert Ribera Lacomba and Miquel Rosselló Mesquida, "La ciudad de Valencia en época visigoda," in *Los orígenes del cristianismo en Valencia y su entorno*, ed. Lacomba Albert Ribera (Valencia: Ajuntament de València, 2000), 151–164. On Eio, see Sonia Gutiérrez Lloret, and Julia Sarabia Bautista, "The Episcopal Complex of Eio-El Tolmo de Minateda (Hellín, Albacete, Spain): Archi-

The implementation of these state structures required the Visigothic military elites, the royal court, the Roman landed aristocrats, the curial elites and the Church to cooperate. A new service elite arose as a consequence, which soon included the rural village elites.<sup>37</sup> As a result the newly emerging village landscape developed into an interconnected hierarchical network of settlements. Similar processes are known to have taken place elsewhere in Europe, where sites such as Gasselte, Mucking, Flögeln and Vorbasse arose in connection to similar processes of state formation.<sup>38</sup>

As a result of this process of state formation the region of Madrid had become the hinterland of the capitals and the core of the kingdom. It is here that the extent of Visigothic territorial control can be observed best. It is obvious in the archaeological record in various ways. The first archaeological indicator of the extension of Visigothic control over the rural territory of Madrid is the intensified settlement network. This period coincides with the highest known number of villages.<sup>39</sup> Other centres of elite control emerged at this moment as well. The re-settlement of hillforts (*castra*) in the *sierra* can be interpreted as the extension of a Visigothic territorial network. This network was based on central nodes controlling the villages and surrounding areas. The cities of Reccopolis, Toledo and to a lesser extent, Complutum, executed control over the villages and other minor settlements in the lowlands and the meadows, whereas the hillforts controlled the villages of the *sierra*. The two known *castra* of the region, Patones (or Pontón de la Oliva) and Cancho del Confesionario were located on hill tops from which the significant number of settlements located in the immediate surroundings were kept in check. From Patones it is even possible to see the immediate surroundings of Complutum. Patones is located at the end of the road which links the valley of the Jarama river with

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ecture and Spatial Organization," *Hortus Artium Medievalium* 19 (2013): 262–300; Javier Martínez Jiménez, "Water Supply in the Visigothic Urban Foundations of Eio (El Tolmo de Minateda) and Reccopolis," in *New Cities in Late Antiquity. Documents and Archaeology*, ed. Efthymios Rizos, Bibliothèque de l'Antiquité Tardive 35 (Turnhout: Brepols, 2017), 233–246.

37 Aitor Fernández Delgado, Javier Martínez Jiménez and Carlos Tejerizo García, "New and Old Elites in the Visigothic Kingdom (550–650 AD)," in *Tough Times: The Archaeology of Crisis and Recovery. Proceedings of the GAO Annual Conferences 2010 and 2011*, eds. Elsbeth van der Wilt and Javier Martínez Jiménez, British Archaeological Reports International Series 2478 (Oxford: Archaeopress, 2013), 161–170.

38 Helena Hamerow, "Settlement Mobility and the 'Middle Saxon Shift': Rural Settlements and Settlement Patterns in Anglo-Saxon England," *Anglo-Saxon England* 20 (1991): 1–18; Harm Tjalling Waterbolk and Otto Harsema, "Medieval Farmsteads in Gasselte," *Palaeohistoria* 21 (1979): 228–265.

39 Vigil-Escalera, "Aldeas altomedievales," 337.

Complutum and the rural sites of Talamanca, Cerro de Las Losas or La Cabeza can be found very nearby.<sup>40</sup> Next to Cancho del Confesionario we find the sites of Navalvillar (figure 3.5) and La Vega.<sup>41</sup>

Even if these *castra* were not elite dwellings in the old Roman fashion, they can certainly be linked to the new administrative and territorial elite. A distinctive material culture, more diverse than that of most lowland village sites including imported goods characterised the elite culture of the sites.<sup>42</sup> These *castra* in turn depended on the towns in a territory characterised by central sites with subordinated villages.<sup>43</sup> This is a clear contrast with the Roman pattern of extensive urban territories largely controlled by villas. In the Visigothic model the countryside was still monitored by aristocrats, but they no longer resided on rural residences as the Romans did, or at least these have not yet been found. Control of the countryside was thus organised between the cities, the self-administrating village communities, and new local rural elites, who emerged during the period of power vacuum of the fifth century and who were based in the *castra*, probably with the support of the central administration in the cities.<sup>44</sup>

Imbedded within this network, albeit starting at a later period, but independent from the hierarchy, we find monasteries. Monasteries are a late antique rural innovation, although they do not appear in the Spanish archaeological record before the sixth century.<sup>45</sup> Two monastic sites are known, both near Toledo: Melque and Guarrazar. Melque, renowned for its still-standing church, was built in the late Visigothic period and remained in use into the eighth century when the church was renovated. The monastery is connected to various irrigation canals and dams, which underline its role as a rural productive community.<sup>46</sup> Guarrazar, also of late Visigothic origin, is better known for its

40 Vigil-Escalera, "El modelo de poblamiento," 92; Morín de Pablos et al., "Repertorio de yacimientos," 64.

41 Colmenarejo García and Rovira Duque, "Yacimientos arqueológicos," 380.

42 These sites are linked to elite works and elite control of the territory, but there is no hint at all of elite residence in the old Roman fashion in these sites; Quirós Castillo, "Early Medieval Villages."

43 Vigil-Escalera, "Aldeas altomedievales," 318–319.

44 Cf Martínez Jiménez and Tejerizo García, "Central Places," 86–88.

45 Francisco Moreno Martín, *La arquitectura monástica hispana entre la Tardoantigüedad y la alta Edad Media*, British Archaeological Reports International Series 2287 (Oxford: Archaeopress, 2011).

46 Luis Caballero Zoreda, "El conjunto monástico de Santa María del Melque (Toledo) siglos VIII–IX," in *Monjes y monasterios hispanos en la Alta Edad*, eds. José Ángel García de Cortázar and Ramón Teja Ruiz de Aguirre (Toledo: Fundación Santa María La Real, Centro de Estudios del Románico, 2006), 99–146.



FIGURE 3.5 Plan of the site of Navalvillar, in Colmenar Viejo  
FROM ABAD CASTRO, "EL POBLADO DE NAVALVILLAR,"  
FIGURE 1

treasure: a collection of gold crowns dedicated by the Visigothic kings, and allegedly hidden during the 711 invasion. Recent excavations have unearthed various structures related to the monastery, which has been linked to direct royal patronage.<sup>47</sup> The monasteries constituted an expansion of urban authority into the countryside. On the one hand the monasteries were often founded by lay aristocrats, perhaps even the monarchy, but on the other they underline the power of the Church concerning territory control.

This direct involvement of the Visigothic state apparatus in the hinterland of Toledo inevitably coincided with the reintroduction of taxes collected in kind. An increase in the number of silos can be linked to the establishment of decentralised taxation structures at the village level. The settlements of the lowlands seem to have focused on the production of cereals, vines and olives, continuing the Roman model, to supply their own necessities and the Visigothic capitals of Toledo and Reccopolis. The presence of large numbers of grain silos in most of the sites of the *vega* may point to large-scale production. In sites like La Indiana up to 44 silos are found from the Gothic period.<sup>48</sup> In other sites like Gózquez we find olive presses and there are very large storage areas at the village of El Pelicano.<sup>49</sup> The Middle Guadarrama Survey has revealed that all surveyed sites were linked to grain production.<sup>50</sup> Since all these sites were, moreover, located on the road to Toledo, it is probable that they were directly supplying the capital. Other settlements which emerged from old villas, like El Prado de los Galápagos, could also have been part of this network in the *vega*. Most of the settlements of the *sierra* seem to be more closely linked to animal husbandry than to agriculture, although crops were still being cultivated there as well. Animal pens and animal bones are far more common on these sites than on those of the lowlands, and silos, although present, are not as numerous.<sup>51</sup> The village of Navalvillar is probably the best example. This settlement seems to have been organised around a communal space or street, in which there are several storage areas for grain, but also a byre and animal pens.

47 Juan Manuel Rojas Rodríguez-Malo, "Guarrazar: Arqueología y nuevos recursos: un proyecto con un siglo y medio de retraso," in *VI Jornadas de Cultura Visigoda*, 31–52 (Guadamur: Ayuntamiento de Guadamur, 2014).

48 Vigil-Escalera, "La Indiana," 207–208.

49 Vigil-Escalera, "Aldeas altomedievales," 326, 331.

50 Santiago Rodríguez and Carlos Barrio, "Poblamiento tardorromano en el valle medio del río Guadarrama (Toledo)," *Bolskan* 20 (2003): 269–271.

51 López Quiroga, "¿Dónde vivían los germanos?" 342–343; Abad Castro, "Navalvillar," 391; María del Mar Alfaro Arregui and Asunción Martín Bañón, "La Vega: un modelo de asentamiento rural visigodo en la provincial de Madrid," in *La investigación arqueológica de la*

A fragmentary inscription on slate at Gózquez can also be used as a potential indicator of taxation.<sup>52</sup> These slate inscriptions, characteristic of the mountain areas of the central Peninsula (especially the site of Lancha de Trigo in Ávila), are very varied. Some of them include writing exercises, others contain short notes but a great deal are considered to be fiscal registers.<sup>53</sup>

This integration of the village communities into the administrative and patronage networks of the Visigothic urban elite appears to have prompted a certain degree of economic diversification and economic interconnection beyond taxes. The widespread distribution of roof tiles in these rural areas, for example at Navalvillar, Gózquez and Prado de los Galápagos, can be linked to one regional centre of tile-production at Prado Viejo.<sup>54</sup> The widespread distribution of wheel-made pottery, with matching typologies, across sites in the *sierra* and the *vega* (Navalvillar, Prado de los Galápagos, La Vega, La Indiana, Gózquez, etc.) also indicates a regional circulation of commodities which was not produced separately on each site, but came from a common source.<sup>55</sup> Furthermore, all the widespread typologies have been dated to the second half of the sixth century, which would indicate that a period of stability began when the Visigothic kingdom was established in Toledo allowing for the distribution of these wares around the region.<sup>56</sup> These typologies do not seem to match those found in urban contexts such those of Reccopolis and Toledo, which suggests the presence of distinct rural workshops.<sup>57</sup>

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*época visigoda en la Comunidad de Madrid*, ed. Jorge Morín de Pablos, Zona Arqueológica 8 (Alcalá de Henares: Museo Arqueológico Regional, 2007), 409.

- 52 Juan Antonio Quirós and Alfonso Vigil-Escalera Girado, "Networks of Peasant Villages Between Toledo and Velegia Alabense, Northwestern Spain (v-xth Centuries)," *Archaeologia Medievale* 33 (2006): 79–128.
- 53 Iñaki Martín Viso, "Tributación y escenarios locales en el centro de la Península Ibérica: algunas hipótesis a partir del análisis de las pizarras visigodas," *Antiquité Tardive* 14 (2006): 263–290.
- 54 For the distribution of roof tiles throughout the region, see Ward-Perkins, *Fall of Rome*, 109. And for specific sites, Abad Castro, "Navalvillar," 392. Vigil-Escalera, "Aldeas altomedievales," 332.
- 55 Alfaro Arregui and Martín Bañón, "La Vega," 414–417. This is slow wheel, i.e., hand-thrown wheel pottery. The fast wheel (foot-powered wheel) was lost as a technique across the Iberian peninsula by the sixth century, and was only reintroduced in the Islamic period.
- 56 Vigil-Escalera, "Aldeas altomedievales," 334–335. A caveat should be introduced here, as many contexts are dated by the pottery associated with them, and in turn, the typologies are regularly established by the finds of pots in excavated contexts. The dating is thus to a certain extent circular (pots date contexts, which date other pots), and until scientific dating is made of some of these pots, chronologies will remain rather vague.
- 57 Jorge de Juan Ares, Mari Mar Gallego García and Javier García Gómez, "La cultura mate-



This economic and political integration of the village networks within the Visigothic administrative system impacted the social structure and the self-representation of village rural elites. The disappearance of furnished burials by the end of the sixth century suggests that elites had become fixed. The need to compete for status through lavish funeral displays had disappeared. Other ways of displaying rank emerged, probably linked to the integration of these elites in the taxation system, as the slate from Gózquez may indicate. The high number of horse bones and the presence of horseshoes indicate horse-breeding in Gózquez and Navalvillar, which could be another elite identifier.<sup>58</sup>

Processes of Visigothic state formation modified the evolvement of rural communities reintroducing them into a state system. The emergence of a new elite and the reintegration of cities with their rural hinterland had a direct impact on the materiality of the village communities. It also introduced new types of rural settlement (hillforts and monasteries). This newly formed system also had its weaknesses as became evident during the political crises of the seventh century.

## 5 Resilience and Continuities into the Eighth Century

After Swinthila (r. 621–631) was deposed by a group of conspiring nobles the political stability of the Visigothic kingdom plummeted. Even if this *coup* was sanctioned by the Sixth Council of Toledo, in what was meant to be the start of a period of renewed stability, it only led to a period of uprisings and civil wars continuing into the eighth century and culminating with the Umayyad invasion of 711. Once the monarchy had moved from a military elite of Visigoths to an integrated land-based kingdom it became easier for parties to play kingmaker.

The political instability continued throughout most of the seventh century with usurpations and civil wars continuing until the 660s. The devaluation of the Gothic coinage, as evident from the constant decline of gold content points to the state's difficulties to extract sufficient resources or taxes.<sup>59</sup> In fact,

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rial de la Vega Baja," in *La Vega Baja de Toledo*, ed. María del Mar Gallego García (Toledo: Toletum Visigodo, 2009), 115–147; Olmo Enciso, "Recópolis."

58 Abad Castro, "Navalvillar," 395; Quirós Castillo and Vigil-Escalera, "Peasant Villages."

59 Jesús Vico Monteolivo, María Cruz Cores Gomendio and Gonzalo Cores Uria, *Corpus Nummorum Visigothorum ca. 575–714: Leovigildus – Achila* (Madrid: Vico, Cores and Cores, 2006), 99–105; Ruth Pliego Vázquez, *La moneda visigoda 1: Historia monetaria del Reino visigodo de Toledo (c. 569–711)* (Seville: Universidad de Sevilla, 2009).

the only reason why the state apparatus worked in its formative period may be linked to the direct inflow of cash through war booty rather than a well-functioning taxation system.

In urban contexts we witness a period of stagnation without new large public buildings being erected in striking contrast to the previous period. Church construction continued, however, more or less at the same pace. Other changes highlighting the decline of Roman urbanism are obvious as well. At Reccopolis the newly-laid streets were encroached on by private buildings during the seventh century.<sup>60</sup> Complutum was hardly a nucleated urban site as most public buildings were largely in ruins and the settlement had extended far away from the old nucleus losing its physical markers of an urban site.<sup>61</sup> The alleged renovation of the walls of Toledo were recorded in the now-lost inscription in Latin hexameters of king Wamba (r. 672–680).<sup>62</sup>

After the deposition of Wamba in 680 another period of political strife ensued. Two main royal factions emerged, which fought for the crown up to 711, when the Visigothic kingdom was invaded by the Umayyads. Natural disasters, locusts, draughts, the plague, contributed to the effects of the crisis. The Umayyad conquest faced little local resistance once the Gothic army was defeated.<sup>63</sup> Various factors can explain this. First, the conquerors brought a new coinage of better quality than the Gothic one.<sup>64</sup> Moreover, the original Berber troops were largely Romanised Latin-speaking peoples who were not that different from the people living in the Peninsula.<sup>65</sup> Finally, the conquerors' treaties, known as *sulh*, offered attractive conditions.<sup>66</sup> Toledo and, probably,

60 Álvaro Sanz Paratcha, "Vida después de la muerte: los contextos cerámicos de Recópolis en época emiral," in *Recópolis y la ciudad en la época visigoda*, ed. Lauro Olmo Enciso, Zona Arqueológica 9 (Alcalá de Henares: Museo Arqueológico Regional, 2008), 165–179.

61 Rascón Marqués, "La ciudad de Complutum," 60–61.

62 As preserved in *Continuatio Hispanica* 35, in *Chronica Minora*, v. 2, *Monumenta Germaniae Historica Auctores Antiquissimi*, v. 11, ed. Theodor Mommsen (Berlin: Preussische Akademie, 1934, 323–369): *Erexit, fautore Deo, rex inclytus urbem/ Wamba, suae celebrem protendens gentis honorem./ Vos, sancti Domini, quorum hic praesentia fulget/ hanc urbem et plebem solito servate favore* – With God as patron, erected the city the famous king/Wamba, to increase the honour (and) fame of his people./You, holy Masters (i.e. Saints), whose presence shines here/ serve this city and (its) people with your customary favour.

63 Pedro Chalmeta Gedrón, *Invasión e islamización: la sumisión de Hispania y la formación de Al-Ándalus* (Madrid: MAPRFE 1994), 68–72.

64 Eduardo Manzano Moreno, *Conquistadores, emires y califas: Los Omeyyas y la formación de Al-Ándalus* (Barcelona: Crítica, 2006), 61–63.

65 Eduardo Manzano Moreno, "Beréberes de al-Ándalus: los factores de una evolución histórica," *Al-Qantara* 11, no. 2 (1990): 399–406.

66 Or so we can reconstruct from later sources (cf. Nicola Clarke, *The Muslim Conquest of Iberia: Medieval Arabic Narratives* (Abingdon: Routledge, 2012)). The problem is that all these sources are two centuries later than the conquest and we only have one example of

Reccopolis surrendered by treaty which preserved the city-countryside network as these treaties allowed the original owners to keep their properties in exchange for an extra tax.

The fact that the new Umayyad administration was centred in Córdoba rather than Toledo does not seem to have affected the urban or rural network much. From the seventh century and into the mid-eighth the only remarkable changes in the villages seem to have been an shift to generational occupation. Each family dwelling was built to last 25–30 years after which it was pulled down and rebuilt at some distance.<sup>67</sup> There does not seem to be much large-scale and complete destruction and abandonment of sites at this time. The settlement linked to the old villa at El Pelicano seems to have been completely abandoned during the seventh century.<sup>68</sup> Navalvillar was abandoned during the Islamic conquest.<sup>69</sup> The seventh century saw on the other hand some new villages emerge such as La Huelga, Frontera de Portugal and La Charca all located at the banks of the Jarama river.<sup>70</sup> Even burial practices continued unchanged into the eighth century.<sup>71</sup> The only clear change in the rural landscape that can be connected to the conquest is the *maqbara*, Islamic cemetery, at the site of La Huelga.<sup>72</sup> The lack of direct influences underlines the limited number of Muslims settled in the countryside at the early stages of the conquest.

As was discussed above, the rural system with its specific settlement pattern, social structure, economic production, and urban integration, which had emerged from the implosion of the villa system was strengthened and structured by the Visigothic state. Interaction between new and old elites accompanied by a re-definition of roles and ranks resulted in a cohesive and stable system which survived the collapse of the kingdom. This was corroborated by

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such a treaty. It is only an assumption that these treaties were common and that were all similar.

67 Alfonso Vigil-Escalera, “Primeros pasos hacia el análisis de la organización interna de los asentamientos rurales en época visigoda,” in *La investigación arqueológica de la época visigoda en la Comunidad de Madrid*, ed. Jorge Morín de Pablos, Zona Arqueológica 8 (Alcalá de Henares: Museo Arqueológico Regional, 2007), 371; cf. the aforementioned case of Mucking, and the ‘mid-Saxon shift’.

68 Vigil-Escalera, “Aldeas altomedievales,” 326.

69 Abad, “Navalvillar,” 398.

70 Vigil-Escalera, “Aldeas altomedievales,” 334; Sánchez Sánchez-Moreno, Galindo San José, Lorenzo and Recio Martín, “Trabajos arqueológicos,” 449–453.

71 Vigil-Escalera, “El modelo de poblamiento,” 90.

72 Miguel Rodríguez Cifuentes and Luis Ángel de Juana García, “La Huelga y El Malecón: dos asentamientos altomedievales entre la tradición y el cambio,” in *La investigación arqueológica de la época visigoda en la Comunidad de Madrid*, ed. Jorge Morín de Pablos, Zona Arqueológica 8 (Alcalá de Henares: Museo Arqueológico Regional, 2007), 418–431.

the fact that the first generation of Muslim conquerors did not actively change much. After the 740s and 750s, however, this system would slowly come to an end.

## 6 The New Umayyad Rural System

The early years of Muslim domination over the Peninsula constituted a prolonged epilogue to the Visigothic rural network centred around Toledo. Change came when the Umayyad state eventually imposed its own system. The mid-eighth century was characterised by uprisings and civil wars amongst the conquerors, at first without involving the local populations, and dynastic struggles. Its main consequence was the creation of a new state independent from the control of the caliphs in Bagdad: the emirate of Córdoba. As the Goths had done in the sixth century, this new state in turn prompted a reorganisation of the territorial administration which deeply affected the village network. The vast majority of sites known from the Visigothic period were abandoned at this stage. This was for example the case in Gózquez, Melque, Patones, La Vega, Frontera de Portugal, El Pelicano, and many others.<sup>73</sup>

The Berber revolt (740–743) was the result of several latent conflicts amongst the conquerors. Several factors, including ethnic feuds between Berbers and Arabs, an unequal distribution of land with the Arabs occupying the most fertile arable land as opposed to the Berbers who had been given the most barren areas, and power struggles with Arabs dominating Berbers had already caused much enmity between the two groups. Open conflict began in 740 when extra taxes were levied on the Berbers. The rebellion began in North Africa and soon spread into the Iberian Peninsula.<sup>74</sup> The governors of al-Andalus called for extra troops and the caliph soon sent Syrian Umayyad soldiers. These troops helped suppress the revolts, but also introduced yet another ethnic group to the Iberian melting pot. They would soon play a crucial role.

It is in this period too that the rebellious Asturians formed their kingdom in the north. King Alfonso I (r. 739–755) was instrumental as he began a series of attacks on the weakened emirate. On top of this, in 750 the Abbasids organised a *coup* against the Umayyads in Damascus. The only surviving member of the Umayyad house, ‘Abd al-Rahmān (r. 754–788), escaped fleeing to al-Andalus

73 Vigil-Escalera, “Aldeas altomedievales,” 327, 329; Rodríguez and De Juana García, “La Huelga y El Malecón,” 421–428; Alfaro Arregui and Martín Bañón, “La Vega,” 417; López Quiroga, “¿Dónde vivían los germanos?” 343–344.

74 Manzano Moreno, *Conquistadores*, 92–101.

where there were plenty of loyal Syrian troops. From 750 onwards, internal divisions, ethnic feuds, Christian attacks and dynastic rivalries added further instability. Civil war between Abbasid and Umayyad partisans ended in 754, when 'Abd al-Raḥmān proclaimed himself independent emir of Córdoba. Christian, usually referred to as 'Mozarab' rebellions, however, continued during his reign as did occasional pro-Abbasid revolts.<sup>75</sup>

One of the first consequences of this period of unrest was that most of the towns in the Duero basin (north of the Madrid mountains) and other enclaves south of the Pyrenees were deserted by the Berber garrisons.<sup>76</sup> These cities had already been in steep decline during Late Antiquity, but once the Berber troops left the whole administrative infrastructure of the basin disappeared. As the Berber troops fled, an unorganised no-man's-land buffer zone was created between the Christian kingdoms of the north and al-Andalus, turning the territories of Toledo and Reccopolis from *the* core into *a* frontier zone.

This led to a reorganisation of the area into a frontier march.<sup>77</sup> 'Abd al-Raḥmān I turned Toledo into a border district whereby the city's hinterland became a militarised buffer zone. The city itself suffered very important changes during the ninth century. The Visigothic royal suburb was destroyed and besieged repeatedly and the emirs were forced to move all administrative buildings into the new citadel or *almudayna*.<sup>78</sup> From this moment on, the territory was controlled from militarised fortified settlements and no longer from towns. The old town of Complutum was soon substituted as an administrative centre by a new fortified (*qal'a*) settlement three kilometres away, Qal'at 'Abd al-Salām.<sup>79</sup> In the mid-eighth century a new garrison of Syrian troops was settled next to Reccopolis at Zorita about 1.5 kilometres from the Visigothic site.<sup>80</sup> Another fortified enclave was formed at Talamanca and later ones would develop in Guadalajara, Madrid, and Calatalifa.<sup>81</sup> These became the main sec-

75 Manzano Moreno, *Conquistadores*, 105, 249.

76 Manuela Cruz Hernández, "The Social Structure of al-Andalus during the Muslim Occupation (711–755) and the Founding of the Umayyad Monarchy," in *The Formation of Al-Andalus, part 1: History and Society*, ed. Miguel Martín (London: Aldershot, 1998), 51–85.

77 Explained in detail with a general overview of the new settlement patterns in Eduardo Manzano Moreno, "De Hispania a Al-Andalus: la transformación de los espacios rurales y urbanos," in *Città e campagna nei secoli altomedievale: Sopleto, 27 marzo–1 aprile 2008* (Spoleto: Centro di Studi sull'alto Medioevo, 2009), 473–494.

78 Antonio Almagro, "Planimetría de ciudades hispanomusulmanas," *Al-Qantara* 8 (1987): 432; Basilio Pavón, *Ciudades hispanomusulmanas* (Madrid: MAPFRE, 1992), 284; Izquierdo, "La Urbs Regia."

79 Pavón, *Ciudades*, 155, 157, 179.

80 Sanz Paratcha, "Vida después de la muerte," 166–173.

81 Vigil-Escalera, "El modelo de poblamiento," 98.

ondary sites of the region, substituting the *sierra* enclaves. Some places such as Cancho del Confesionario show continued activity into the early Islamic period before it was fully substituted by the new foundations.<sup>82</sup>

These new centres of power substituted the old Visigothic nuclei as the main nodes of the rural network, which had already begun to crumble probably after the Berber rebellion. A new Islamic military elite controlled the largely Mozarab local population.<sup>83</sup> A handful of sites, amongst which Prado de los Galápagos, La Indiana, continued to be inhabited into the eighth and ninth centuries without the incentive or support of the Gothic capitals and elites.<sup>84</sup> Most of the network, however, had disappeared or was dispersed into smaller settlements which are archaeologically invisible.<sup>85</sup> The decline in the number of silos per site during the eighth century – they nearly halved in La Indiana – confirms that the Visigothic capitals were of key importance for the existence of the rural commercial network.<sup>86</sup> The rural population may well have moved to new villages (*alquerías*) linked to the new settlement patterns as they did elsewhere in the Peninsula. However, this is not visible at this time in the archaeological record in the Madrid area. This may be because most of these early *alquerías* have been continuously inhabited ever since and are the origins of most of the current towns of the province of Madrid.<sup>87</sup>

The political and economic focus had moved south towards Córdoba and the Madrid region had turned into a frontier zone constantly under threat. This situation probably caused the end of most of these local sites which could not prosper without the support of the Gothic capitals just like the *villas* declined when the Roman state and its associated economic and social structure disappeared from this region.

82 Colmenarejo García and Rovira Duque, “Los yacimientos arqueológicos de Colmenar Viejo,” 381.

83 In many areas of the Peninsula, the local elites converted to Islam, (referred to as *muwal-ladūn*). This however does not seem to have been the case of this area, due to the lack of Islamic cemeteries (*maqābir*) and the strong presence of urban Mozarabic communities in Toledo (Cf. Manzano Moreno, *Conquistadores*, 50–51).

84 Sánchez Sánchez-Moreno, Galindo San José, Lorenzo and Recio Martín, “Trabajos arqueológicos”; Vigil-Escalera, “La Indiana.”

85 Colmenarejo García and Rovira Duque, “Yacimientos arqueológicos,” 381.

86 Vigil-Escalera, “La Indiana,” 207–208, Rodríguez Cifuentes and De Juana García, “La Huelga y El Malecón,” 420.

87 López Quiroga, “¿Dónde vivían los germanos?” 352.

## 7 Conclusions

The political development of the central Iberian Peninsula had a great impact on the evolution of its rural settlements. We should keep in mind, however, that this cannot be extrapolated to other regions of the Peninsula due to the particular political importance of this area.<sup>88</sup> As long as there was peace and stability rural settlements survived but in times of crisis they suffered.

The organisation and means of control of the territory also fluctuated according to the ruling power of the moment. Until the Roman dominion ceased to be effective, the territory was structured and controlled by rural elites living in villas. Once the Roman economic and administrative system in which villas played a key role collapsed, the villas were soon abandoned and ceased to exist. New types of settlements emerged during the post-Roman period. This was the result of the end of the villa system and of the dissolution of Roman administration and taxation structures. New settlement patterns and building techniques gave way to the emergence of true villages and village communities in which no traces of the old Roman rural elites are identifiable, but which formed a network that supplied the Visigothic capitals of Toledo and Reccopolis. A new elite emerged out of the Gothic and Roman aristocrats serving the recently created kingdom. Their position was not based on land they owned as in the Roman period, but by the offices they held. This pattern of the rise of a state service elite perhaps finds its parallels elsewhere in the Mediterranean. The making of alliances and re-negotiation of power structures between newly established political powers and pre-existing elite circles as occurred in the Gothic-Roman establishment in the Iberian Peninsula was but one possible outcome. Across this volume other solutions to this problematic sometimes different, but many times similar can be seen in the broader late antique Mediterranean.

This network was so closely linked to these capitals and the state structures implemented there that it managed to survive the crisis of the seventh century. However, this link was so vital that once the political and economic power was removed from the cities after the civil wars and Muslim invasion of the eighth century the network collapsed. Of crucial importance was the establishment of the Umayyad emirate in Cordoba and the consequent reduction of the whole territory from core to frontier. This is especially true for the province of Madrid, where small fortified enclaves became more important than towns and villages.

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88 Compare this region with other more 'marginal' areas of the Gothic kingdom, like Gallaecia, Catalonia or the Duero basin; cf. Quirós Castillo, "Early Medieval Villages."

This does not mean that there were no rural settlements, but rather that the number of settlements dropped, while no new eighth-century settlements have been yet found.

As for the authority over this newly-organised territory, the old Romano-Gothic elites were completely replaced by the new military elite active on the Islamic frontier. Again, the substitution of elite establishments and the consequent ways these controlled effectively the countryside were numerous. In the Iberian Peninsula where the arriving troops were few and confronted by a larger, albeit more poorly structured, local establishment the presented dialectics prompted the creation of new settlement patterns. Across the early Islamic and post-Roman Mediterranean we have, however, many different points of comparison.

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# Authority and Control in the Interior of Asia Minor, Seventh–Ninth Centuries

*James Howard-Johnston*

## 1 Asia Minor and the Onset of the War for Survival: Cities, Villages and Fortresses

Byzantium cannot be demarcated clearly from its greater, antecedent, imperial self. The name is a term of art, used to pick out the most Roman of the Roman successor states. Continuity being so marked in terms of constitution, institutions (notably those which sustained a traditional fiscal prowess), infrastructure and, not least, culture and religion, the east Roman empire simply shades into a reduced but still ideologically potent early medieval state. But change was forced upon it from without, by successive defeats at the hands of Muslims, by successive losses of territory to the Muslim *umma*. At the beginning of the eighth century, the authority of east Roman emperors was confined to a well-defended but exposed capital city, enclaves in the far west (Sicily, southern Italy and the exarchate of Ravenna) and north-east (part of the Crimea and the western Caucasus), tracts in the western, southern and south-eastern Balkans (often under no more than nominal Roman control), the islands of the Aegean, and one substantial, defensible land-mass, Asia Minor. Asia Minor became the heartland of the rump-empire from the 640s, its most important resource-base, the great eastern bulwark of Constantinople. Explanations for the extraordinary resilience shown by Byzantium in its 200-year-long battle for survival and the success ultimately achieved have to be sought as much in the evolving structures, social, economic, administrative, of Asia Minor as in policies formulated at the centre and the ideology which underpinned the will to fight on.<sup>1</sup>

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1 This paper represents views developed over many years of reading and teaching. Pupils, undergraduate, graduate and, in one case, virtual, have contributed much. I am particularly indebted to Mark Whittow (for his counter-suggestibility), Peter Sarris (for the solution to the urban conundrum), Peter Thonemann (for clarifying the tax system), Nicole Mangion (for research on al-Djarmī and Ibn Khurradādhbih), and Adam Izdebski (for his palynological synthesis).

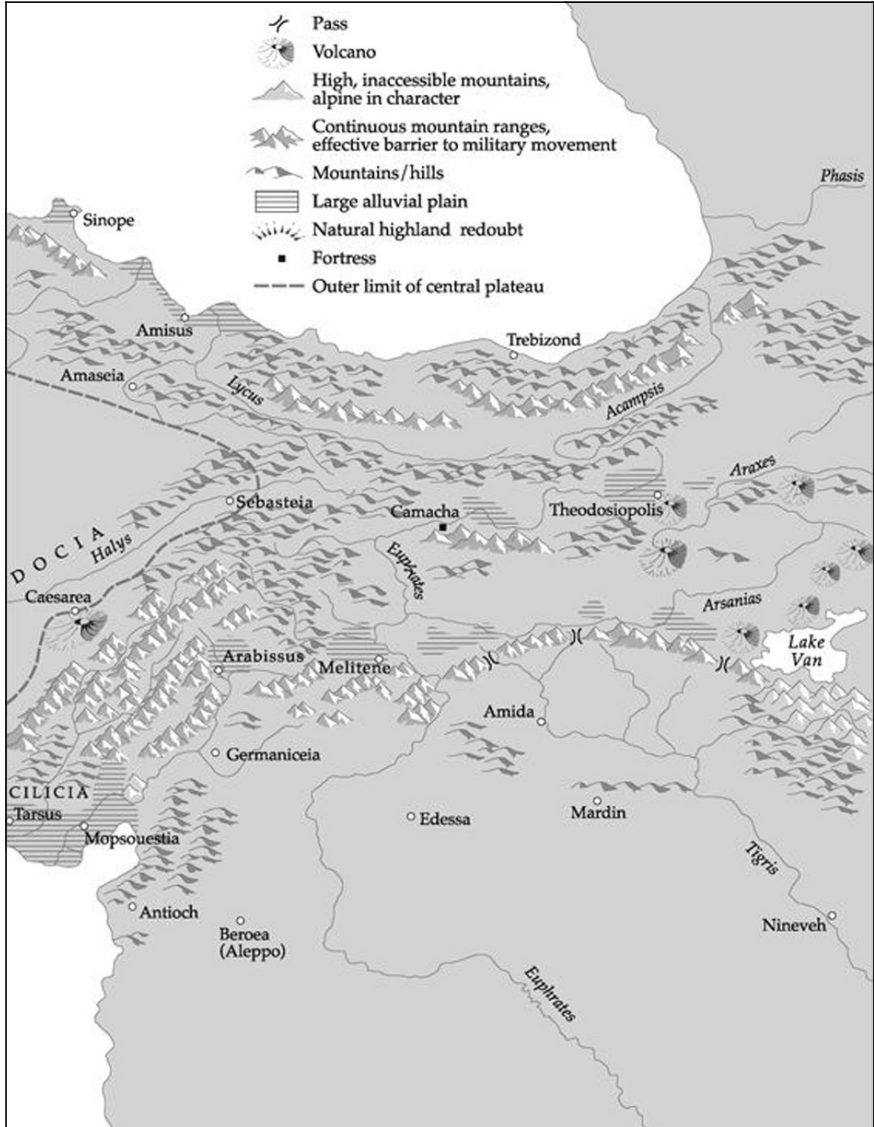


FIGURE 4.1 Map of Asia Minor  
FROM HOWARD-JONHSTON, *WITNESSES TO A WORLD CRISIS*, XXXIII





FIGURE 4.2 Map of Asia Minor

FROM HOWARD-JONHSTON, *WITNESSES TO A WORLD CRISIS*, XXXIV

Three main zones may be distinguished in Asia Minor. First the coastlands, reduced for the most part to narrow strips between sea and mountains in the north and the south, but broadening out into extensive riverine plains to the west and north-west. There was more remodelling of settlements and societies there than in the other two zones at the end of antiquity. They were highly urbanised. Great cities – Nicomedia, Nicaea, Prusa, Smyrna, Pergamum, Ephesus, Miletus, Attaleia – were the nodal points in dense networks of smaller cities and market centres extending deep into their hinterlands. With easy access to the sea, their populations and those of the surrounding country could sell surplus products, agricultural and manufactured, to distant markets. All the coastlands, but especially the Lycian strip, flourished during the years of economic growth from the fourth to the early seventh century, lying as they did along the commercial axis connecting Alexandria and the cities of the Levant with Constantinople. Even the Justinianic plague was not able to do more than temporarily puncture the commercial boom.<sup>2</sup>

The long defensive war for survival, which, from the late 640s, embraced the maritime sphere as well as involving large-scale action by land, proved far

2 Clive Foss, "The Lycian Coast in the Byzantine Age," *Dumbarton Oaks Papers* 48 (1994): 1–52; John Liebeschuetz, *The Decline and Fall of the Roman City* (Oxford: Oxford University Press, 2001), 30–54; René Bondoux, "Les villes," in *La Bithynie au Moyen Âge*, eds. Bernard Geyer and Jacques Lefort, *Réalités Byzantines* 9 (Paris: P. Lethielleux, 2003), 377–409.

more damaging than disease. Once the Muslims had taken control of Palestine (635), Syria (636) and Egypt (643) and had consolidated their position, they were able to use the resources, material and human, of the trading cities which they controlled, to mobilise powerful naval strike forces. The history of Muslim-Byzantine relations from the middle of the seventh century to 718 is one in which naval warfare loomed large. The climaxes, three of them, came when the metropolitan area came under attack by sea (in 654 [in conjunction with an invasion of Asia Minor], 670–671, 717–718). Serious damage was inflicted on city life in what had been flourishing coastal provinces on the sea-lanes from Egypt and the Levant to Constantinople. Cities in strong natural positions or with substantial resources of their own were transformed into hardpoint fortresses, the nodal points in regional defensive systems. They all shrank in size, shedding outer quarters, falling back on their central areas or ancient citadels, ruthlessly quarrying abandoned monuments for building material. There was a general movement inland, into the less accessible highlands.<sup>3</sup>

The mountain ranges backing on to the coastlands constituted, as of course they still constitute, the second component part of Asia Minor – (1) in the south the Taurus which describes a flat concave arc from east to west between Cilicia and Lycia, (2) in the north and north-west the well-wooded Pontic mountains, and (3) the more easily transected hills and mountains of the west. To these should be added the easternmost section of the Taurus, where it forms a massive barrier separating Cappadocia from Cilicia, and its prolongation in the Anti-Taurus which splays out into some seven discrete ridges running towards the Euphrates. Taurus and Anti-Taurus formed the outer bulwark of Byzantium's eastern defences. Without these formidable natural barriers to shield the interior of Asia Minor from the political and military centre of the Umayyad caliphate in Syria, it is impossible to conceive of Byzantium's maintaining its political and cultural autonomy in the face of the initial Arab outrush from the desert. Difficult, hilly terrain on both banks of the Euphrates extended these natural defences north, completing the exterior mountain circuit. There were, however, two relatively inviting east-west routes through western Armenia (down the Arsianias and the upper course of the Euphrates) which led on

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3 James Howard-Johnston, *Witnesses to a World Crisis: Historians and Histories of the Middle East in the Seventh Century* (Oxford: Oxford University Press, 2010), 461–516; Philipp Niewöhner, "Archäologie und die "Dunklen Jahrhunderte" im byzantinischen Anatolien," in *Post-Roman Towns, Trade and Settlement in Europe and Byzantium*, vol. 2, *Byzantium, Pliska, and the Balkans*, ed. Joachim Henning, Millennium-Studien 5 (Berlin: De Gruyter, 2007), 119–157.

and up onto the Asia Minor plateau. On this eastern front, Byzantium owed its survival to the Armenian princes and lords who penned the Muslims back into a number of discrete colonial enclaves.<sup>4</sup>

We know relatively little about the mountain zone in antiquity, beyond the far from surprising phenomenon of its refractoriness. The Taurus and eastern Pontic ranges were the principal *terres d'insolence* of Asia Minor. It took the Romans much effort over several decades to achieve the effective pacification and romanisation of the main highland regions. In the Taurus, from Pisidia to Isauria, Augustus' campaign of pacification involved the concentrated use of force both before and after the infrastructure of roads and colonial foundations had been put in place. Far away to the north-east, Tzanica was only brought under firm government control by an intensive development programme in the early sixth century. It is impossible to say whether the resources of the highlands, apart from their military manpower, were tapped fully by the late Roman state. But what may be asserted with some confidence, despite the lack of directly pertinent evidence, is that the highlanders were not alienated from its Byzantine successor. Apart from a single short episode, when they, along with the inhabitants of the central plateau and the lowlanders of the coast, all submitted to the commander-in-chief of a large Muslim invasion army in 654, they remained loyal citizens. There was no rash of rebellions, no tendency of leading figures to bid for untrammelled rule in the localities. The immigration of lowlanders, their withdrawal to more secure habitats in the skirts of the mountains, seems to have deepened the highlanders' sense of belonging to an overarching Christian Roman state, rather than generating antagonism. Highland society itself, being less subject to depredation by Muslim raiders, more fluid than that of the open lands outside, less pervious to the norms and laws of the settled, ordered world, was probably relatively unaffected by the prolonged crisis of the early middle ages.<sup>5</sup>

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4 Naval Intelligence Division, *Geographical Handbook Series: Turkey* (Oxford: Her Majesty's Stationery Office, 1942), 1:154–159, 180–187; Timothy Mitford, *East of Asia Minor: Rome's Hidden Frontier* (Oxford: Oxford University Press, 2017); Robert Hewsen, *Armenia: A Historical Atlas* (Chicago: University of Chicago Press, 2001), 14–19, 100–111.

5 Stephen Mitchell, *Anatolia: Land, Men, and Gods in Asia Minor*, vol. 1, *The Celts in Anatolia and the Impact of Roman Rule* (Oxford: Clarendon Press, 1993), 70–79, 234–235; Keith Hopwood, "Policing the Hinterland: Rough Cilicia and Isauria," in *Armies and Frontiers in Roman and Byzantine Anatolia*, ed. Stephen Mitchell, British Archeological Reports, International Series 156 (Oxford: British Archeological Reports, 1983), 173–187; Keith Hopwood, "Towers, Territory and Terror: How the East was Held," in *The Defence of the Roman and Byzantine East*, eds. Philip Freeman and David Kennedy, British Archeological Reports, International Series 297 (Oxford: British Archeological Reports, 1986), 343–358; Keith Hopwood, "Consent and Con-

So we turn finally to the third zone, the interior plateau, which takes the shape of a large, inverted triangle, extending from the headwaters of the Sangarius river in the north-west to those of the Halys in the north-east and south to the hot plains of Lycaonia. The Anatolian plateau, open, treeless, easily traversed, links together Asia Minor's mountain peripheries and their outlying hills and valleys. The relatively few and widely separated cities of classical antiquity acted as stepping-stones for overland travel and road-based cabotage. The terrain to be crossed was and is far from homogeneous. There is a region of great lakes in Pisidia in the south-west. High volcanoes – Erciyas Dağ and Hasan Dağ – dominate the tufa landscape of Cappadocia in the south-east, where cones of wind-eroded rock congregate together in hollows and where streams have cut mini-canyons across open country. Unlike the yet greater plateau of Iran far to the east, the Anatolian interior lies within the sweep of the Mediterranean climatic system. So there is enough, in some cases just enough, precipitation, in the form of snow and rain, to sustain agriculture without recourse to irrigation, except for a central region around the Tuz Gölü. It is, for the most part, a very different world from the desiccated, salt-encrusted *kavirs* which make the interior of Iran inhospitable and perilous to travellers. While there may be little variation in its colouring – various shades of tan and ochre – there is plenty of variation in relief. The plateau undulates. There are many distinct ranges of hills, some packed together to form isolated, natural redoubts – for example the Melendiz Dağ in western Cappadocia, the Emir Dağları south of Amorium, and the Phrygian highlands. Perennial rivers pick their way between

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trol: How the Peace was Kept in Rough Cilicia,” in *The Eastern Frontier of the Roman Empire*, eds. David French and Chris Lightfoot, British Archeological Reports, International Series 553 (Oxford: British Archeological Reports, 1989), 191–201; James Howard-Johnston, “Procopius, Roman Defences North of the Taurus and the New Fortress of Citharizon,” in *The Eastern Frontier of the Roman Empire: Proceedings of a Colloquium held at Ankara in September 1988*, eds. David French and Chris Lightfoot, British Archeological Reports, International Series 553 (Oxford: British Archeological Reports, 1989), 215–220, repr. in James Howard-Johnston, *East Rome, Sasanian Persia and the End of Antiquity: Historiographical and Historical Studies*, no. 11, Variorum Collected Studies (Aldershot: Ashgate, 2006); Michael Maas, “Delivered from their Ancient Customs’: Christianity and the Question of Cultural Change in Early Byzantine Ethnography,” in *Conversion in Late Antiquity and the Early Middle Ages: Seeing and Believing*, eds. Kenneth Mills and Anthony Grafton (Rochester, NY: University of Rochester Press, 2003), 160–169; Michael Whitby, “Recruitment in Roman Armies from Justinian to Heraclius (ca. 565–615),” in *The Byzantine and Early Islamic Near East*, vol. 3, *States, Resources and Armies*, ed. Averil Cameron (Princeton: Darwin Press, 1995), 66–68, 82–85; Robert Thomson and James Howard-Johnston, *The Armenian History Attributed to Sebeos*, Translated Texts for Historians 31 (Liverpool: Liverpool University Press, 1999), 144–146 (translation), 274–276 (historical commentary).

them, laying down strips of green which broaden out intermittently to form larger depressions, *ovas*, the natural foci of agrarian life.<sup>6</sup>

The Anatolian plateau has always had the potential to be the breadbasket of the eastern Mediterranean. Hills as well as plains and valleys can be ploughed up to grow cereals, in huge quantities (enough to feed much of the population of modern Turkey, which has tripled since my first visit in 1965). To fly over the plateau in summer is to cross a landscape pock-marked with threshing-floors. In antiquity and the middle ages, however, without the benefit of cheap overland transport for produce in bulk, and with a relatively small population, there was no incentive to go beyond satisfying local demand. Agriculture therefore yielded to stock-raising as the primary economic activity. Cattle, sheep and horses could be raised in large numbers on rain-fed pastures, and could generate good cash returns. Given that livestock were self-propelled and could be driven with minimum cost to markets, near and distant, there was money to be made from pastoral products, both meat (brought on the hoof to cities) and the raw material for cloth and leather manufacturing. Hence the rapid growth in the first and second centuries A.D. of large estates, both private and imperial, on the western reaches of the plateau, in Galatia and Phrygia. Hence too the development of certain western cities – notably Philadelphia, Hierapolis and Laodiceia – as centers of production for woollen cloth and leather goods.<sup>7</sup>

This bias in favor of the pastoral economy was accentuated in the age of unremitting warfare which set in from the middle decades of the seventh century. For livestock, unlike crops, could be moved to safety. A regular procedure was elaborated by the military authorities for the speedy and orderly evacuation of men and animals from the line of likely enemy attack.<sup>8</sup> On occasion, despite these measures, livestock were caught and driven off, sometimes in very large numbers.<sup>9</sup> But in stable climatic conditions and with grazing aplenty,

6 Naval Intelligence Division, *Turkey*, 1:160–168; Mitchell, *Anatolia*, 1:1, 143–145.

7 Mitchell, *Anatolia*, 1:146, 149–160; Harry Pleket, “Greek Epigraphy and Comparative Ancient History: Two Case Studies,” *Epigraphica Anatolica* 12 (1988): 29–37; Peter Thonemann, *The Maeander Valley: A Historical Geography from Antiquity to Byzantium* (Cambridge: Cambridge University Press, 2011), 185–190.

8 Nicephoras Phocas, *De velitatione*, ed. and trans. Gilbert Dagron and Haralambie Mihăescu as: *Le traité sur la guérilla de l'Empereur Nicéphore Phocas (963–969)* (Paris: Editions du Centre National de la Recherche Scientifique, 1986), 38–39, 50–53, 74–77, 114–117, 120–121, with commentary 225–231.

9 See, for example Alexander Vasiliev, *Byzance et les Arabes*, vol. 2, book 1, *La dynastie macédonienne (867–959)*, eds. Henri Grégoire and Marius Canard (Brussels: Institut de philologie et d'histoire orientales, 1968), 250, 263 for the large numbers reportedly taken by the emir of Tarsus in the 920s (8,000 horses and 200,000 sheep in 923, 300,000 sheep in 927).

a temporary emphasis on breeding as against meat-production would rebuild herds and flocks in a short time. Recent study of scientifically sampled pollen residues, taken from lake sediments, together with archaeological survey work, has documented declines in settlement and in the cultivation of cereals and orchard trees on the southern side of the plateau region in the early middle ages (seventh–ninth centuries), which are likely to have been accompanied by a shift to pastoralism – (1) in the territory of Sagalassus, now deprived of its old urban center (reduced to a small fortified settlement), where villages were fewer and smaller than they had been in late antiquity, and an expansion of grazing which became marked after the eleventh century was already under way, (2) in the Konya plain where there is clear evidence of population decline after a phase of intensified exploitation and settlement in late antiquity, and (3) in the area north of the Cilician Gates in southern Cappadocia where agricultural land was abandoned, rural areas were depopulated and secondary woodland expanded, a trend only reversed from the middle of the tenth century when grazing expanded hand in hand with cultivation.<sup>10</sup> In the north, to judge by the evidence gathered in Paphlagonia, pastoralism reached an apogee in the middle of the eighth century, when there began a phase of agricultural expansion and population growth, resulting, it may be argued, from a migration of population to a relatively secluded region far from the frontier zone.<sup>11</sup>

Muslim invasions and raiding expeditions brought about a grand cull of cities in the interior of Asia Minor. It had, of course, been thoroughly urbanized in the course of classical antiquity, but thorough urbanization did not entail a thick carpeting of cities. The major centers of population gravitated towards the edges of the plateau, their location being determined by accessibility on

10 Hannelore Vanhaverbeke, Athanasios Vionis, Jeroen Poblome and Marc Waelkens, “What Happened after the seventh Century AD? A Different Perspective on Post-Roman Rural Anatolia,” in *Archaeology of the Countryside in Medieval Anatolia*, eds. Tasha Vorderstrasse and Jacob Roodenberg (Leiden: Nederlands Instituut voor het Nabije Oosten, 2009), 177–190; Douglas Baird, “Settlement Expansion on the Konya Plain, Anatolia: fifth–seventh Centuries A.D.,” in *Recent Research in the Late Antique Countryside*, eds. William Bowden, Luke Lavan and Carlos Machado, *Late Antique Archaeology 2* (Leiden: Brill, 2004), 219–246; Warren Eastwood, Osman Gümüşçü, Hakan Yiğitbaşıoğlu, John Haldon and Ann England, “Integrating Palaeoecological and Archaeo-Historical Records: Land Use and Landscape Change in Cappadocia (Central Turkey) since Late Antiquity,” in *Archaeology of the Countryside*, eds. Tasha Vorderstrasse and Jacob Roodenberg (Leiden: Nederlands Instituut voor het Nabije Oosten, 2009), 45–69; Adam Izdebski, *A Rural Economy in Transition: Asia Minor from Late Antiquity into the Early Middle Ages*, *Journal of Juristic Papyrology, Supplement 18* (Warsaw: University of Warsaw, 2013), 156–159, 198–201.

11 Izdebski, *Rural Economy in Transition*, 194–198.

the road-system and the availability of good agricultural land.<sup>12</sup> As such they were prime targets for depredation by Muslim armies. An early priority for the Byzantine government was to strengthen their defenses, where necessary, so that they could withstand direct assault by large hostile forces. Major improvement work cannot be pin-pointed in time in many cases, partly because of the atrophying of the epigraphic habit, partly because physical vestiges of past structures have been recycled and lost in cities which have survived to the present day.<sup>13</sup> But it may be conjectured that urgent refurbishment was carried out first at the most exposed sites, which were those on the outer edges of the plateau (Sebasteia, Iconium, and, if needed, Caesarea within its reduced, Justinianic circuit) and in the Lycian and Aegean coastlands (the firmest date, in the reign of Constantine IV [669–685], is that obtainable for the construction of a hard-point fortress at Sardis, from associated roadworks).<sup>14</sup> A second phase involved the upgrading of the defenses of cities such as Acroenus, Cotyaeum, Dorylaeum, Amorium, Ancyra and Amaseia, which lay well away from the new frontier, along the western, north-western and northern edges of the plateau. In some cases, as at Cotyaeum and Ancyra, this involved the construction of new fortresses with formidable defenses on natural strongpoints within the city. Projects belonging to this second phase should be dated to the eighth century, when Asia Minor was exposed to wide-ranging Arab attacks and such strategic strongholds were most needed. Much of the work was probably put in hand during lulls in fighting, the first following the great siege of Constantinople in 717–718 and the second lasting nearly a generation from the middle to the 740s to ca. 770, before and after the Abbasid revolution.<sup>15</sup>

12 Mitchell, *Anatolia*, 1:80–99.

13 For the best recent survey of the material evidence, see Niewöhner, “Archäologie,” 125–135 and Philipp Niewöhner, “Byzantinische Stadtmauern in Anatolien: vom Statussymbol zum Bollwerk gegen die Araber,” in *Neue Forschungen zu antiken Stadtbefestigungen im östlichen Mittelmeerraum und im Vorderen Orient*, eds. Janet Lorentzen, Felix Pirson, Peter Schneider and Ulrike Wulf-Rheidt, *Byzas* 10 (İstanbul: Ege Yayınları, 2010), 239–260.

14 The completion of the work at Sardis is securely dated to the reign of Constantine IV (669–685). See Mark Whittow, *Social and Political Structures in the Maeander Region of Western Asia Minor on the Eve of the Turkish Invasion* (PhD diss., University of Oxford, 1987), 51–71, revising Clive Foss, *Byzantine and Turkish Sardis* (Cambridge, MA: Harvard University Press, 1976), 57–60. Contraction of Caesarea city wall under Justinian: Procopius, *De aedificiis*, v. 4.7–14, in *Procopius*, vol 7: *On Buildings, General Index*, ed. and trans. H.B. Dewing (Cambridge, MA: Loeb, 1971).

15 The most useful studies of individual fortifications: Clive Foss, *Survey of Medieval Castles of Anatolia I: Kütahta*, British Archeological Reports, International Series 261 (Oxford: British Archeological Reports, 1985), whose dating of the initial construction of the fortress to the ninth century (pp. 80–83) should be revised; Chris Lightfoot and Mücahide Light-

The selection of this handful of cities for preservation was a striking example of the capacity of the imperial government to impose its will on the localities. For it entailed the condemnation of a much larger number of lesser cities to extinction as cities in the fraught decades of defensive warfare which followed. Thus the cities of south-west Cappadocia, each with its coterie of prominent citizens who can be seen playing active parts in ecclesiastical politics in the fourth century, vanished in the early middle ages.<sup>16</sup> Mosis was a rare exception. Justinian had moved it from an open, exposed position to a safer, more secluded site in the skirts of the Hasan Dağ. There it survived, perhaps as late as the eleventh century, with its large complement of churches.<sup>17</sup>

Villages were likewise affected by the general shrinkage of population on the margins and in the interior of the plateau, the cumulative effect of attrition in war over several generations. They declined in size and number, and tended to migrate outwards into the folds of the surrounding mountains. But the village remained the basic unit of population and came to be regarded as the fundamental component of the early medieval Byzantine state. There was no question therefore of the wholesale erasure of nucleated settlements, the principal marker of human presence, from the plateau region. The principal tasks of local defense forces were to inhibit raiding by Arab forays of villages clustering in fertile, relatively well-watered basins, and, where attack was likely, to escort the inhabitants and their livestock to safety.<sup>18</sup>

The peasant, as small-scale cultivator, had less to lose than an estate-owner and was a much less attractive prey. Neither his house – a nondescript structure of mud-brick or stone – nor his stock of grain – easy to conceal in an underground silo – was likely to attract any special attention from raiding armies.<sup>19</sup>

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foot, *Amorium: A Byzantine City in Anatolia: An Archaeological Guide* (Istanbul: Homer Kitabevi, 2007), 70–79, 104–111, 144–149; Clive Foss, “Late Antique and Byzantine Ankara,” *Dumbarton Oaks Papers* 31 (1977): 74–77; and, for comparative purposes, James Crow and Stephen Hill, “The Byzantine Fortifications of Amastris in Paphlagonia,” *Anatolian Studies* 45 (1995): 251–265.

16 Neil McLynn, “The Taxman and the Theologian: Gregory, Hellenius, and the Monks of Nazianzus,” in *Re-Reading Gregory of Nazianzus: Essays on History, Theology, and Culture*, ed. Christopher Beeley, Catholic University of America Studies in Early Christianity (Washington, DC: Catholic University of America Press, 2012), 178–195.

17 Procopius, *De aedificiis*, v. 4.15–18. The extant remains, spread over some 45–50 hectares, are described by Albrecht Berger, “Viranşehir (Mokisos), eine byzantinische Stadt in Kapadokien,” *Istanbul Mitteilungen* 48 (1998): 349–429. The identification is secure, despite the absence of visible evidence of the circuit wall built by Justinian according to Procopius.

18 Nicephorus Phocas, *De velitatione*, cc. 2.1, 9.8–12, 10, 12, 17, 18, 22, with commentary at 195–214, 225–231.

19 Klaus Belke, “Das byzantinische Dorf in Zentralanatolien,” in *Les villages dans l'Empire*



Houses might be destroyed, portable goods and equipment left behind at the time of temporary evacuation might be plundered by forays which chose to target particular villages. But the peasant could set himself up again, especially if help was at hand, either from government (known to have provided seed-corn and capital, in the form of cash and three years' tax relief, for new settlers [Arab prisoners-of-war who had converted to Christianity] in the tenth century),<sup>20</sup> or from kin and connections who had suffered less. The resilience of peasant society in the face of hardships of many sorts (and, of course, of social pressure from without) should not be underestimated. It would take extended periods of danger involving repeated damaging attacks (or a ruthless and sustained campaign by a strong state) to persuade individuals to abandon the land in which their family had invested their labor, possibly over many generations, not to mention the consequent neglect of the graves of their ancestors. Migration should be envisaged as a last resort in desperate times.<sup>21</sup>

Direct measures were taken to preserve the resources of the country, and above all the peasant households which constituted villages, in times of danger. Refuges of several sorts, where they (and their animals) could survive enemy attacks, were provided. Much of the work and expense probably fell on the localities. The role of government was to act as catalyst and coordinator of infrastructure projects, which, besides improvement projects at selected cities, involved construction of fortresses (larger and smaller) in naturally strong positions, and encouragement of local initiatives in developing or improving underground shelters (mainly in Cappadocia).<sup>22</sup> These were state-sponsored building projects, to which, besides some funding, the authorities, either central (in the case of major projects) or local, assuredly contributed expertise (from military architects) and some labor (the soldier who had always been expected to act as building laborer as well as fighting man). There is, it should be stressed, no evidence whatsoever of moves to create private strongholds by local nota-

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*byzantin (ive-xve siècle)*, eds. Jacques Lefort, Cécile Morrisson and Jean-Pierre Sodini (Paris: Lethielleux, 2005), 425–435.

20 Constantinus Porphyrogenitus, *De cerimoniis aulae byzantinae*, ii.49, ed. J.J. Reiske, *Corpus Scriptorum Historiae Byzantinae* 17 (Bonn: E. Weber, 1829), 694.22–695.14.

21 Yuri Slezkine, *The House of Government: A Saga of the Russian Revolution* (Princeton: Princeton University Press, 2017), 421–453.

22 Major government-funded projects above ground: nn. 13–15 above. Fortresses: nn. 26–29 below. Subterranean refuges: Roberto Bixio, Vittorio Castellani and Claudio Succhiarelli, *Cappadocia: Le città sotterranee* (Rome: Istituto poligrafico e Zecca dello Stato, Libreria dello Stato, 2002), 110–113, 182–187, 209–278, 293–307.

bles – something virtually inconceivable in a political order in which control of the military and military installations was vested in the centre.<sup>23</sup>

An intelligence report on Byzantium, which was incorporated by Ibn Khurradādhbih (d. ca. 298/911), head of the *barīd*, the caliphal post and intelligence system, into the first edition of his *Treatise of Highways and Kingdoms* (datable ca. 847), recorded the number of fortresses which existed by that date in each of the military provinces into which Asia Minor was divided.<sup>24</sup> A century and a half later, another Muslim geographer, author of the Persian *Hudūd al-Ālām* ('Regions of the World'), characterized Asia Minor as a land studded with fortresses and with few cities. The city being regarded as a mark of full development, Byzantium could be dismissed as a backward, relatively impoverished neighbor of the caliphate, its military successes in the tenth century being attributed to Muslim divisions rather than its own strength. These Muslim observers were probably thinking in the first instance of the interior of Asia Minor, relatively denuded as it was of cities proper, cities which could measure up to those of the Muslim world, including the north-Syrian and Cilician borderlands.<sup>25</sup>

But the authorities in dark age Byzantium had not sought to freeze the late antique pattern of settlement, organized in terms of cities and city territories. They had adapted to circumstance, developing an elasticity in settlement pattern, something akin to seasonal transhumance, driven by military threat rather than the search for high pastures. As has been noted, the army was expected to shepherd the villagers in threatened localities to safety. Safety could take the form of underground shelters or the interior of one of the cities selected as strategically vital and endowed therefore with powerful defenses. The principal secure refuges, though, were the *strongholds* (Gr. *ochyrōmata*). These were well-defined highland areas which were transformed, by

23 Mark Whittow, "Rural Fortifications in Western Europe and Byzantium, Tenth to Twelfth Century," in *Bosphorus: Essays in Honour of Cyril Mango*, eds. Stefanos Efthymiadis, Claudia Rapp and Dimitris Tsougarakis, Byzantinische Forschungen 21 (Amsterdam: Adolf M. Hakkert, 1995), 57–74.

24 Ibn Khurradādhbih, *Kitāb al-masālik wa'l-mamālik*, trans. M.J. de Goeje, Bibliotheca Geographorum Arabicorum 6 (Leiden: Brill, 1889), 77–80; James Montgomery, "Serendipity, Resistance and Multivalency: Ibn Khurradādhbih and his Kitāb al-Masālik wa-l-mamālik," in *On Fiction and Adab in Medieval Arabic Literature*, ed. Philip Kennedy (Wiesbaden: Harrassowitz, 2005), 183–187, 198–209.

25 Vladimir V. Minorsky, ed., *Hudūd al-Ālam: "The Regions of the World": A Persian Geography, 372 A.H. – 982 A.D.* (London: Luzac, 1937), 157; Ibn Ḥawqal, *Configuration de la terre (Kitāb Sūrat al-arḍ)*, trans. J.H. Kramers and G. Wiet (Beirut: Commission internationale pour la traduction des chefs-d'oeuvre, 1964), 1:194–195.

judiciously placed fortresses, into virtually impenetrable redoubts.<sup>26</sup> Man was exploiting God's handiwork, both sheltered valleys in the peripheral mountains (especially in Pisidia and Paphlagonia) which were conveniently close to exposed villages, and those islands of close-packed hills which protrude here and there from the undulating surface of the plateau in Cappadocia, Lycaonia, Phrygia and Galatia.<sup>27</sup>

The fortresses which were built in the early middle ages were smaller than their Roman and late Roman precursors. They occupied natural strongpoints, from which they could watch over the principal routes entering and traversing Asia Minor and over access points into *strongholds*.<sup>28</sup> Their principal functions were (1) to monitor enemy movements, (2) to deter an invasion force from dispersing into numerous small raiding forays, and (3) to protect the civilian population and livestock in the *strongholds* to which they had been evacuated. Some were little more than crag-castles (like those guarding the Melendiz Dağ in south-west Cappadocia or the Emirdağ in Phrygia), but there were other substantial fortresses, rather easier of access (like that built on the site of the small city of Euchaita).<sup>29</sup> The prime task of all the garrisons stationed in or near *strongholds*, and of the mobile field forces shadowing enemy invaders,

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- 26 Nicephorus Phocas, *De velitatione*, 2.1, 8.1, 11.1–5, 12.1–6, 13.1–5, 17.4, 18.4, 20.11, 22.1. Successful use of such a highland redoubt by the population of Euchaita is noted in the course of an account of a miracle of St. Theodore Tiro: Hippolyte Delehay, *Les légendes grecques des saints militaires* (Paris: A. Picard, 1909), 197.27–29, 198.27–31.
- 27 Friedrich Hild and Marcell Restle, *Kappadokien (Kappadokia, Charsianon, Sebasteia und Lykandos)*, *Tabula Imperii Byzantini* 2 (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 1981), 128–132, 135–137, 142, 147–148, 159, 178–182, 216–217, 219–221, 223–224, 241–242, 245–246, 266–267, 276–278, 305; Klaus Belke and Marcell Restle, *Galatien und Lykaonien*, *Tabula Imperii Byzantini* 4 (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 1984), 111–114, 132–133, 145–148, 172–173, 182–183, 186–187, 204, 232–234, 245; Klaus Belke and Norbert Mersich, *Phrygien und Pisidien*, *Tabula Imperii Byzantini* 7 (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 1990), 161–165, 193, 203–204, 215–216, 289–290, 295–297, 306–308, 349–350, 368–369, 371–372, 391, 399–400, 402, 420–421; James Crow, “Byzantine Castles or Fortified Places in Paphlagonia and Pontus,” in *Archaeology of the Countryside*, eds. Tasha Vorderstrasse and Jacob Roodenberg, (Leiden: Nederlands Instituut voor het Nabije Oosten, 2009), 25–43.
- 28 Cf. Leslie Brubaker and John Haldon, *Byzantium in the Iconoclast Era c. 680–850: A History* (Cambridge: Cambridge University Press, 2011), 554–558.
- 29 Melendiz Dağ, together with adjoining Hasan Dağ: Berger, “Viranşehir,” 368–371; Robert Ousterhout, *A Byzantine Settlement in Cappadocia*, *Dumbarton Oaks Studies* 42 (Washington, D.C.: Dumbarton Oaks Research Library and Collection, 2005), 8–9, 125–126, 172–173, 182–183; Hild and Restle, *Kappadokien*, 135–137, 216–217, 277–278. Emirdağ: Belke and Mersich, *Phrygien und Pisidien*, 306–308, 349–350, 402. Euchaita website: [www.princeton.edu/avkat/the\\_project/](http://www.princeton.edu/avkat/the_project/).

was to bar entry to the enemy. *Strongholds* were evacuation areas, the security of which was guaranteed by the state. The normal rules of engagement, which required defending forces to avoid combat unless victory was assured (because of terrain, numbers, or surprise), were cast aside when it came to the defense of a *stronghold*. Military commanders were given orders to stand and fight for their fellow-citizens who had taken refuge with them, whatever the tactical circumstances.<sup>30</sup>

It was in the decades of regular Muslim attack in the long raiding season (from early spring to late autumn) that the authority of the imperial government was most deeply impressed on whole swathes of the interior of Asia Minor. The role of higher, remote authority in the defense of the main outpost of Christendom in the Middle East was signaled above all by fortresses, most of them flaunting their presence in inaccessible spots and seeking to depress the morale of Muslim raiding forces as they passed below. But it is the *stronghold*, with its ring of fortresses, which may be taken as the chief symbol of an effective state, geared for war against an ideologically charged and more powerful adversary.

## 2 Social Status and Control: Village Leaders, Landowners and Urban Notables

War and government action reshaped the settlement pattern in the interior of Asia Minor in the seventh–ninth centuries. In place of a set of cities and city territories, unevenly distributed across relatively extensive provinces, linked by all-weather roads and managed by provincial authorities, civilian for the most part, under the ultimate financial control of the Praetorian Prefect of the East, there appeared a landscape (1) of villages, clustering in pools of fertile land, (2) of artificially strengthened highland redoubts which doubled as zones of refuge and secure bases for local field forces, (3) of fortresses and (4) of a few widely-spaced, heavily fortified cities. The whole peninsula was divided up between a small number of large regional military commands. More will be said about the ways in which central authority impinged on the localities and about the new balance achieved between civilian and military post-holders in part III below. Beforehand, though, we should turn to examine what can be learned of social relations in the Anatolian countryside.

<sup>30</sup> Nicephorus Phocas, *De velitatione*, c. 20.9–11.

One question above all others demands an answer: what was the fate of the urban notables who constituted the moving force in provincial society in antiquity, when, in the course of the seventh and early eighth centuries, their cities dwindled away or were converted into heavily defended military and administrative centres? It is likely to have varied between the greatest families, on the one hand, those with transprovincial connections and widely distributed landholdings, and more modest members of urban elites, on the other, who may have been involved in trade but were primarily rentiers, with suburban villas and a small portfolio of estates confined to their city's territory. In aggregate the notables, great and small, constituted the provincial elite, the upper echelons of which were integrated into the imperial administrative apparatus and could act as intermediaries and negotiators between the center and the localities. The key issue concerns elite status and its social and economic roots in an era of dramatic change. Landed wealth, connections, social and political, both within and beyond the city, and a decent education were the three principal contributors to status in late antiquity, in what was a relatively stable, law-regulated system. What was the impact of war and all the disruption and damage brought about by war on this social order?<sup>31</sup>

First, though, we should look at village society. For the village was the fundamental constituent of the Byzantine state.<sup>32</sup> As the basic unit of taxation, the village underpinned the whole fiscal system. As the nucleated settlement which nurtured most of the manpower of the state, it was to the village that the army looked in the first instance for recruits. What then was the effect of war, apparently unending war, on the village social order? Apart from the much debated question of the social and legal status of the peasantry, whether it rose or fell in the seventh and eighth centuries, whether rights were gained or lost, in particular property rights, what can be learned of the internal structure of the village? Were elites generated within village society? If so, how did they maintain their status? Were they able to do so from generation to generation?

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31 A.H.M. Jones, *The Later Roman Empire, 284–602: A Social, Economic and Administrative Survey* (Oxford: Oxford University Press, 1964), 2523–562, 712–766; Peter Heather, “New Men for New Constantines? Creating an Imperial Elite in the Eastern Mediterranean,” in *New Constantines: The Rhythm of Imperial Renewal in Byzantium, fourth–thirteenth Centuries*, ed. Paul Magdalino (Aldershot: Variorum, 1994), 11–33; Liebeschuetz, *Decline and Fall*, 104–124, 213–218, 223–231, 400–416; Peter Sarris, *Economy and Society in the Age of Justinian* (Cambridge: Cambridge University Press, 2006), 177–199.

32 Michel Kaplan, *Les hommes et la terre à Byzance du VII<sup>e</sup> au XI<sup>e</sup> siècle: propriété et exploitation du sol*, Byzantina Sorbonensia 10 (Paris: Université de Paris, 1992), 89–134; Chris Wickham, *Framing the Early Middle Ages: Europe and the Mediterranean 400–800* (Oxford: Oxford University Press, 2005), 443–465.

How responsive were they to the outside world? Were they ready to do the bidding of local officials? Or were they tribunes of small societies, which were to a large extent insulated from the concerns of the local, regional and imperial authorities?

It is easier to ask than to answer such questions. For there is a striking dearth of source material about the interior of Asia Minor in the seventh–ninth centuries, and, in particular, a complete absence of archival documents. A general picture can be drawn, as has been done in section 1, based, in the first place, on archaeological evidence, limited for the most part to surveyed surface remains (walls, foundations of walls, sherd scatters) but deepened at a few sites by excavation, and, in the second, on the long narrative poem about Digenes Akrites, a hybrid epic and romance, which conjured up a lost heroic past for early twelfth-century Byzantine readers.<sup>33</sup> Rather more important are three contemporary and near-contemporary governmental sources, which give the view of higher authority. This documentary material comprises (1) information which Ibn Khurrādādhbih picked up from the contemporary who knew most about Byzantium, a certain al-Djarmī, a senior official in the Arab marches, who spent some time in captivity before being released in a formal exchange of prisoners in early autumn 845,<sup>34</sup> (2) the *Farmer's Law* (*Nomos Georgikos*), which predates the ninth-century refurbishing of Roman Law in Greek and should probably be regarded as an adjunct to the *Ecloga*, a short, accessible Greek code issued by Leo III in 741,<sup>35</sup> and (3) the imperially sponsored handbook on *Guerrilla*

33 Elizabeth Jeffreys, ed. and trans., *Digenis Akritis*, Cambridge Medieval Classics 7 (Cambridge: Cambridge University Press, 1998); Paul Magdalino, “*Digenes Akrites* and Byzantine Literature: The Twelfth-Century Background to the Grottaferrata Version,” in *Digenes Akrites: New Approaches to Byzantine Heroic Poetry*, eds. Roderick Beaton and David Ricks (Aldershot: Variorum, 1993), 1–14; Roderick Beaton, “Cappadocians at Court: Digenes and Timarion,” in *Alexios I Komnenos*, eds. Margaret Mullett and Dion Smythe (Belfast: Belfast Byzantine Enterprises, 1996), 329–338.

34 The only information about al-Djarmī is provided by Mas’sūdī (trans. Alexander Vasiliev, *Byzance et les Arabes*, vol. 1, *La dynastie d’Amorium* (820–867), eds. Henri Grégoire and Marius Canard (Brussels: Institut de Philologie et d’Histoire Orientales, 1935), 336). Cf. Warren Treadgold, “Remarks on the Work of Al-Jarmī on Byzantium,” *Byzantinoslavica* 44 (1983): 205–212. Al-Djarmī’s coverage is fullest on the military provinces (*themes*) lying on or near the main diagonal route across Asia Minor along which al-Djarmī was probably taken (an observation of Nicole Mangion’s in her 2008 Oxford Masters dissertation on Ibn Khurrādādhbih, 14–16).

35 Igor Medvedev, ed. and trans., *Vizantijskij zemledeľcheskij zakon* (Leningrad: Nauka, 1984), cited henceforth as *Nom. Georg.*; James Howard-Johnston, “Social Change in Early Medieval Byzantium,” in *Lordship and Learning: Studies in Memory of Trevor Aston*, ed. Ralph Evans (Woodbridge: Boydell Press, 2004), 39–50, 43–44, 46–49; Michael Humphreys, *Law, Power and Imperial Ideology in the Iconoclast Era c. 680–850* (Oxford: Oxford University Press, 2015), 195–232.

*Warfare*, cited above (n. 8) which was written in the 960s when the tactics developed in previous centuries were falling into disuse. This last gives the best insight into the overall structure of the plateau region, since the guerrilla strategy of defense had to be tailored to the particularities, geographical, social and economic, of the principal arena of combat. It was written for the benefit of future readers, who would not have had direct experience of the techniques devised and applied in the recent past. It is therefore an invaluable source for the historian of Byzantium's long dark age, both in terms of what it says and what it implies.

In addition to these sources – of which the *Farmer's Law* and the archaeology of declining urban sites are the most important – saints' lives can yield useful information. For biographies of Byzantine saints (and accounts of posthumous miracles) remained remarkably attentive to realities, both in recounting individual lives and in describing settings. There is less resort to biblical cliché and less stereotyping of character than in much western medieval hagiography. Hagiography was the one form of Byzantine historical writing to weather the Muslim storm relatively unscathed.<sup>36</sup> One set of miracles stories and half a dozen lives cast light on localities in different regions of inner Asia Minor over the course of the seventh–ninth centuries.

Inner Asia Minor may be defined as the plateau region together with an immediately adjoining strip of mountainous terrain, which looked to the plateau and to which the villages of the plateau looked for safety in local *strongholds*. The miracles of one of the great military saints, Theodore the Recruit, whose cult centered on the fortified kernel of the small city of Euchaita in southern Paphlagonia, provides local corroboration for the role of *strongholds* in Byzantine defence.<sup>37</sup> Of the lives, the longest and richest, in the quantity of particulars retailed about town and village life in Galatia at the beginning of the seventh century, is that of Theodore of Syceon (d. 613). It provides unique insight into the internal stresses of village life at a time of growing crisis.<sup>38</sup> Next in importance comes a masterpiece of early medieval literature which is set in the late eighth century. It is the delightful tale of Philaretus of Amnia in

36 James Howard-Johnston and Paul Hayward, eds., *The Cult of Saints in Late Antiquity and the Early Middle Ages: Essays on the Contribution of Peter Brown* (Oxford: Oxford University Press, 1999), 5–7, 14–23.

37 Hippolyte Delehaye, *Légendes grecques des saints militaires* (Paris: A. Picard, 1909), 198–201; Euchaita website (no. 29 above).

38 André-Jean Festugière, ed. and trans., *Vie de Théodore de Sykéôn*, *Subsidia hagiographica* 48 (Brussels: Société des Bollandistes, 1970), cited as *V.Theod.*; cf. Stephen Mitchell, *Anatolia: Land, Men, and Gods in Asia Minor*, vol. 2, *The Rise of the Church* (Oxford: Clarendon Press, 1993), 122–150.

Paphlagonia (d. 792), a man who took the giving of alms to an extreme and who, much to the distress of his wife, reduced his family to penury. It is an artfully constructed biography, Philaretus being cast as a latter-day Job who wins the favor of God (made manifest in the choice of his granddaughter as bride for the young Emperor Constantine VI in 788) because of his blithe unconcern for material things. Much has been improved in the writing – the scale of his wealth, the extent of his impoverishment – but the presuppositions of the text, the sort of local society envisaged, the ways in which authority impinged on the life of a countryman, have assuredly been taken from life.<sup>39</sup>

Five other lives may also be brought into the frame, although the saints grew up and spent most of their lives outside inner Asia Minor – because of the vignettes of rural life which they present. Three date from the ninth century and refer to Bithynia. They are the lives of Theophanes (abbot and historian), Peter of Atroa, and Ioannicius, the last of whom made one journey across the interior of Asia Minor.<sup>40</sup> Two date from the tenth. Michael Maleinus belonged to a great magnate family from Charsianon, in the north-east plateau, but pursued his monastic vocation well away from home in the north-west. Finally there is Paul, who grew up in Bithynia and sank into poverty before being rescued by his brother and taken off to Mt. Olympus, one of several holy mountains which came to prominence in the age of war and disruption. Later, after he had moved to another mountain, Latrus, his fame grew and he became the spiritual patron and miracle-worker for villagers in the environs of Miletus.<sup>41</sup> It is reasonably safe to extrapolate from what these five lives say about the social order of the village in the north-west and the west, to that of the plateau region and its fringing hills. For all the differences which can be documented – the absence of olives from the interior and the bias towards stock-raising – there was a basic structural similarity. When the old order in the countryside came under threat

39 Lennart Rydén, ed. and trans., *The Life of St. Philaretos the Merciful Written by his Grandson Niketas*, Studia Byzantina Upsaliensia 8 (Uppsala: Uppsala University Library, 2002), cited as *V.Phil.*

40 V.V. Latyshev, ed., *Methodius patriarches Constantinopolitanus, Vita s. Theophanis Confessoris*, Memoires de l'Académie des Sciences de Russie, Cl. hist.-phil., ser. 8, 13.4 (St. Petersburg: Ross. Akad. Nauk, 1918), 1–40, cited as *V.Theoph.*; Vitalien Laurent, ed. and trans., *La vie merveilleuse de saint Pierre d'Atroa (†837)*, Subsidia hagiographica 29 (Brussels: Société des Bollandistes, 1956), cited as *V.Petr.*; lives of Ioannicius by Sabas and by Peter, *Acta Sanctorum*, Nov., II.1 (1894), 332–383 (Sabas), 383–435 (Peter), cited as *V.Ioann.* (s) and *V.Ioann.* (p).

41 Louis Petit, “Vie et office de saint Michel Maléinos, suivis d'un traité ascétique de Basile Maléinos,” *Revue de l'Orient chrétien* 7 (1902): 549–603, cited as *V.Mich.*; Hippolyte Delehaye, “Vita S. Pauli iunioris in monte Latro,” *Analecta Bollandia* 11 (1892): 5–74, 136–182, cited as *V.Paul.*



in the course of the tenth and eleventh centuries, the legislation issued to protect peasant villagers did not differentiate between different Anatolian regions.

It should cause no surprise that the seventh- and eighth-century era of war, especially the early phases when Arab armies ranged far and wide over Anatolia, saw a marked shift in the balance of power on the land. Given that it was also a period of unremitting demographic decline, landowners found it increasingly hard to keep hold of their tenantry (*coloni*) – especially as most probably tried to do so from a distance, from the places where they had sought safety. It was not as if there was any shortage of land to cultivate in Anatolia, where it had always been control of labor, not ownership of land, which was the key to wealth. The economic power of labor was immeasurably increased with its growing scarcity in the seventh century. There was also the far from negligible additional factor that villagers were being recruited in large numbers to form the army's infantry core.<sup>42</sup> Equipped with weapons and trained to fight, the peasantry undoubtedly became less amenable to social pressure, more independent-minded, readier to carve out smallholdings of their own than to continue to serve distant rentier landowners. The scale of the social transformation which occurred is made plain in the changing meaning of a key term, *georgos*, the official Greek equivalent of the Latin *colonus* in the sixth century. In the *Farmer's Law*, the *georgos* is a freeholder, owner of various parcels of land (arable, vineyard, garden) identified by boundary markers, over which he can strike deals with his fellow-villagers.<sup>43</sup> The imperial government responded to changing circumstances. The peasant proprietor was portrayed as a key member of the body politic. His welfare became a matter of political significance. The minimizing of friction and faction within villages was an avowed concern of the Isaurian dynasty, if, as seems likely, it was responsible, in the middle or second half of the eighth century, for disseminating the *Farmer's Law*. For it was a rural code primarily concerned with the relations of villager to village, *qua* owners of property, both fixed and movable, animate and inanimate. It looks like a subtle exercise of authority, designed, *inter alia*, gradually to change traditional attitudes of townsmen and of the administrative classes towards the countryman, the laborer in the fields, the shepherd and the herdsman.<sup>44</sup>

42 See p. 155 below.

43 *Nom.Georg.*, cc. 1–5, 11–16, 50–51, 57–58.

44 Cf. Mark Whittow, "Early Medieval Byzantium and the End of the Ancient World," *Journal of Agrarian Change* 9 (2009): 134–153, 147–148; Humphreys, *Law, Power and Imperial Ideology*, 203–218.

Apart from war, the damage and disruption caused by war, and population decline, there were two main influences on this new peasant social order. First, settlement was strongly nucleated, although probably not to quite the same extent in the highlands as on the coastal plains and plateau. The rural population was concentrated in villages rather than dispersed over the landscape in small hamlets and farmsteads. Agriculture and stock-raising were articulated around compact clusters of houses, with the most valuable and intensively exploited land (given over mainly to vegetables and orchard trees) concentrated in an inner belt around the village, and the grazing stretching out beyond the main outer belt of cultivated fields.<sup>45</sup> Second, there was the law, Roman Law. This prescribed a partitive system of inheritance, which probably went with the grain of the peasant family. Sons and daughters had rights to shares of their parents' property (ideally equal shares). Each share, of course, had to contain equal proportions of each type of land – garden, orchard and field. The size of the share varied inversely with the number of children. In an era of stable population, the size of each of the plots constituting a share would tend to remain the same as the incorporation of dowries countered the division of estates, and large families were counterbalanced by small ones. If the demographic trend were downward, as it was, almost certainly, at the onset of the dark age, individual holdings would tend to increase in size but not to the extent of forming consolidated small farms. Whatever the trend, downward or upward (leading to greater fragmentation), the pattern of landholding altered from generation to generation, through the normal processes of death, inheritance, birth and marriage. The village territory, viewed as an aggregate of individual properties, was, in effect, an ever-changing mosaic of intermingled private cultivated plots.<sup>46</sup>

This intermingling of plots had a fundamental influence on village society. If a cultivator was to reach a field or cultivate a garden, if his animals were to move out from the village center to a field or to common pasture, he had to thread his way past or through others' land. The potential causes of dissension were legion – damage to vines or crops, injury to animals, not to mention accidents involving agricultural implements or bonfires ...<sup>47</sup> The relations of neighbor to neighbor had to be firmly regulated by convention, if families were to subsist, if agriculture and pastoral activities were to continue. A striking example of the role of convention concerns fruit: there was a fine, but clearly recognized, line

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45 Kaplan, *Les hommes et la terre*, 111–134.

46 Angeliki Laiou, "Family Structure and the Transmission of Property," in *A Social History of Byzantium*, ed. John Haldon (Oxford: Oxford University Press, 2009), 51–75.

47 *Nom.Georg.*, cc. 1, 38–40, 48–54, 56, 78–79, 85.

between the licit picking and eating of fruit by a passerby and the criminal act of theft.<sup>48</sup> The *Farmer's Law*, which codified convention and sought to generalize good practice, opens a window on to the internal functioning of the village and reveals the solidarity required from its inhabitants. Without respect for the needs and wishes of others, without a sense of membership of a small society with shared interests, individuals and families would not co-exist peaceably over the generations. Without such collective solidarity, disputes would have been hard to manage and defuse. It follows that the fiscal solidarity at the level of the village which formed the base of the whole Byzantine tax system was simply a reflection of social reality. It was not something imposed by the state from above, nor was it confined to country where villagers had to band together to tap meager water resources, or to manage the slow shifting of rivers' courses in alluvial plains. No, the village was a tight-knit small society, framed as such by family law and economic necessity. It had to cohere to function, but its cohesion imparted great resilience in the face of pressures from without.<sup>49</sup>

Social cohesion did not entail parity either in wealth or in status. Significant variations are envisaged in the *Farmer's Law*, ranging from the owner of a large holding (the *chorodotes*, who may or may not have belonged to the village community) and the better-off proprietor who might lease land from a poor peasant, down to wage-laborers and slaves.<sup>50</sup> Nothing is said about a village leadership, because of the narrow scope of the text (not concerned with social structure, or non-agricultural activity [no mention of blacksmiths, priests or soldiers]). It did undoubtedly exist, given disparities in wealth (clearly noted in the Life of Peter of Atroa)<sup>51</sup> and the need for the village to act as a body in its dealings with the outer world, neighboring villages and above all the local authorities.

The best evidence comes from the Life of Theodore of Syceon, before the era of social change, when the word *georgos* had not yet altered its meaning, when large estates, ecclesiastical and secular, still relied on dependent tenantry.<sup>52</sup> On several occasions, village leaders called on Theodore of Syceon to intervene and calm crises in their relations with their fellow-villagers. The distinction which is drawn is both social and economic. The leading villagers (*ktetores*, *protoi*, *prooikoi*) are also designated landlords (*oikodespotai*, literally 'houselords'),

48 *Nom.Georg.*, c. 61.

49 Cf. Paul Lemerle, *The Agrarian History of Byzantium from the Origins to the Twelfth Century: The Sources and Problems* (Galway: Galway University Press, 1979), 35–47.

50 *Nom.Georg.*, cc. 9–10, 12–15, 34, 45–47, 71–72.

51 *V.Petr.*, cc. 24, 76.

52 *V.Theod.*, cc. 76.2, 5, 148.1, 151.5.

which suggests that some, possibly many, of their fellow-villagers were their tenants.<sup>53</sup> Only in two cases, however, are villagers formally identified as *georgoi*.<sup>54</sup>

There may have been an underlying economic cause of these village troubles, but the main catalyst was a general sense of crisis, an awareness that the war currently being fought against the Persians (from 603) was not going well and that the fighting was coming steadily nearer.<sup>55</sup> What is significant for the historian of rural society is the form taken by each of the crises confronted by Theodore. A small group of village rich and powerful was targeted by a much larger group. The exercise of their customary authority, without regard to their fellow-villagers, was challenged. Behavior probably long regarded as acceptable or at least tolerated was resented and opposed. A traditional balance of power, between those with status and those without, was disturbed.<sup>56</sup> Theodore's role was that of conservator of the old order, restorer of the customary balance between groups, buttress of elites – in town as well as country. It was the notables of cities – Ancyra, Heraclea, Anastasiopolis, Pessinus, Amorium, Germia – with whom he dealt, and for whom, in one case, that of Germia, he had to invest all his spiritual authority in a ceremony of mass exorcism to restore good order.<sup>57</sup>

There is no evidence about the fortunes of such village elites over the next few generations. It may be conjectured, though, that without the protection of a charismatic holy man and in an era of increasing disruption and economic strain, as the arena of war came to embrace the whole of Asia Minor, traditional village leaders had to cede ground to their fellow-villagers, that status could no longer be transmitted within privileged families but had to be earned by individuals, through their own efforts and achievements, that it moved around according to the circulation of wealth and reputation among individuals and their kin. Local leadership was, of course, still needed, for all the changes in the wider world (de-urbanization and militarization), both to regulate internal

53 *V.Theod.*, cc. 67.1–2 (*ktetores*), 115.2–3, 8, 117.30, 143.13 (*protoi*), 124.1, 4, 143.13 (*prooikoi*), 98.1, 114.1, 115.42, 116.38, 118.5, 141.16 (*oikodespotai*). Cf. Mitchell, *Anatolia*, 2:133–134, who, however, views these village leaders as representative of a resilient free peasantry.

54 *V.Theod.*, cc. 56.9, 116.2.

55 Cf. Howard-Johnston, *Witnesses to a World Crisis*, 149–151, 436–439.

56 *V.Theod.*, cc. 43, 114–118. Cf. Mitchell, *Anatolia*, 2:139–140.

57 Apart from a general designation as *ktetores* or *proteuontes*, the urban notables may also be referred to by title or local honorific (*illustris*, *protector*, *domesticus*, *eleutheros*): *V.Theod.*, cc. 25.6, 45.3, 5, 162.82 (Ancyra), 44.2 (Heraclea), 58.3, 10, 76.2, 169.42 (Anastasiopolis), 101.5–6 (Pessinus), 107.7, 22, 32 (Amorium), 161.163–164, 170, 176 (Germia). Cf. Mitchell, *Anatolia*, 2:127, 140–141.

disputes (brought before one or more *akroatai*, 'auditors'),<sup>58</sup> and to negotiate with outside bodies, as, for example, when an official party was seeking lodging in rural Paphlagonia at the end of the eighth century and lit upon the large house of the impoverished Philaretus. It was the *protoi* who came to the rescue, supplying food for the banquet laid on in his fine hall<sup>59</sup> These village leaders doubtless had successors in the later ninth and tenth centuries, ready like them to act on behalf of their communities, perhaps serving on deputations to local authorities or seeking help from a holy man or initiating actions in the courts. In aggregate, they formed an important constituency, of which the imperial government was well advised to take note.<sup>60</sup>

There can be little doubt about the demise of city notables.<sup>61</sup> With the contraction and impoverishment of the small minority of cities selected for preservation as hard-point bases for the army and administration, and the dwindling of the majority into vestigial settlements, which might migrate to more secluded sites, the wealth and status of urban notables plummeted. The driving force behind this decline was as much the Byzantine state as war. For Byzantium retained the governmental capabilities of the east Roman empire, in particular its fiscal reach. The inherited tax system enabled the center to tap the resources of the localities to a greater and greater extent as the crisis deepened in the middle decades of the seventh century. It was therefore the same strong state as enabled Byzantium to co-ordinate and direct the long battle for survival that hoovered up all available material and human resources for the war effort. So it was that the cities, the organizing centers for the taxation and administration of their territories in late antiquity, were gradually drained of their vital forces in the first century or so of war against Islam.<sup>62</sup>

The only possible analogues in the Byzantine dark age to the city notables attested in the Life of Theodore of Syceon were members of the local apparatus of government. They continued to operate from such largish settlements as had been selected for special fortification. The seals which secured and authenticated letters (and bonded goods) show this in the case of fiscal officials.<sup>63</sup> It

58 *Nom.Georg.*, cc. 37, 67.

59 *V.Phil.*, lines 385–424.

60 Kaplan, *Hommes et la terre*, 198–202, 223–227.

61 Notwithstanding the signs of hesitation in Whittow, "Early Medieval Byzantium," 140–147.

62 This explanation for the deep decline of towns in Byzantium, in marked contrast to their flourishing in the neighbouring Islamic world, I owe to tutorial discussion with Peter Sarris, many years ago.

63 Wolfram Brandes, *Finanzverwaltung in Krisenzeiten: Untersuchungen zur byzantinischen*

is virtually certain that other civilian post holders and commanders of local forces together with their staffs continued to reside in the residual cities. But they cannot be construed to form an independent, locally rooted, urban elite, ready and able to stand up for local interests and to act as a counterweight to the center. They were the center's local minions, accountable either to the heads of the relevant department in Constantinople or, in military emergencies, to the local military high command.

What then had happened to the rentiers, great and small, who presided over city affairs at the end of antiquity and monitored the performance of imperial officials and commanders?

The majority were probably sucked out and down into the rural population, with neither the resources nor the connections fostered by close proximity in a city to maintain superior status. Resources took the form of land, but land was virtually worthless without the labor to cultivate it. It was the inevitable weakening of the notables' grip over their tenants and wage laborers, brought about by their dispersal in the hinterlands of cities, in an era of declining population, that reduced their property to a fraction of its former extent, ultimately perhaps to a single landholding which the family itself could cultivate. Their absorption into the upper echelons of the peasantry within two or three generations was almost foreordained. Of the minority, some surely looked to army careers to maintain something of their former status, while others, with more connections and greater disposable wealth, could migrate from the zone of war, to safer and larger cities in the Aegean coastlands and Bithynia, from which they could move on to Constantinople. Their ultimate recourse, if they were to maintain something of their old position, was to look to imperial service and to preferment in it for a good income and the re-accumulation of wealth.<sup>64</sup>

Even the greatest aristocratic families, those which were able to challenge the ruling dynasty for supreme power in the tenth and eleventh centuries, did not claim pedigrees reaching back into late antiquity. The Byzantine aristocracy in Asia Minor, the origins of which can be traced back to the first half of the eighth century, thus seems to have made little effort to root itself in the Roman past.<sup>65</sup> It is likely, then, that, whatever the fate of individual components of

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*Administration im 6.-9. Jahrhundert* (Frankfurt: Löwenklau, 2002), 214–216 (*diouketai*), 386–388, 601–610 (*basilika kommerkia* after 730/1).

64 Cf. John Haldon, "The Fate of the Late Roman Senatorial Elite: Extinction or Transformation?" in *Elites Old and New in the Byzantine and Early Islamic Near East*, eds. John Haldon and Lawrence Conrad, *The Byzantine and Early Islamic Near East 6* (Princeton: Darwin Press, 2004), 198–234.

65 Cf. Jean-Claude Cheynet, "L'aristocratie byzantine (VIII<sup>e</sup>–XIII<sup>e</sup> siècle)," *Journal des Sa-*

the governing elite at the center and in the provinces in the changed circumstances of war and never-ending crisis, there was a thorough reformation of the inherited social order. In the new world of a small, centralized sub-empire, a new elite took shape both within the officer corps and the civilian apparatus of government, a *service aristocracy*, dependent on the crown for posts and emoluments. Individuals might have expectations of command or office, of which the crown had to take note in many cases, since it would have been the height of folly to ignore them and thereby antagonize a significant subset of its own agents, but ultimately they were the creatures of government.<sup>66</sup>

But the role of land (together with the labor needed to cultivate it) as a buttress of social power was not disregarded. There is evidence, before the end of the eighth century, of the rooting of elements of the service aristocracy, and especially of senior army officers, in the country. This did not simply take the form of the acquisition of landholdings to supply an income independent of government. There was an innovation in the pattern of aristocratic life which marked off the aristocracy of Byzantium from its late Roman predecessor in the eastern empire. The city was superseded by the *country house* as its place of residence. Rural life was embraced by the holders of power in the localities in the early middle ages. This was quite without precedent. For the villas which studded the landscape of the western empire in antiquity had had few, if any, analogues, in the eastern provinces, including Asia Minor.<sup>67</sup> The villa there had been confined to the suburbs of cities, the setting being one of gardens and orchards rather than a large estate. Further afield there had been estate centers for managing larger landholdings and a few small private rural resorts, pavilions for picnic parties and hunting lodges – but no well-laid-out, elegantly decorated houses, with appropriate amenities and receptions rooms, where a family might have lived for much of the year.

The medieval Byzantine country house marked a radical departure from the Roman villa of antiquity, in terms of its facilities. There is no record of bath-houses on the ancient pattern, with hot and cold rooms, and underfloor heating. Instead most aristocratic houses, greater and lesser, included chapels. More space was reserved for kitchens and stables. The staff might include a specialist silversmith or jeweler, where, in the past, the family would have looked to craftsmen in a nearby city. The main public room was the hall. The whole

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vants, no. 2 (2000): 281–298. Whittow, “Early Medieval Byzantium,” 144–145 is inclined to discount this argument from silence.

66 However, we should not go as far as Edward Gibbon, *History of the Decline and Fall of the Roman Empire*, ed. J.B. Bury (London: Methuen, 1896–1900), 6:79–86.

67 Wickham, *Framing the Middle Ages*, 465–473.

complex was laid out around a courtyard. It was in a country house in Bithynia that Theophanes spent much of his childhood in the middle of the eighth century, hunting looming rather larger in his upbringing than it would have done two centuries earlier. A decade or two later, Philaretus' extended family of wife, children and grandchildren lived in a fine house which caught the eye of passing travelers. It was a dwelling appropriate for a local grandee. The hall had a round ivory and gold inlaid table capable of seating thirty-six. Here as elsewhere in his *Life*, a fair amount of embellishment may be detected, but there can be no doubting the importance of the grand country house in the life of localities.<sup>68</sup>

None, alas, of the freestanding masonry structures have survived, their building material having been recycled in later centuries. There is no trace of even the grandest of country palaces, those belonging to magnate families of military origin such as the Phocades, Maleini, Argyri, Diogenae and Comneni, which displayed their owners' wealth and power to the people of the localities and to passing travelers. We only know that they were built close to main roads – so they may perhaps be conjured up in the mind as Byzantine antecedents of the grand caravanserais built by the Seljuk Turks.<sup>69</sup> But some houses, carved out of the soft tufa of Cappadocia, dating from the tenth and eleventh centuries, have survived. They varied in size and grandeur. Some clustered together, like the grand houses with large stables at Açıksaray (not far from the river Halys) or the run-of-the-mill courtyard houses, belonging probably to middle-ranking officials, on the flank of a low hill at Çanlı Kilise (south-west Cappadocia, not far from the Hasan Dağ). Others, belonging presumably to the principal local landowners, dominated their villages to a greater or lesser extent. If the village consisted of more than a set of closely-packed rock-cut hovels (as seems to have been the case at Erdemli, in a small valley off the Caesarea plain), other, smaller courtyard houses may have belonged to senior figures in the landowner's household or to villagers who were making good. Although these rock-cut complexes are all more modest than the magnate palaces visualized above and that described in the *Digenes Akrites*, they have the same components – kitchens with raised, pyramidal ceilings, chapels, and centrally placed halls, arranged around a rectangular courtyard, fronted by a carved façade, with stables to the side.<sup>70</sup>

68 Robert Ousterhout, *Visualizing Community: Art, Material Culture, and Settlement in Cappadocia* (Washington, D.C.: Dumbarton Oaks, 2017), 351–363; *V.Theoph.*, c. 6; *V.Phil.*, lines 385–389, 415–420.

69 Jeffreys, *Digenis Akritis*, 82–83. Cf. James Howard-Johnston, "Pouvoir et contestation à Byzance," *Europe* 822 (1997): 68–70.

70 Jeffreys, *Digenis Akritis*, 202–209; Lyn Rodley, *Cave Monasteries of Byzantine Cappadocia*



Military men loomed large in this new world of rural landowners. The most successful could bring great prestige as well as wealth to bear upon the districts where they settled. Their appearance, like that of civilian office-holders and ex-office-holders, had important consequences for social relations in the localities. It is true that these new elites were no longer bonded together by residence in a single urban center, but they still developed connections with each other in the course of their varied careers, as they served in different places with different colleagues. In time the nexus of such connections between individual members of the officer corps and governing apparatus would give them great collective power. They would be lumped together as the *dynatoi*, the 'powerful', who were able to exercise influence in their localities through their contacts, not least those with local officialdom in their home provinces.<sup>71</sup>

From the point of view of their neighbors, the houses of the 'powerful' formed a second pole of attraction beside the village. Country people could not but be impressed by their houses, their clothing, their benefactions to local churches and monasteries, and their whole way of life. They were, we know, able to recruit household staff, estate managers and other retainers, who would escort them and attend to their needs when they travelled.<sup>72</sup> Yet more important, they were able to gather and retain the labor required to cultivate their fields and watch over their herds and flocks. The move of the elite from town to country thus led directly to an increase in the influence of individual aristocratic families in the localities and in the degree of social control which they could exercise there. In the longer-term, it resulted in the development of aristocratic clientages, into which whole village communities might be drawn, along with the lesser 'powerful' in the neighborhood, and in the creation of networks of connections with their equals and superiors in other districts.<sup>73</sup> Dinners laid on for leading elements of the clientage probably played a vital part in solidifying the relations of dependence of clients on patrons (as well as

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(Cambridge: Cambridge University Press, 1985), 11–103, 121–150; Ousterhout, *Visualizing Community*, 279–341; Veronica Kalas, "The Byzantine Kitchen in the Domestic Complexes of Cappadocia," in *Archaeology of the Countryside*, eds. Tasha Vorderstrasse and Jacob Roodenberg (Leiden: Nederlands Instituut voor het Nabije Oosten, 2009), 109–127.

71 Rosemary Morris, "The Powerful and the Poor in Tenth-Century Byzantium: Law and Reality," *Past and Present* 73 (1976): 3–5, 13–17.

72 Household staff: *Peira*, 6.16, Carl E. Zachariae von Lingenthal, ed., *Jus graeco-romanum 1, Practica ex actis Eustathii Romani*, (Leipzig: Weigel, 1854), 12. Travelling entourage: *V.Mich.*, cc. 6, 8.

73 Jean-Claude Cheynet, *Pouvoir et contestations à Byzance (963–1210)* (Paris: Publications de la Sorbonne, 1990), 287–301; William Danny, *Society and the State in Byzantium, 1025–1071* (PhD. diss., University of Oxford, 2007), 116–168.

tightening the bonds of friendship with neighbors), just as they could affirm the veneration of villagers for a local holy man and make manifest his connections with neighboring townsmen.<sup>74</sup> Hence the importance of the hall in the plans of rock-carved courtyard houses and of celebratory dinners in narratives of country life.

By the middle of the eleventh century, the leading aristocratic families would begin to merge, through intermarriage, into ramified clans, which could more than match the power of the crown in the localities. It was a time when Byzantium temporarily bestrode the Middle East and Eastern Europe. There were many gradations of power among the 'powerful'. Besides the greatest magnate families who cast their influence widely over the higher and lower echelons of society at the center as well as in the provinces, there were aristocratic families of high standing but with influence confined in the main to particular regions or districts.<sup>75</sup> Below them came those who may perhaps be classified as gentry – the richest among the peasants who distanced themselves from their fellow-villagers physically as well as socially, by moving out to farmsteads of their own, and military families owing service to the state as cavalrymen who, in the tenth century, were expected to own estates worth four pounds of gold.<sup>76</sup> A fourth component of the governing elite began to show itself from the middle of the eleventh century, a new group of leading urban citizens known as the *archontes*. They were, it may be conjectured, principally rentiers with land in the immediate vicinity of their cities, successful members of the commercial classes, and officials or descendants of officials who spent their careers in the lower ranks of the local administration.<sup>77</sup>

Social control in the interior of Asia Minor in the early middle ages was exercised therefore by a new, country-based elite of those who had made successful careers in the army and the civilian administration. Their emergence marked a near-revolutionary change in the rural social order, taking the form of a

74 For example, *V.Paul.*, 136–138: the food and drink for the annual feast which Paul of Latros laid on the first Sunday after Easter was provided, on one occasion, by his admirers in Miletus and Amyzon. Jeffreys, *Digenis Akritis*, 116–121 for wedding celebrations in a grand house.

75 Cheynet, *Pouvoir et contestations*, 213–237.

76 *Fiscal Treatise*, in Franz Dölger, *Beiträge zur Geschichte der byzantinischen Finanzverwaltung: besonders des 10. und 11. Jahrhunderts*, Byzantinisches Archiv 9 (Leipzig: Teubner, 1927), 115.24–37; Novel 5 (Constantinus VII Porphyrogenitus) in Nicolas Svoronos, ed. and trans., *Les nouvelles des empereurs macédoniens concernant la terre et les stratiotes* (Athènes: Centre de Recherches Byzantines, 1994), 118.9–12.

77 Cf. Michael Angold, *The Byzantine Empire: A Political History* (London: Longman, 1984), 68–70, 248–252, 277–278.

dispersal over wide areas of the carriers of power and influence who had been concentrated previously in cities. For four centuries the city was superseded as the social organizing force in the localities. In the villages themselves, the established leadership was challenged, probably effectively, in the seventh century, but, before long, was reconstituted, possibly on a more meritocratic basis, with power gravitating to individuals of strong character, belonging to the more enterprising and successful families of the time. Village society itself was tightly knit and a significant social force in its own right, especially as it was recognized at the highest level as fundamental to the well-being of the state.

### 3 The Impact of Imperial Authority: the Army and the Fiscal Apparatus

Higher authority affected inner Asia Minor in many ways in Byzantium's early, dark period. The artificially strengthened natural redoubts which were dubbed *strongholds* were the most striking manifestations of the center's power, alongside its ability to mobilize and deploy fighting forces in the right places and at the right times to secure the plateau region against permanent encroachment by the Muslims. But cities were the principal conduits between center and localities. It was from the cities, reduced in size, heavily fortified, with living standards depressed, that the local agencies of government operated. The military, the judiciary, tax officials and civilian administrators were city-based. The city thus has to be reckoned an additional power-center in the localities, superior politically to the country house and the village.

Byzantium preserved the top-down system of government developed in states great and small in antiquity in western Eurasia (and paralleled in China, and later, in central and south America).<sup>78</sup> The evidence comes primarily in the form of (1) lists of rank, the first (known after its original editor as the *Tacticon Uspensky*) dating from the first half of the ninth century,<sup>79</sup> (2) inscriptions on the lead seals used by military commanders and civilian officials to authenticate and seal their correspondence,<sup>80</sup> and (3) the coins, gold, silver and copper,

78 Andrew Monson and Walter Scheidel, eds., *Fiscal Regimes and the Political Economy of Pre-modern States* (Cambridge: Cambridge University Press, 2015), 31–307.

79 Nicolas Oikonomidès, *Les listes de préséance byzantines des IX<sup>e</sup> et X<sup>e</sup> siècles* (Paris: Éditions du Centre National de la Recherche Scientifique, 1972).

80 For the historical contribution of seals, see Jean-Claude Cheynet and Claudia Sode, eds., *Studies in Byzantine Sigillography* 1–10 (1987–2010) and Jean-Claude Cheynet, *La société byzantine: l'apport des sceaux*, 2 vols. (Paris: Association des Amis du Centre d'Histoire et Civilisation de Byzance, 2008).

issued by the mint in Constantinople.<sup>81</sup> There was no questioning of the ultimate authority of the emperor, accepted by all as God's principal agent on earth, merely a readiness on the part of great magnates at opportune moments to seek supreme power for themselves. Success would simply mean that God had transferred his favor to a new beneficiary.<sup>82</sup> Nor was there any weakening in the efficacy of the different arms of government. Roman law continued to be applied by the courts. Subjects continued to enjoy the right of appeal to higher courts in Constantinople, a process which Basil I (867–886), for example, made a show of facilitating, through the provision of free board for litigants during their stay in Constantinople.<sup>83</sup> Taxes continued to be raised. Supplies were collected for armies in transit.<sup>84</sup> There was no hiatus in the civil government of the localities.

How, then, was this achieved in such difficult circumstances? How did Byzantium succeed in maintaining an efficient and effective apparatus of government, when contemporary sedentary powers – the Tang dynasty in China (from 755), the Carolingians in western Europe and the Abbasid caliphs – all struggled to extract the resources they needed from the localities and to manage their great subjects?

Ultimately the preservation of a centralized state with effective downreach must be attributed to (1) a continuing high level of literacy which facilitated communications between center and localities,<sup>85</sup> (2) maintenance of an extensive road-system to facilitate the movement of officials, troops and goods,<sup>86</sup> (3) a functioning justice system respected by officialdom and subjects,<sup>87</sup> and

81 Philip Grierson, *Byzantine Coins* (London: Methuen, 1982), 150–188.

82 Gilbert Dagron, *Empereur et prêtre: Étude sur le "césaropapisme" byzantin* (Paris: Gallimard, 1996), 33–73.

83 *Vita Basilii*, ed. and trans. Ihor Ševčenko, *Chronographiae quae Theophanis continuati nomine fertur liber quo Vita Basilii imperatoris amplectitur*, *Corpus fontium historiae Byzantinae* 42 (Berlin: De Gruyter, 2011), c. 31.13–21.

84 Constantinus Porphyrogenitus, *Tres tractatus de expeditionibus militaribus imperatoris*, ed. and trans. John Haldon, *Corpus Fontium Historiae Byzantinae* 28 (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 1990), text A and text B, lines 97–106, 145–147, 347–352, 396–398, 532–535.

85 Margaret Mullett, "Writing in Early Mediaeval Byzantium," in *The Use of Literacy in Early Mediaeval Europe*, ed. Rosamond McKitterick (Cambridge: Cambridge University Press, 1990), 156–185.

86 Anna Avramea, "Land and Sea Communications, Fourth-Fifteenth Centuries," in *Economic History of Byzantium: From the Seventh Through the Fifteenth Century*, ed. Angeliki Laiou (Washington, D.C.: Dumbarton Oaks Research Library and Collection, 2002), 1:57–77.

87 John Haldon, *Byzantium in the Seventh Century: The Transformation of a Culture* (Cambridge: Cambridge University Press, 1990), 254–280; Humphreys, *Law, Power and Imperial Ideology*, 86–88, 218–221, 250–253, 264.

(4) last but not least, the preservation of a monetized economy to lubricate transactions of all sorts, including those between government and subjects.<sup>88</sup> A key role, highlighted by Mark Whittow, was played by the annual distribution of salaries by the emperor or his representatives at court. The power to appoint and to dismiss post holders was vital, as was that of granting titles (each with emoluments attached). Both were in the emperor's gift. Ideology too, and its display in the regular round of court ceremonies played a crucial part in cementing the body politic together and inculcating respect for the emperor. Salaries, appointments, and the ideology of a Christian Roman empire, a latter-day Chosen People fighting for survival, could not but make a great impact on provincial mentalities. Villagers, townsmen and aristocrats, as well as the local representatives of central government and the army, were conscious of their membership of a beleaguered state. Authority was exercised effectively at local level, because all parties were amenable to its exercise.<sup>89</sup>

The army was the most important component of the state in an era of war and had the greatest impact on the localities. The senior representatives of government in the provinces were the generals (*strategoï*) in command of regional forces, which were reinvigorated and rebranded after the devastating defeats of the 630s and early 640s. Initially, there were four such forces, collectively called the themes (*themata*), a term borrowed from the finest fighting forces known at the time, those of Turkic steppe nomads. The whole Asia Minor interior was covered by the four commands, when, in the early eighth century, they were stabilized in defined territories.<sup>90</sup> Consequently military personnel were distributed throughout the peninsula, whereas previously they had been confined to the eastern frontier zone and a minority of provinces where disorder was endemic. This might be termed *weak militarization*. The creation of *strongholds*

88 Cécile Morrisson, "Byzantine Money: Its Production and Circulation," in *Economic History of Byzantium*, ed. Angeliki Laiou (Washington, D.C.: Dumbarton Oaks, 2002), 3:909–966, 946–958; Vivien Prigent, "The Mobilisation of Fiscal Resources in the Byzantine Empire (Eighth to Eleventh Centuries)," in *Diverging Paths: The Shapes of Power and Institutions in Medieval Christendom and Islam*, eds. John Hudson and Ana Rodríguez López (Leiden: Brill, 2014), 188–195.

89 Mark Whittow, *The Making of Orthodox Byzantium, 600–1025* (London: Macmillan, 1996), 106–113; Hélène Ahrweiler, *L'idéologie politique de l'empire byzantine* (Paris: Presses Universitaires de France, 1975), 29–36; Humphreys, *Law, Power and Imperial Ideology*, 93–105, 253–258.

90 James Howard-Johnston, "Thema," in *MAISTOR: Classical, Byzantine and Renaissance Studies for Robert Browning*, ed. Ann Moffatt, Byzantina Australiensia 5 (Canberra: Australian Association for Byzantine Studies, 1984), 189–197; Haldon, *Byzantium in the Seventh Century*, 208–220; Constantin Zuckerman, "Learning from the Enemy and More: Studies in 'Dark Centuries' Byzantium," *Millennium* 2 (2005), 125–134.

and the upgrading of the defenses of selected cities had a deeper impact, particularly in the exposed plateau region – this was *strong militarization*. But the most pervasive effect was the extension of recruiting to all categories of able-bodied men, so as to maintain the fighting capability of the state despite the shrinkage of its territory and population.

Al-Djarmī estimated the number of cavalry and infantry serving in the Asia Minor and Balkan themes at 120,000 men. Indirect corroboration is obtainable from official figures for expeditionary forces in the tenth century.<sup>91</sup> The infantry, who probably formed at least three-quarters of the total, were recruited from peasant villagers. Whether or not there was conscription – taking the form, say, of a demand for a given number of recruits from each village – is not known. We may suspect that in an age of war, when military service and feats in battle were prized, that volunteers came forward in considerable numbers. What is not in doubt is that villagers were directly involved in the state's war for survival.<sup>92</sup> Special measures may also have been taken to recruit highlanders. A *kleisurarch*, commander of a strategically important area normally on the frontier, and two *turmarchs*, ranking immediately below the theme general, are listed in the *Tacticon Uspensky* with territorial commands in the Taurus – the *kleisurarch* of Sozopolis in the Pisidian lake region, the *turmarch* of the Foederati (troops settled in the western Taurus in the course of the seventh century), and the *turmarch* of Lycaonia. Their singling out and their relatively high positions in the imperial ranking order point to an important military function, which is most readily identified as the channeling of highlanders into the armed forces.<sup>93</sup>

Rather more is known about the recruitment of the cavalry, who were of higher status than the infantry. A heavier burden fell on them (they were required to provide their own mounts, weapons and armor) and the landholding needed to support it was greater. In their case there was no choice about their joining the army. They belonged to families which owed military service in return for regular pay and immunity from other forms of state service. Individual cavalymen figure in saints' lives. One or two indeed achieved sanctity

91 Ibn Khurradādhbih, *al-Masālik*, 84; John Haldon, "Theory and Practice in Tenth-Century Military Administration," *Travaux et Mémoires* 13 (2000): 305–322.

92 Fedor Uspenskij, "Voennoe ustrojstvo vizantiskoj imperii," *Izvestija Russkogo Arkheologicheskogo Instituta v Konstantinopole* 6 (1901–1902): 182–184; James Howard-Johnston, "Studies in the Organization of the Byzantine Army in the Tenth and Eleventh Centuries" (PhD diss., University of Oxford, 1971), 30–31, 103–104.

93 *Tacticon Uspensky*, ed. and trans. Oikonomidēs, *Listes de préséance*, 55.6–8. For a different interpretation, see Warren Treadgold, "Notes on the Numbers and Organization of the Ninth-Century Byzantine Army," *Greek, Roman and Byzantine Studies* 21 (1980): 280–284.

in later life.<sup>94</sup> In the tenth century, when emperors intervened to halt or at least to slow up changes to the social order judged to be deleterious to the state, they introduced legislation to secure the resource-base needed by the individual theme cavalry soldier. It was at this stage, under the personal rule of Constantine Porphyrogenitus (r. 945–959), that custom (*synetheia*), by which administrative practice is probably meant, was codified. Thenceforth the military family owing hereditary service in the cavalry was to register its landholding up to a minimum value of four pounds of gold, which was to be retained thenceforth.<sup>95</sup> A status akin to that of small gentry may be envisaged for such military families, both because of their comparative wealth and because of the prestige attached to military service. The resentment felt and expressed by cavalry families forcibly transferred to Thrace at the beginning of the ninth century by the Emperor Nicephorus I (r. 802–811) was aggravated when they learned that they were to be replaced by *poor villagers*. This episode provides clear evidence of a social divide between cavalry families and the peasantry.<sup>96</sup>

Back in the darkest days in the middle of the seventh century, when all available fighting forces were concentrated in Asia Minor – the field armies of Armenia and the East, which had been driven back by the Muslims, the main Balkan field army transferred from Thrace,<sup>97</sup> and metropolitan forces – nothing whatsoever is reported about measures taken to provide billets and rations for troops outside the campaigning season. Such measures, however, were essential if disorder and looting were to be avoided and good relations were to be established between soldiers and civilians. There was no question of billeting them in cities, given the heavy fiscal demands being placed upon them and their consequent contraction. It may therefore be conjectured, with some confidence, that military units, both cavalry and infantry, were billeted in the

94 *V.Phil.*, 72–75; *Vita S. Euthymii*, cc. 3, 5–6, ed. and trans. Louis Petit, “Vie et office de saint Euthyme le Jeune,” *Revue de l’Orient chrétien* 8 (1903): 170–171, 172–174; *Vita S. Lucae stylitae*. cc. 5–6, ed. Hippolyte Delehaye, *Les saints stylites*, *Subsidia Hagiographica* 14 (Brussels: Société des Bollandistes, 1923), 199–201.

95 Novel 5, ed. Svoronos, *Novelles*, 118–126. Cf. Lemerle, *Agrarian History*, 115–156; John Halton, *Recruitment and Conscription in the Byzantine Army c. 550–950: A Study on the Origins of the Stratiotika Ktemata*, Österreichische Akademie der Wissenschaften, Philosophisch.-historische Klasse Sitzungsberichte 357 (Verlag der österreichischen Akademie der Wissenschaften: Wien, 1979), 41–65.

96 Theophanes, *Chronographia*, ed. C. de Boor (Leipzig: Teubner, 1883), 1:486.10–26, with comments of Howard-Johnston, *Organization of Byzantine Army*, 31–38. *Contra* George Ostrogorsky, *History of the Byzantine State* (Oxford: Basil Blackwell, 1968), 95–98.

97 Ralph-Johannes Lilie, “Thrakien” und “Thrakesion”: Zur byzantinischen Provinzorganisation am Ende des 7. Jahrhunderts,” *Jahrbuch der Österreichischen Byzantinistik* 26 (1977): 7–47.

country – a group of villages probably being assigned the duty of provisioning a given unit.<sup>98</sup> This hypothetical act of central government would have been the most intrusive of all, amounting as it did to the forcible grafting of bodies of fighting men from distant places onto individual localities throughout Asia Minor. In time, the infantry would have merged with the local peasantry, while the prestige of hereditary military service probably helped families with members serving in the cavalry to attract the labor necessary to cultivate estates larger than the normal peasant holding.

The strategy pursued by Byzantine generals was one of ultra-elastic defense. Theme armies jettisoned their wagon trains for pack-animals and cut loose from the roads. Their mission was (1) to avoid open, set-piece battles (except when a *stronghold* came under attack), (2) to secure the population and livestock of threatened localities from depredation, by orderly evacuation to safe places, and (3) to minimize damage by harassing enemy raiding and foraging parties and by compelling the invasion force to withdraw sooner rather than later, before the supplies which it had brought ran out. It was a *guerrilla strategy*, which might, if things went well, climax in an assault on enemy forces as they returned home through the frontier passes where the advantage of terrain favored the defenders. At all stages, it relied upon the active co-operation of civilian and soldier – above all to bring local knowledge into the army and to smooth the procedure of evacuation.<sup>99</sup> The authority of the military was prime in time of war but the civil authorities and populations at large had to be fully committed to what was a joint enterprise for success to be achieved. Through the local military commanders the authority of the center thus played upon the localities in the course of individual campaigns.<sup>100</sup>

Yet more extensive and continuous was the exercise of fiscal authority in the localities. The tax system of the later Roman empire was not simply conserved in early medieval Byzantium, as it had to be in order to fund military and other state activities. It was refined into a sharp instrument which penetrated into the most distant, lowly recesses of the state. The key reform was from a distributive to a quantitative system. Tax liability was no longer allocated from the top down, beginning with a gross sum of revenue sought and its distribution down

98 Cf. Haldon, *Recruitment and Conscription*, 66–81.

99 Phocas, *De velitatione*, with Dagrón's commentary 215–237; Howard-Johnston, *Organization of the Byzantine Army*, 188–237.

100 Leo, *Tactica*, 1.9–12, 4.1–34, ed. and trans. George Dennis, *The Taktika of Leo VI*, *Corpus Fontium Historiae Byzantinae* 49 (Washington, D.C.: Dumbarton Oaks, 2010), 14–15, 46–57.



a hierarchy of tax districts, from praetorian prefecture through diocese and city to the individual rural community. Instead individual tax-payers were assigned a fixed liability, the sums being then aggregated from the bottom up to produce a stable, predictable revenue for the state. The signs are that Justinian II (685–695, 705–711) devised the system and that its introduction then encountered serious resistance. Its full implementation should probably be credited to Leo III and viewed as part of a general programme of reform.<sup>101</sup> The main object was to increase the state's regular revenue, and thereby to sustain its resistance to Islam in the long years of struggle which lay ahead. Byzantium was following the example of Sasanian Iran over a century and a half after the shift from a share-cropping system (where the amount varied according to the harvests) to one of fixed liabilities introduced early in the reign of Khusro I Anūshirwān (531–579).<sup>102</sup>

The effect in both Sasanian and Byzantine cases was to allocate a precise tax liability to every head of household in the country. For the first time, the fiscal authorities penetrated the carapace of village society and reached down to tap the resources of each household. At a stroke the relations of state to individual citizen were transformed. The individual was now accountable to authority and required to produce a specified sum of money each year. The tax register began to loom large in the collective life of Byzantium. Fiscal officials were expected to take the greatest care in compiling cadasters at all levels, from the village community (treated as a fiscal unit which was required to make good any shortfalls in individual payments) through lower and higher tax districts (*enoria* and *dioikeseis*) up to the Genikon, the revenue department in Constantinople. By the eleventh century, title to land and the exact definition of individual properties relied primarily on cadastral evidence. This derived from the general principles, in a society where land was plentiful and only acquired value with the input of human labor, (1) that payment of taxes was evidence of possession and cultivation of land, and (2) that possession turned automatically into ownership after thirty years.<sup>103</sup>

101 Nicolas Oikonomidès, *Fiscalité et exemption fiscale à Byzance (IX<sup>e</sup>–XI<sup>e</sup> s.)* (Athènes: Institut de Recherches Byzantines, 1996), 24–29. But note the doubts of Prigent, “Mobilisation of Fiscal Resources,” 202–205.

102 Howard-Johnston, *Witnesses*, 474–477; Zeev Rubin, “The Reforms of Khusro Anūshirwān,” in *The Byzantine and Early Islamic Near East*, vol. 3, *States, Resources and Armies*, ed. Averil Cameron (Princeton: Darwin Press, 1995), 234–266. The distributive system may have remained in use in Sicily down to the 780s. See Annliese Nef and Vivien Prigent, “Contrôle et exploitation des campagnes en Sicile: le rôle du grand domaine et son évolution du VI<sup>e</sup> siècle à la fin du X<sup>e</sup> siècle,” in this volume.

103 Full definitions of technical terms used in tax records: *Fiscal Treatise*, in Dölger, *Finanzver-*

It was the job of inspectors (*epoptai*) to keep tax registers up to date, noting all changes affecting persons and property, while collectors (*dioiketai*, literally 'managers') went on circuit to collect what was owing from individual village communities. Surtaxes, proportionate to tax paid, provided an incentive for efficient collection.<sup>104</sup> Considerable doubt has been voiced over the last twenty years or so about the form in which tax was paid. A group of influential Byzantinists, headed by John Haldon and Wolfram Brandes, has argued that the years of supreme crisis, from the 670s to the 730s, saw a general reversion to taxation in kind, which was placed in the hands of *kommerkiarioi* (the early medieval successors of the grand figures who oversaw the collection of customs duties on the frontiers of the empire in the sixth century, and the management of silk production and distribution). It is true that the function of *kommerkiarioi* changed in the second half of the seventh century and that a new institution, the *apotheke* (depository) of a circumscribed territorial area was placed under their control. But it is too great a leap of the imagination to suppose that *all* tax revenue was raised in kind and stored in *apothekai*. There is no evidence of the ramified logistical organization which such a system would have required. Indeed it would be hard to explain the voluntary abandonment of cash as the medium of exchange between governed and governors, after more than a millennium of experience of the benefits of substituting monetary transactions for exchanges of goods. Not to mention the overriding need to make the most efficient use of the limited resources of the rump Roman state in the war for survival in the Muslim Middle East.<sup>105</sup>

There was definitely some connection between the appointment of *kommerkiarioi* with authority over *apothekai* and the war against Islam. For they are only attested (on the lead seals used to secure correspondence and to bond precious goods) for a limited period, from the 660s to the early 730s. These were critical years in which Byzantium was fighting for its life. The appointments were short-term, for one or two financial years, and moved around between different regions of Asia Minor. The geographical remit, defined in terms of late antique provinces, can be correlated, in several cases, with military activity. It

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*waltung*, 114.22–123.22. Inspection of tax records: *VIoann.* (P), c. 67. Tax records and title to land: *Peira*, 15.10, 36.23, 37.1.

104 Staffing of Genikon, revenue department: Philotheus, *Cletorologium*, ed. and trans. Nikolaos Oikonomidès as: *Les listes de préséance byzantines des IXe et Xe siècles* (Paris: Editions de Centre National de la Recherche Scientifiques, 1972), 113.26–114.4, with commentary at 313–314. Surtaxes: Oikonomidès, *Fiscalité*, 76–80.

105 Oikonomidès, *Fiscalité*, 34–36 and Prigent, "Mobilisation of Fiscal Resources," 185–188, 195–200, *contra* Haldon, *Byzantium in the Seventh Century*, 226–232 and Brandes, *Finanzverwaltung*, 180–181, 204–205, 235–237, 298–300, 323–329, 379–384, 410–413, 421–426, 507.

may be concluded then that *kommerkiarioi* were *inter alia* responsible for procurement of supplies and equipment for forces mobilized for action in nearby theatres of war. Whether procurement took the form of large-scale purchases with the proceeds of money taxation, *kommerkiarioi* serving as the state's chief purchasing agents, or of direct fiscal extraction, is an open question. If it was the latter, i.e. a portion of taxes was raised in kind, the cash equivalent would presumably have been deducted from the tax liabilities of the contributors.<sup>106</sup>

Something similar may be envisaged for the maintenance of troops outside the campaigning season, if, as has been suggested above, they were allocated, on their initial stationing in Asia Minor, to clusters of villages, with an entitlement to a given amount of supplies and billets. But the bulk of the revenues of the state were assuredly raised in cash, as in the past. The mint in Constantinople continued to issue gold and copper coins, year in, year out. The size of copper issues may have diminished, but there was undoubtedly a large stock of copper coins in the provinces, given the scale of copper issues in the sixth and seventh centuries (down to the reign of Constans II [641–669]) and a subsequent decline in population and economic activity. Newly minted copper coins continued to percolate beyond the capital and nearby provinces, to places, such as Amorium, garrisoned by troops or visited by troops in transit.<sup>107</sup> But it is the introduction of the *miliaresion*, a fiduciary silver coin worth one twelfth of a gold solidus, which provides the best evidence for widespread monetization. It was first minted in 720, for ceremonial distribution at the coronation of Constantine V as Leo III's co-emperor, but soon, from the 740s, it was being minted in large quantities to meet demand – not least because of its suitability, as a large fractional currency, for the payment of taxes.<sup>108</sup>

The authority of the center was thus deeply impressed upon Asia Minor through the army and its installations and through the ubiquitous tax-system. Byzantium did not just continue in being as a well-developed polity in the era of crisis, but the organs of government were able significantly to increase their grip on society at large. There was a new military cast to life. Reputation gained through distinguished military service became an important contributor to sta-

106 Brandes, *Finanzverwaltung*, 300–309, 329–365; Prigent, “Mobilisation of Fiscal Resources,” 195–198.

107 Morrisson, “Byzantine Money,” 954–961; Christopher Lightfoot, “Byzantine Anatolia: Re-assessing the Numismatic Evidence,” *Revue Numismatique* 158 (2002): 229–239; Christopher Lightfoot, “Coinage of the Amorian Dynasty Found at Amorium,” *Travaux et Mémoires* 16 (2010): 503–511; Sophie Metivier and Vivien Prigent, “La circulation monétaire dans la Cappadoce byzantine d’après les collections des musées de Kayseri et de Niğde,” *Travaux et Mémoires* 16 (2010): 577–618.

108 Morrisson, “Byzantine Money,” 928–930.

tus. It is no accident that the greatest concentration of aristocratic families was to be found in inner Asia Minor in the ninth and tenth centuries.<sup>109</sup> Most emerged from within the officer corps in the army, and put down their roots in the regions which they had fought to defend, where it is likely that the military and military feats were most respected. Byzantium may be characterized as a state geared to war, in which the soldier loomed large in the collective mind. The degree of militarization and military strength achieved was made possible by the state's ramified fiscal apparatus. An unprecedentedly large proportion of the surplus generated from agriculture, stock-raising and other economic activities was drawn off by the state. The resources of individual households were assessed and tabulated by fiscal officials, in a near-revolutionary change from classical systems of taxation. The state became more intrusive than ever before. The taxman played a leading role in the residual cities and rural localities. The tax year prevailed over other ways of calibrating time, whether by regnal years, years since Creation, or consulships (annual tenure thereof having lapsed in the course of the sixth century). The chroniclers' custom of dividing time into indictions, fifteen-year fiscal cycles, and of placing events in numbered years of a cycle (itself not numbered) was probably representative of society at large.<sup>110</sup>

#### 4 Conclusion

Byzantium may be classified, as French Byzantinists have long emphasized, as a *strong state*. The hereditary principle, despite its innate attraction for humanity, was disregarded in the imperial ranking system. Honors were, without exception, personal.<sup>111</sup> The power of the center was enhanced by a careful balancing of the different arms of government in the localities. It was only in military emergencies, that the local commander could exercise supreme authority in his theme. The civilian administration, the local fiscal apparatus and the judiciary were otherwise independent agencies of government, answerable to higher authority at the center (appeal courts in the case of the judiciary).<sup>112</sup> Trade was probably brought under closer supervision than ever before, to guard against illicit appropriation of resources needed by the state. For it is highly improbable

109 Cheynet, *Pouvoir et contestations*, 213–229, 321–336.

110 Venance Grumel, *Traité d'études byzantines*, vol. 1, *La chronologie* (Paris: Presses Universitaires de France, 1958), 192–203.

111 Oikonomidès, *Listes de préséance*, 281–301.

112 Philotheus, *Cletorologium*, 113.26–35, 115.1–4 (Genikon), 121.3–14 (Sakellion). Phocas, *De velitatione*, 19.6–8 (judiciary).

that *kommerkiarioi* relinquished their traditional role of monitoring and taxing external trade, when they were put in charge of provinces in the interior. If, as seems probable, their remit extended beyond that of feeding and equipping the armed forces to oversight of trade, the *apothekai* over which they presided may be envisaged to have been state-controlled markets for exchanges of all sorts. It is indeed far from unlikely that in desperate times unprecedented measures may have been taken to manage the economy.

The strong state which took shape in the early eighth century was assertive in another sphere, where political authority seldom ventures with success, as is shown, for example, by the ninth-century drive to impose Mu‘tazilism on the caliphate.<sup>113</sup> The Emperor Leo III, with the active support of a party in the church, lit upon icon-veneration as the fundamental cause of God’s anger with his special people, the Christian Romans. In 730 an iconoclast campaign was launched which lasted nearly two generations (until the 780s) and which was revived for another generation in the early ninth century. It pitted the authorities of church and state, who could deploy virtually unanswerable arguments, founded as they were in the Old Testament prohibition on images and the evident difficulty of preventing veneration from tipping over into worship, against a few notable champions of the iconophile cause, mainly monks but also some clergy. Reason was on the side of the reformers. Their arguments could not but weigh with those who defended the custom of venerating icons which had grown up and spread in late antiquity. It was above all the case based on notions of theodicy, of divine punishment for sin, which was hard to resist.<sup>114</sup> But emotion, attachment to well-established modes of private prayer channeled through icons, could not be reasoned away. In the sphere of ideas, the state was not all-powerful, however much effort was invested in the campaign. The same was true of the economic and social spheres. Appetite for profit and private enterprise could be managed but not suppressed. The village with its strong internal bonding and the aristocracy, with its clientages and increasingly diffused connections, could put up resistance to what was dictated by the

113 Ahmed El Shamsy, “The Social Construction of Orthodoxy,” in *The Cambridge Companion to Classical Islamic Theology*, ed. Tim Winter (Cambridge: Cambridge University Press, 2008), 105–115.

114 Paul Alexander, *The Patriarch Nicephorus of Constantinople: Ecclesiastical Policy and Image Worship in the Byzantine Empire* (Oxford: Oxford University Press), 1958; Peter Brown, “A Dark Age Crisis: Aspects of the Iconoclastic Controversy,” *English Historical Review* 88 (1973): 1–34, repr. in Peter Brown, *Society and the Holy* (London: Faber and Faber, 1982), 251–301; Brubaker and Haldon, *Byzantium in the Iconoclast*, 79–155, 176–212, 234–247, 260–286, 366–385, 389–404, 447–452.

center in hectoring pieces of legislation. There was no question of abject submission to the power of the throne, but much quiet resistance and, over one issue, landownership in the tenth century, open combat.<sup>115</sup>

Nonetheless the defining characteristic of early medieval Byzantium was the power of crown and state. Seldom, if ever, has the authority of a state been exercised so effectively as in the interior of Asia Minor in the seventh–ninth centuries, to judge by the extent of militarization and fiscal outreach.<sup>116</sup> Of course, the exercise of authority was facilitated by the willing participation of soldiers and civilians, members of the governing apparatus and those dragged down close to penury, townsmen and countrymen, in the war effort. The threat from without encouraged solidarity among the different component parts of Byzantium and a shared ideological commitment to a divinely sanctioned war against a superior, ideologically aggressive enemy.

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115 Cheynet, *Pouvoir et contestations*, 157–190, 321–336; James Howard-Johnston, "Crown Lands and the Defence of Imperial Authority in the Tenth and Eleventh Centuries," *Byzantinische Forschungen* 21 (1995): 75–100.

116 Cf. James Howard-Johnston, "Gibbon and the Middle Period of the Byzantine Empire," in *Edward Gibbon and Empire*, eds. Rosamond McKitterick and Roland Quinault (Cambridge: Cambridge University Press, 1997), 53–77.

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# Church Building in the Tur ‘Abdin in the First Centuries of the Islamic Rule

*Elif Keser-Kayaalp*

## 1 Introduction

Scholarship today widely accepts that the Christian communities flourished under the first centuries of Islamic rule in the Near East. One scholar has pointed out that “we should not imagine that the churches of the East were isolated by the Islamic conquests; we might rather argue that Constantinople and Rome were now cut off from the intellectual and devotional energy that these centers had provided”.<sup>1</sup> Besides their impressive intellectual productivity, especially in the Syriac language, Christian communities also left remarkable architectural remains which are highly relevant for the themes of this volume: authority and control as the building and rebuilding of monumental and religious structures or their ban would inevitably concern the involvement of authorities.

Although architectural evidence from Syria and Palestine has usually been the focus of attention, Christian building in the early Islamic period stretched from Iraq and the Persian Gulf to Egypt and Armenia, each region reflecting various aspects of the situation of Christian communities. My focus here will be on the rural Tur ‘Abdin region (Figure 5.1), a limestone plateau located roughly between Mardin, Dara, Hasan Keyf and Cizre in modern south-eastern

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1 Stephen Humphreys, “Christian Communities in Early Islamic Syria and Northern Jazira: The Dynamics of Adaptation,” in *Money, Power and Politics in Early Islamic Syria*, ed. John Haldon (Farnham: Ashgate, 2010), 45–56. See also Lawrence I. Conrad, “Varietas Syriaca: Secular and Scientific Culture in the Christian Communities of Syria after the Arab Conquest,” in *After Bardaisan: Studies on Continuity and Change in Syriac Christianity in Honour of Professor Han J.W. Drijvers*, eds. Gerrit Jan Reinink and Alex C. Klugkist (Leuven: Peeters, 1999), 85–105, the conclusion chapter of Philip Wood, *We Have no King but Christ!: Christian Political Thought in Greater Syria on the Eve of the Arab Conquest (c. 400–585)* (Oxford: Oxford University Press, 2010), 257–264 and the doctoral thesis of Jack Tannous (“Syria between Byzantium and Islam: Making Incommensurables Speak” (PhD diss., Princeton University, 2010)).

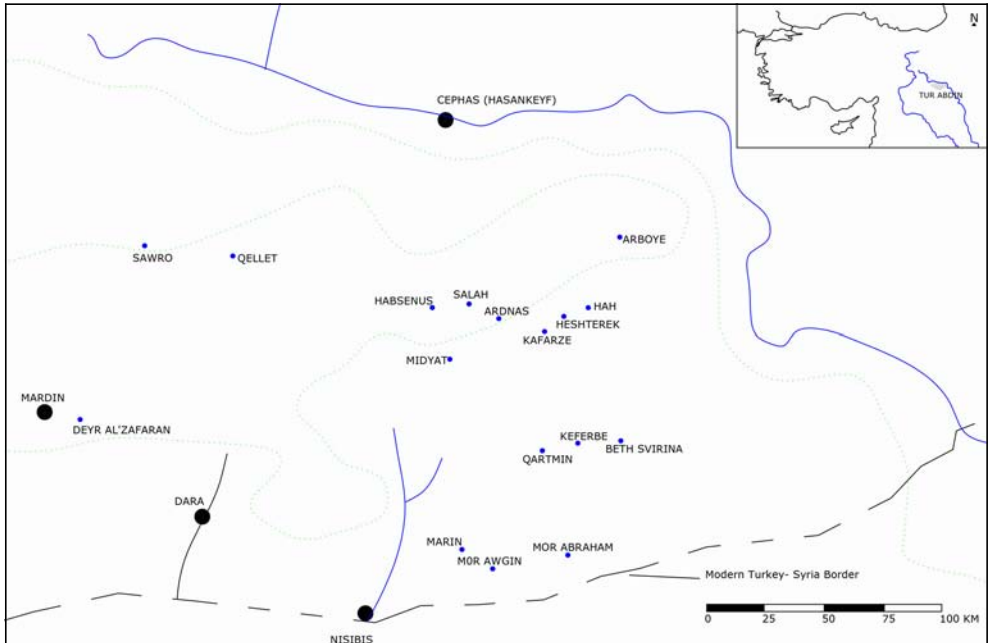


FIGURE 5.1 Map of the Ṭur ʿAbdin showing the villages mentioned in the text

Turkey,<sup>2</sup> whose landscape is still dotted with around eighty villages and seventy monasteries dating to various periods.<sup>3</sup>

Under the Byzantines the Ṭur ʿAbdin was a frontier area between the Sasanian and Byzantine Empires and a refuge area for the Miaphysite Syrian Orthodox. A considerable number of buildings, mainly monasteries, were built in the region in the sixth century.<sup>4</sup> Depending on the Christological positions of individual emperors, the Ṭur ʿAbdin either suffered from persecution or enjoyed imperial patronage but because of its location on the border with the Sasanian Empire, it never lost its military importance to the Romans. The Ṭur ʿAbdin was

2 For the geography of the Ṭur ʿAbdin and its map, see Andrew Palmer, *Monk and Mason on the Tigris Frontier: The Early History of Tur Abdin* (Cambridge: Cambridge University Press, 1990), xix and fig. 1.

3 For a list of the settlements and monasteries, see Andrew Palmer, “La Montagne aux LXX Monastères,” in *Le monachisme syriaque*, ed. Florence Jullien (Paris: Geuthner, 2010), 251–255.

4 The two most prominent monasteries from this period are Dayr al-Zafaran (for the architecture and architectural sculpture of its main church, see Marlia Mundell, “The Sixth Century Sculpture of the Monastery of Deir Zaʿfaran in Mesopotamia,” in *Actes du xv<sup>e</sup> Congrès International D’études Byzantines* (Athens, 1981), 2:511–528) and Deyrul Umur or Mor Gabriel (see Palmer, *Monk and Mason*, ch. 4).



close to important Byzantine and Sasanian cities with significant architecture, such as Amida, Constantina, Edessa, Dara<sup>5</sup> and Nisibis. The last two actually defined the south-western and southern boundaries of the region.

The Ṭur ‘Abdin, together with the rest of Northern Mesopotamia, was conquered in 639/640.<sup>6</sup> This paper is concerned with the first one and a half centuries of Arab rule in the Ṭur ‘Abdin. Based on my own fieldwork in the region and other scholars’ documentation of the sites, I will first establish a dating criteria, based on architectural sculpture, lateral arcades, brick work and new architectural features and then argue that the first one-and-a-half centuries of Islamic rule witnessed a large scale building activity in the Ṭur ‘Abdin and these buildings formed a new and distinctive architectural vocabulary that could be associated with the Syrian Orthodox community. My dating of some churches and monasteries to the second half of the seventh and eighth centuries, if correct, also provides observations about the transformation of villages and monasteries and the landscape more generally.

### 1.1 *Textual Evidence*

When one thinks about Christian building activities under Islamic rule, the ban on building new churches recorded in the *Shurūt ‘Umar* (known as the Covenant or the Pact of ‘Umar) immediately comes to mind. According to Levy-Rubin, the individual peace agreements with the cities during the conquests were generally not favorable from the Muslim point of view, usually merely demanding submission and taxes. She argues that at the end of the eighth and the beginning of the ninth century, *dhimmi*s (non-Muslim subjects) became the object of a lively debate as a result of increasing contact between themselves and Muslims. Given the Islamic tradition, the earlier agreements needed to be respected and thus, they constituted a problem. According to Levy-Rubin, the introduction of a general *ṣulḥ* (peace) agreement was a way to solve the problems rising from these individual treaties and to define the terms applying to the *dhimmi*s in general.<sup>7</sup> That is why, she claims, the pact of Umar, *Shurūt ‘Umar*, was produced in the end of the eighth, beginning of the ninth century and not during the rule of Umar I or II. As we shall show below, archaeological

5 Dara attracted many workmen to the region who most probably were active also in the Ṭur ‘Abdin. See Elif Keser-Kayaalp and Nihat Erdoğan, “Recent Research on Dara Anastasiopolis,” in *New Cities in Late Antiquity*, ed. Efthymios Rizos (Turnhout: Brepols, 2017), 174.

6 See Chase Robinson, *Empire and Elites after the Muslim Conquest: The Transformation of Northern Mesopotamia* (Cambridge: Cambridge University Press, 2000).

7 Milka Levy-Rubin, “*Shurūt ‘Umar* and its Alternatives: The Legal Debate on the Status of the *Dhimmi*s,” *Jerusalem Studies in Arabic and Islam* 30 (2005): 170–206.

evidence from the Ṭur ʿAbdin may in fact support that until then there was no intervention to Christian building activities in the region.

In the process of the production of the *Shurūt ʿUmar*, various versions were composed reflecting different positions on the subject, some being more tolerant towards Christians. These versions give interesting insights into the Muslims' approach towards church building. According to the version of al-Shāfiʿī (d. 204/820), in a city which has a specific peace agreement or in which *dhimmīs* live separately, the building of churches was acceptable. Levy-Rubin quotes Muḥammad b. al-Ḥasan al-Shaybānī (d. 189/805) who writes that the *dhimmīs* are allowed to keep their prayer-houses or rebuild them: "If the Muslims establish a city in that place, they should tear down the synagogues and churches there, but the *dhimmīs* should be allowed to build similar ones outside the city."<sup>8</sup> This seems the only mention of the countryside in those texts. Their focus is almost exclusively on cities and except al-Shāfiʿī's version, all of them call for a ban on building new churches.

Due to those accounts of the ban on building new churches in cities, it has been assumed that if there was any construction work done in the churches of the Ṭur ʿAbdin in the eighth century, it was limited to building monasteries or to restoring and rebuilding, however extensive that might be.<sup>9</sup> An interesting account related by an anonymous Syriac chronicle shows that this was not the case. According to the chronicle, in the first half of the ninth century the governor of the Jazira refused to fulfill the request of the Muslims of Harran, Edessa and Samosata to destroy newly-built churches with the argument that the Christians had not even rebuilt one tenth of the churches which have been ruined and burnt by the Islamic authorities.<sup>10</sup> This shows that the Christians could in fact build new churches but Muslims preferred them to rebuild the existing ones.

In the Qartmin Trilogy,<sup>11</sup> we read that Gabriel (d. 648), bishop of the Ṭur ʿAbdin received Umar's written authority "concerning the statutes and laws and

8 Levy-Rubin, "Shurūt ʿUmar and its Alternatives," 179.

9 Palmer, *Monk and Mason*, 187.

10 *Chronicon ad annum Christi 1234 pertinens*, ed. Jean-Baptiste Chabot, Corpus Scriptorum Christianorum Orientalium 81–82 (Louvain: Peeters, 1916 and 1920), 2: 16 (text), 11 (trans.).

11 Palmer calls the text Qartmin Trilogy (published as a microfiche attached to Palmer, *Monk and Mason*) because it comprises the lives of three monks that were important for the history of the monastery of Mor Gabriel or Deyrul Umur and because the monastery is located near the village of Qartmin. The Trilogy is composed of the lives of Samuel, Symeon (the founders of the monastery, the latter died in 433) and Gabriel (d. 648, bishop of Ṭur ʿAbdin). Palmer, noting several problems in the text, concludes that it is a "product of several reworkings" and dates its compilation sometime between 819 and ca. 969 (Palmer, *Monk and Mason*, 13–17).

orders and warnings and judgements and observances pertaining to the Christians; to churches and monasteries; and to priests and deacons, that they should not pay the head tax, and to monks that they should be exempt from tribute and that the (use of the) wooden gong would not be banned; and that they might practise the chanting of anthems at the bier of a dead man when he leaves his house to be taken for burial, together with many (other) customs."<sup>12</sup> The text is obviously apocryphal as has been previously argued<sup>13</sup> and its composition has been dated to a later period.<sup>14</sup> Although Gabriel may not have been in correspondence with 'Umar, the chronicler may be referring to the caliph to indicate his tolerance or simply to associate the monastery with an important ruler. The Qartmin Trilogy does something similar also with the Byzantine emperors when associating the building of some structures with them, although it is not plausible to date those structures to the times of those particular emperors.<sup>15</sup>

Under early Islamic rule, the very act of building churches gained symbolic importance. The *Life of Simeon of the Olives* (d. 734), bishop of Harran, illustrates this notion very well.<sup>16</sup> Simeon was a native of Ḥabsenus, a village in the Ṭur 'Abdin. He was brought up in the monastery of Qartmin. While on a hunting expedition, Simeon's nephew had found a treasure in a cave of which he transferred gold and silver to Simeon from time to time. With these, Simeon bought numerous properties and planted olive trees from which he later provided the whole of the Ṭur 'Abdin with oil. That is why he was called 'Simeon of the Olives.'<sup>17</sup> He built and rebuilt churches, towers and a school in his native village Ḥabsenus and considerably restored the monastery of Qartmin, but the *Life* emphasises his building activities in Nisibis.

Nisibis, ceded by the Romans in the mid-fourth century, was under the rule of the Sasanians until the Islamic conquest and home to a significant East Syrian (Nestorian) community. According to the *Life*, Simeon asked the local ruler to sell him old places in and around the city of Nisibis, and then sought permission to build churches in the city. With the letter he had obtained from the local

12 Palmer, *Monk and Mason*, microfiche, LXXII.

13 Palmer, 129.

14 See footnote 11.

15 For example, it mentions emperors Honorius and Arcadius. Palmer, *Monk and Mason*, 55.

16 *Life of Simeon of the Olives*, Mardin 8/259. I should like to thank Gabriel Rabo for providing the typed text, Jack Tannous for sharing his English translation and David Taylor and fellow students in the Syriac class for reading the text with me. A summary of the *Life* was published by Sebastian Brock, "The Fenqitho of the Monastery of Mar Gabriel in Tur Abdin," *Ostkirchliche Studien* 28 (1979): 168–182.

17 *Life of Simeon of the Olives*, fol. 109<sup>r</sup>.

ruler he went to the caliph. After proving his abilities, he was much honoured by the caliph who issued him a decree (*sigillion, ferman*) ordering all the Umayyad officials to honour Mor Simeon and the inhabitants of his monastery and his disciples in all their jurisdictions.<sup>18</sup> With the permission he received, Simeon started to build a church dedicated to Mor Theodore. Simeon began construction of the church three times as he was hindered by the Nestorian priests from hiring workmen.<sup>19</sup> Simeon turned to Gawargī, the leader who held authority over the region of the Ṭur ʿAbdin, for help, asking him to write or speak to the inhabitants of the region so that they would help him acquire workers for the construction of the church. As a Christian of a different denomination, Gawargī did not trust Mor Simeon at first, but was eventually won over. He told those in his jurisdiction to help Simeon build his church.

Simeon's insistence on building the church of Mor Theodore in Nisibis despite the resistance of the Nestorian community signals the symbolic importance of building a Syrian Orthodox church in that city to indicate the presence of the community.<sup>20</sup> The importance of the church is further emphasized in the *Life* by noting its consecration by the patriarch. The significance of constructing religious buildings is stressed also by the ensuing account of Simeon's patronage of a mosque and a *madrassa* next to the church of Mor Theodore. By this act, Simeon was also loved and honoured by the Umayyad officials.<sup>21</sup>

The *Life* of Simeon of the Olives deals with a limited time period ending with Simeon's death in 734 but other chronicles, most importantly, the Chronicle of Zuqnin (concerning events until 775), cover also the period after the Abbasid revolution. In the Chronicle of Zuqnin,<sup>22</sup> the accounts of the first years after

18 *Life of Simeon of the Olives*, fol. 111<sup>v</sup>. This is not the only account of an encounter of a monk with a caliph. Such accounts are probably later inventions to argue that the churches were built with permission. A similar instance can be found in the Qartmin Trilogy which relates the correspondence of Gabriel, metropolitan bishop of Dara (in office 634–648), with ʿUmar, the caliph (Palmer, *Monk and Mason*, microfiche, LXXII, 7 f.)

19 *Life of Simeon of the Olives*, fol. 113<sup>r</sup>.

20 The symbolic importance of church building, although in a different context, is also emphasized in the *Chronicle* of Michael the Syrian (written in the twelfth century). He states that: "In the period when the emperor Justinian died, a pious man had a vision of a fiery furnace being set in the middle of a plain. When the man asked what it was for, he was told that it had been kindled for the emperor Justinian to be thrown into because he introduced corruption into the church. However, the emperor was forgiven because he was merciful to the poor and because he built many churches" (Jean-Baptiste Chabot, ed. and trans., *Chronicle of Michael the Syrian as: Chronique de Michel le Syrien, patriarche jacobite de Antioche (1166–1199)*, 4 vols. (Paris: Ernest Leroux, 1899–1924), b. 9, ch. 34).

21 *Life of Simeon of the Olives*, fol. 114<sup>r</sup>.

22 For information on this chronicle, see Sebastian Brock, "Syriac Historical Writing: A

the Abbasid revolution include the destruction of monasteries in the region.<sup>23</sup> However, for the mid-eighth century, the chronicle indicates the prosperity of the Christians by saying that the land was productive and shrines began to be built and churches renovated. Although the chronicle also mentions that the caliph issued an order to register the properties of churches and monasteries in 768/769, in general, it does not paint a dark picture of oppression.<sup>24</sup> The account of the Caliph's visit to the region in 769/770 supports a picture of a flourishing province. Seeing the prosperity of the region, "Instead of thanking him for this state, the caliph, who is described as a man who sets his mind more toward the sword than toward peace roared over Abbas saying 'Where is it that you said that the Jazira was in ruins?' Then he took away his assets and treated him with all kinds of evils." The caliph appointed agents to take a census of all the people for a poll-tax and "from here misfortunes began."<sup>25</sup>

It is not possible to go through all the textual sources that concern this period here. The reaction of Syriac Christians to the Islamic conquest has attracted considerable attention and the conclusion reached seems to be the following; although there were also apocalyptic accounts of the conquest and its aftermath, Syriac sources usually saw the Islamic conquest as a punishment for Byzantine ecclesiastical policy and expressed a sense of relief.<sup>26</sup>

Despite providing interesting accounts, literary sources fail to communicate the extent of building and patronage, the changing nature of villages and monasteries, and architectural features.<sup>27</sup> For a thorough understanding

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Survey of the Main Sources," *Journal of Iraqi Academy (Syriac Corporation)* 5 (1979–1980): 317. For the translation of Parts III and IV, see A. Harrak, ed., *Chronicle of Zuqnin as: The Chronicle of Zuqnin, parts III and IV: A.D. 488–775* (Toronto: Pontifical Institute of Mediaeval Studies, 1999).

23 Harrak, *Chronicle of Zuqnin*, 193.

24 Harrak, 230.

25 Harrak, 246.

26 See Wolfgang Hage, *Die syrisch-jacobitische Kirche in frühislamischer Zeit: nach orientalischen Quellen* (Wiesbaden: O. Harrassowitz, 1966); Sebastian Brock, "Syriac Views of Emergent Islam," in *Studies on the First Century of Islamic Society*, ed. G.H.A. Juynboll, (Carbondale/Edwardsville, Ill.: Southern Illinois University Press, 1982), 9–21, 199–203. Reprinted in: Sebastian Brock, *Syriac Perspectives on Late Antiquity* (London: Variorum, 1984), ch. 8. See also Jan van Ginkel, "The Perception and Presentation of the Arab Conquest in Syriac Historiography: How did the Changing Social Position of the Syrian Orthodox Community Influence the Account of their Historiographers?" in *The Encounter of Eastern Christianity with Early Islam*, ed. Emmanouela Grypeou and Mark N. Swanson (Leiden: Brill, 2006), 171–184.

27 Additionally, our main source for the region from that period, namely the Chronicle of Zuqnin, is confusing. This is probably due to the involvement of multiple authors in the writing of this chronicle. See Conrad, "Varietas Syriaca," and Philip Wood, "The Chroni-

of Christian building activities in a century and a half following the establishment of Islamic rule in the region we have to turn to architectural evidence. The Ṭur ʿAbdin is probably one of the most striking regions of the Near East in terms of concentration of the churches and monasteries which survive from the first centuries of Islamic rule.

## 2 Architectural Evidence

The Ṭur ʿAbdin has been settled from the Assyrian period onwards<sup>28</sup> but the remains that have survived from the region are almost exclusively Christian. Unlike the variety of church plans of the cities of Northern Mesopotamia, two predominant church plans exist in the Ṭur ʿAbdin. The nineteenth-century archaeologist Gertrude Bell (d. 1926) was the first to study these churches extensively and she made the following classification: (1) churches which are longer along an east-west axis (hall type churches) and (2) churches which are broader along their north-south axis (transverse-hall type churches) (Figure 5.2).<sup>29</sup> She called the former “parochial” and the latter “monastic.”<sup>30</sup> The main reason behind these definitions was the idea that the buildings functioned as parish and monastic churches respectively. We can safely say that there was a predilection to use the transverse-hall type church in monasteries and the hall type church in parish churches in Northern Mesopotamia, although there may have been some exceptions.<sup>31</sup>

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clers of Zuqnin and Their Times (c. 720–775),” *Parole de l’Orient* 36 (2011): 549–568. The confusing statements regarding the situation of the Christians under Islam appear also in Dionysius of Tel-Mahre, writing in the second half of the ninth century (d. 846). See Andrew Palmer, *The Seventh Century in the West-Syrian Chronicles* (Liverpool: Liverpool University Press, 1993), 85–221. Humphreys suggested that Dionysius wants his readers to see Islamic rule as being “simultaneously a gift of Divine Providence and a test and a temptation for the faithful.” Humphreys, “Christian Communities,” 49.

28 Palmer, *Monk and Mason*, 1; Karen Radner, “How to Reach the Upper Tigris: The Route Through the Ṭur ʿAbdin,” *State Archives of Assyria Bulletin* 15 (2006): 273–305.

29 I used Marlia Mango’s update of Gertrude Bell’s works. For bibliographic references to Bell’s publications, see Gertrude Bell, *The Churches and Monasteries of the Ṭur ʿAbdin with an Introduction and Notes by M. Mundell Mango* (London: Pindar, 1982), i, ii, 169.

30 Bell [and Mango], *The Churches and Monasteries*, viii, ix.

31 Marlia Mango argued that the hall type church at the monastery of Abraham of Kashkar was actually a monastic church, and the transverse-hall church at Ambar served a parish. We should bear in mind that the monastery of Abraham of Kashkar, located on the other side of the frontier, was an East Syrian monastery. See Marlia Mundell Mango, “Deux

Bell was the first also to suggest a date after the Islamic conquest for some of the significant churches of the ʿAbdin. Her short visits to the region allowed her to record only a limited number of churches, four of which she thought dated to the first centuries of Islamic rule.<sup>32</sup> Marlia Mango's work brought Bell's research up to date in 1982 and provided a context for the material recorded by Bell by also including her studies in the surrounding cities. Henri Pognon and later Jacques Jarry<sup>33</sup> published the inscriptions from the region and their studies were updated by Andrew Palmer, providing dates for some more churches.<sup>34</sup> Gernot Wiessner, in the 1990s, made the most extensive surveys in the ʿAbdin.<sup>35</sup> His study brought forward much new material for the interpretation of the architecture of the ʿAbdin, providing more grounds for comparison. However, his study does not date the monuments or give any context. Apart from these major studies, the research in the region has unfortunately been very limited.<sup>36</sup>

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églises de Mésopotamie du Nord: Ambar et Mar Abraham de Kashkar," *Cahiers Archéologiques* 30 (1982): 47–70.

32 Bell [and Mango], *The Churches and Monasteries*, 82–83.

33 Henri Pognon, *Inscriptions sémitiques de la Syrie, de la Mésopotamie et de la région de Mossoul* (Paris: Imprimerie nationale, 1907); Jacques Jarry, "Inscriptions syriaques et arabes inédites du ʿAbdin," *Annales Islamologiques* 10 (1972): 207–250.

34 Andrew Palmer, "Corpus of Syriac Inscriptions from Tur Abdin," *Oriens Christianus* 71 (1987): 53–139.

35 Gernot Wiessner, *Christliche Kultbauten im ʿAbdin* (Wiesbaden: Harrassowitz, 1982–1993).

36 Our material mainly consists of standing monuments and their documentation, and monuments that do not exist anymore but were recorded by early twentieth century travellers. The ʿAbdin has suffered from the struggle between the PKK (Kurdistan Workers' Party) and the Turkish government starting in 1984. No excavations have been undertaken in this area, except Mardin Museum's limited excavations in the church of Mor Sōvō at Hāh in 2011. There have been no settlement surveys similar to those undertaken along the Euphrates River. See Michael Decker, "Frontier Settlement and Economy in the Byzantine East," *Dumbarton Oaks Papers* 61 (2007): 217–267 for an overview of surveys in the surrounding areas. The most important survey in the wider Northern Mesopotamia, the Kurbanhöyük survey, shows a dramatic decline in terms of concentration of settlements in the region in the early Islamic period. See Tony Wilkinson, *Town and Country in South-eastern Anatolia*, vol. 1, *Settlement and Land Use at Kurban Höyük and Other Settlements in the Karababa Basin* (Chicago: Oriental Institute of the University of Chicago, 1990), fig. 6.2. Kurbanhöyük which is located close to the Euphrates became a border region after the Islamic conquest of Northern Mesopotamia and the subsequent shift of the frontier to the Euphrates. Having lost its border character, ʿAbdin seems to have become a safer region after the Islamic conquest. See Elif Keser-Kayaalp, "Boundaries of a Frontier Region: Late Antique Northern Mesopotamia," in *Bordered Places | Bounded Times: Cross-*

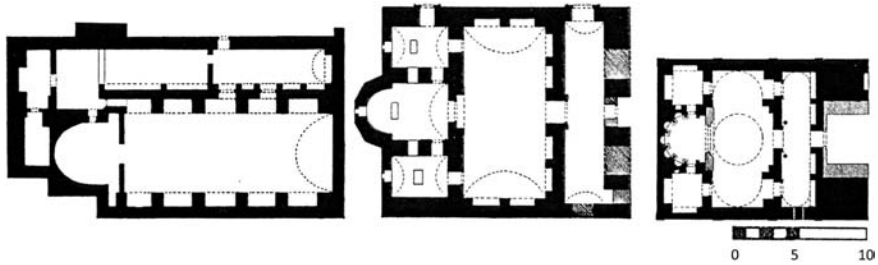


FIGURE 5.2 Plans of Mor ʿAzozoyēl at Kafarzē, Mor Yaʿqub at Ṣālāḥ, Yoldat Āloho at Ḥāḥ FROM BELL [AND MANGO], *THE CHURCHES AND MONASTERIES*

Of the churches that Bell dated to after the Islamic conquest, three are village churches and one is a monastic church. To be able to present the differences between the evidence coming from villages and monasteries which constitute the rural ʿAbdin region, I organised the discussion accordingly. As village churches are predominantly hall-type churches, except the church of Yoldat Āloho at Ḥāḥ that will be dealt with under a separate heading, my classification will also be inevitably according to the plan types. I will first discuss the hall-type churches and then move to transverse-hall type churches and other material evidence that date to the same period.

### 2.1 *Village (Hall-Type) Churches and Their Transformation*

There are four hall-type churches in the ʿAbdin which share important architectural features: Mor Quryaqos at ʿArndas, Mor ʿAzozoyēl at Kafarzē,<sup>37</sup> Mor Simeon at Ḥabsenus and Mor Yuḥannon at Qēllet.<sup>38</sup> They all stretch in an east-west direction and are entered from south through a doorway leading to the narthex which also extends in the same direction. The narthex and the nave are connected by two doors, serving probably to the different sexes. In the eastern arrangement of these churches, there is a room to the south of the

*disciplinary perspectives on Turkey*, ed. Emma Baysal and Leonidas Karakatsanis (London: British Institute at Ankara, 2017), 135–148. Thus these two regions had different faiths after the Arab conquest.

37 Bell suggested an Umayyad date for these two churches.

38 Bell did not say much about the church of Mor Simeon, nor provide a plan or a photograph of it. She wrote that it was a close imitation of the church at Arnas and that it was dedicated to Simon Peter, as is also mentioned in the *Life of Simeon of the Olives*. Bell recorded that the sculpture of this church was so rudely executed that it was “obviously a later attempt to carry out the old traditional decoration” (Bell [and Mango], *The Churches and Monasteries*, 53). She did not visit Mor Yuḥannon.



apse.<sup>39</sup> In the below sections we shall discuss various aspects of these churches that allow us dating them after the Arab conquest.

### 2.1.1 Architectural Sculpture

These churches have elaborately decorated friezes running through their apse conches and remarkable apse archivolts resting on capitals. Their architectural sculpture is both innovative and conservative. It was described as a stylized version of the sixth-century sculpture in the Ṭur ‘Abdin<sup>40</sup> which is highly classical in character. Similar classical decoration survive also in the nearby cities of Dara, Amida and Edessa. I shall briefly describe the sculpture in the four churches mentioned above but my description will also incorporate other churches in the region with similar style of sculpture,<sup>41</sup> which is in general cruder, flatter and more abstract than the earlier tradition in the region. Vine scrolls, split palmettes and bead and reel bands which were common in sixth-century Northern Mesopotamia continue to appear. On the other hand, some classical bands, such as egg and leaf, seem to have completely disappeared from the decorative repertoire. The flutes, common in the sixth century, became rare. However, new introductions such as plaiting, flower-like motifs, interlacing circles, petals and two rows of dentils started to become part of the repertoire.<sup>42</sup>

Similarities in this type of sculpture with early Islamic architectural decoration help to date them. The winged palmette ornaments which appear in two churches have been likened to similar examples in the palace of Mshatta and al-Tuba, both in modern-day Jordan and both built around 743/4.<sup>43</sup> The plaiting that exists in some of the churches has also been attested in Anjar in Lebanon built in 714–715.<sup>44</sup> The geometrisation of vegetal motifs that can

39 Some other hall-type churches have rooms behind the apse and others have a northern room. The rooms flanking the apse may have been used as *prothesis* or *diakonikon*, or in some cases as baptisteries or *martyria*. It is difficult to ascertain the functions of these rooms.

40 Marlia Mundell Mango, "The Continuity of the Classical Tradition in the Art and Architecture of Northern Mesopotamia," in *East of Byzantium: Syria and Armenia in the Formative Period*, ed. Nina G. Garsoian, Thomas F. Mathews and Robert W. Thomson (Washington: Dumbarton Oaks Center for Byzantine Studies Trustees for Harvard University, 1982), 115–134.

41 See the Appendix for a list of structures with a similar style of decoration.

42 Some of these motifs, such as a band composed of circles were already decorating the churches of Syria in the early sixth century.

43 Mundell Mango, "Continuity of the Classical tradition," 127. The winged palmettes can be found on the apse frieze at Mor Quryaqos at ‘Arndnas and on the doorway of the Theotokos church at Ḥāḥ.

44 Mundell Mango, "Continuity of the Classical tradition," 127. Plaiting exists also in the

be seen in these churches was also an Umayyad phenomenon, best illustrated in the woodwork of the al-Aqsa mosque in Jerusalem rebuilt in 754 after an earthquake.<sup>45</sup> We find a large variety in the eighth-century sculpture in Ṭur ʿAbdin where one can hardly find two churches with identical ornamental bands. We should also note that although we have dealt with this particular type of sculpture under the hall-type heading, it can be found also in monastic churches, listed in the Appendix and in the church of *Yoldat Āloho* at Ḥāḥ which we shall deal with in detail (Figure 5.4).

Apart from its similarities with early Islamic architectural decoration, some textual and epigraphic material confirms the date of this sculptural style. The church of Mor Simeon was extensively rebuilt by Simeon of the Olives. Thus, we have a *terminus ante quem* (he died in 734) for the rebuilt church and its sculpture as the *Life* says Simeon completed the church “with every sort of good and fair ornament.”<sup>46</sup> Another evidence for the dating is the templon screen of Mor Quryaqos at ʿArđnas which has not survived but was recorded by Bell. An inscription next to the screen recorded the building of the templon screen in 1072 Seleucid year, AD 761/762.<sup>47</sup>

An ornamental feature in the churches of the Ṭur ʿAbdin which is rare elsewhere<sup>48</sup> is the cross in the apse conch. The crosses are about 1.5 m high, are all in relief and show variations in terms of their articulations. For example, some have medallions around the intersection point of the two arms, one has a bird, and another has a boss on top of the cross. Most have bulbous terminations in their arms, while some have a stepped termination and others a rectangular boss at the base of the cross (Figure 5.6). The fact that structures with the above-mentioned style of sculpture also have crosses in their apse conches suggests that they were contemporary. Although three sixth-century crosses survive in Northern Mesopotamia,<sup>49</sup> crosses in the apses seem to have

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seventh-century Armenian churches, for example in Atʿeni (Jean-Michel Thierry, *Les arts arméniens* (Paris: Mazenod, 1987), fig. 25).

45 Robert Hillenbrand, “Umayyad Woodwork in the Aqsa Mosque,” in *Bayt al-Maqdis, Jerusalem and Early Islam*, ed. Jeremy Johns (Oxford: Oxford University Press, 1993), 271–310.

46 *Life of Simeon of the Olives*, fol. 122<sup>r</sup>.

47 Palmer, “Corpus of Syriac Inscriptions,” c2. Palmer discusses the problems in this inscription.

48 Although there are no real parallels to the apse crosses in the Ṭur ʿAbdin, crosses in the apses can be found in a few churches in Thrace at Vize, Lycia at Karabel (which are flat) and in Cappadocia at Çavuşin (see Marlia Mundell, “Monophysite Church Decoration,” in *Iconoclasm: Papers Given at the Ninth Spring Symposium of Byzantine Studies, University of Birmingham, March 1975*, ed. Anthony Bryer and Judith Herrin (Birmingham: University of Birmingham Centre for Byzantine Studies, 1977), 66).

49 Mor Sövä at Ḥāḥ had a cross of which now only a fragment survives. The other two are in



FIGURE 5.3 Nave of the Church of Mor Yuḥannon at Qēllet  
PHOTOGRAPH BY THE AUTHOR

been especially common and also become more decorated in the eighth century. Cross decoration, together with the aniconic nature of the architectural sculpture in these churches may recall the iconoclastic movement that became powerful in Constantinople in the 720s. It is hard to ascertain if the appearance of the crosses in the apses of the churches of the Ṭur ‘Abdin is related to Byzan-

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Akkese near Constantia (see Elif Keser-Kayaalp, “A Newly Discovered Rock-cut Complex: Monastery of Pheṣilthā?” *Istanbul Mitteilungen* 58 (2008): 261–283 and the monastery of Mor Abraham of Kashkar (See Mundell Mango, “Deux églises,” 60)).

tine Iconoclasm as aniconic preference can also be observed in the sixth-century wall and floor mosaics, and may have originated in the local traditions of the region.<sup>50</sup>

### 2.1.2 Lateral Arcades

Another significant characteristic of the Ṭur ʿAbdin churches is that they have lateral arcades on their north and south walls (Figure 5.3). Lateral arcades are not unique to the region and period but its popularity in the region in later times is noteworthy. As a result of the continuous restorations in these churches, the originality and the date of the lateral arcades have been objects of dispute.<sup>51</sup> Although agreeing with Gertrude Bell on the originality of some of the lateral arcades, Marlia Mango is also aware of some of the problems of this argument. Mango thinks that these arcades were introduced to reduce the span of the roof. The width of the naves of most of these churches varies between 8.5 metres and 9 metres. With the lateral arcades, the spanned width is reduced to 6 metres, which makes it possible to use local, cheaper and shorter oak. Since these piers created some problems,<sup>52</sup> she suggests that they were later enlarged to carry the barrel vaults.<sup>53</sup> She thus also implies that this later enlargement may have caused problems such as the obscured architectural decoration.

My analysis of the widths spanned by the roofs of these churches shows that piers were also used for churches which had a width of less than 6 metres,<sup>54</sup>

50 See Mundell, "Monophysite Church Decoration," for a discussion on the non-figural tendency in Syrian Orthodox church decoration. Iconoclasm is too large a topic to be dealt with here. For monophysite approaches to iconoclasm, see Sebastian Brock, "Iconoclasm and the Monophysites," in *Iconoclasm: Papers Given at the Ninth Spring Symposium of Byzantine Studies, University of Birmingham, March 1975*, ed. Anthony Bryer and Judith Herrin (Birmingham: University of Birmingham Centre for Byzantine Studies, 1977), 53–57.

51 Gertrude Bell thought some of them were an original part of the design and dated them to the eighth century. Koch, on the other hand, dated the churches to the sixth century and the arcades to the twelfth (Guntram Koch, "Probleme des nordmesopotamischen Kirchenbauens: die Längstonnenkirchen im Ṭur Abdin," in *Studien zur spätantiken und frühchristlichen Kunst und Kultur des Orients*, vol. 6, ed. Guntram Koch (Wiesbaden: Harrassowitz, 1982), 117–135). According to him, the churches had another phase even earlier than the sixth century during which the chapels were built. However, given the continuous restorations in these structures it is not possible to trace the material evidences for this argument.

52 For example, at ʿArndas the pier at the east end of the north arcade blocks part of the carved apse archivolt, and in most cases, the doorways, which are usually profiled, are not positioned centrally in relation to the piers of the arcades.

53 Bell [and Mango], *The Churches and Monasteries*, ix.

54 Elif Keser-Kayaalp, *Church Architecture of Northern Mesopotamia, AD 300–800* (PhD diss., Oxford University, 2009), v. 2, 25.

which may indicate that building lateral arcades had more to do with the weight of the roof than the distance to be spanned. This argument is further supported by the nature of the outer walls made of irregular blocks and the piers made of ashlar masonry. The facts that the piers hide the ornamentation and that the doors and windows are not placed in line with the arcades strongly suggest that the piers were added later. The question now is why and when they were built or added.

To answer this question, we must turn to the church of Mor Sōvō at Ḥāḥ, a sixth-century structure, which Gertrude Bell suggested as the prototype of the hall-type churches. This church was probably the cathedral of Ḥāḥ, the village with the most exceptional remains in the region. Mango suggests that Ḥāḥ was the seat of the bishopric of Tur Abdion that was listed as one of the three suffragan (subordinate) bishoprics of Dara in the *Notitia Antiochena* of 576, together with Theodosiopolis and Banasymeon.<sup>55</sup> Although the church of Mor Sōvō in the Ṭur ‘Abdin is much larger than the other hall-type churches in the region,<sup>56</sup> it is very similar to them in terms of its orientation, apse arrangement and the piers attached to the north and south walls. The church of Mor Sōvō clearly underwent significant restoration in later centuries. It was during that restoration that the piers, built of alternating layers of stone and brick, were added. They hide the fine sculpture of the capitals carrying the apse archivolt and some of the doors and windows. The piers topped with arches carried a brick vault. The vault collapsed and parts of it are still visible in the nave of the church.

It has been suggested that the church of Mor Sōvō, the sixth-century cathedral of Ḥāḥ, served as a prototype for the eighth-century hall-type churches with lateral arcades of the Ṭur ‘Abdin after lateral arcades were added to it.<sup>57</sup> However, it is likely that Mor Sōvō received its piers around the same time as the other churches. *Chronicle of Zuqnin* records a number of earthquakes in the eighth century. The one in 717/718 destroyed many churches “particularly in (Beth) Ma‘de.”<sup>58</sup> The Old Church of Edessa was also destroyed in the same earthquake that “left marks on even the ones that remained standing.”<sup>59</sup> In 741/742 another “powerful and violent earthquake” took place. The one in 747 was described in similar words. The last earthquake mentioned in the eighth

55 Bell [and Mango], *The Churches and Monasteries*, iv.

56 It is 27.30 m long and 11.10 m wide. Bell [and Mango], *The Churches and Monasteries*, 19.

57 Bell [and Mango], *The Churches and Monasteries*, 112.

58 This was identified as a village in Ṭur ‘Abdin by Harrak (*Chronicle of Zuqnin*, 160). A strong earthquake dating to 712 is also recorded (Palmer, *Seventh Century*, 46).

59 Harrak, *Chronicle of Zuqnin*, 160.



FIGURE 5.4 Apse sculpture of the Church of Yoldat Āloho at Hāḥ  
PHOTOGRAPH BY THE AUTHOR

century took place in 755/756 and again destroyed many places. It was probably more strongly felt further south in the Khabur where three villages were destroyed.<sup>60</sup>

Combining the above presented evidence, it seems likely that after a destructive earthquake, the piers were added to these churches that had been built not long before. In this process, their roofs which were probably originally timber were replaced by brick vaults.<sup>61</sup> Confirmation of this hypothesis is only possible

60 Harrak, 197.

61 Also in the church of Mor Ya'qub, at Nisibis the large stone piers hide the doorways and their fine sculpture. I have argued elsewhere (Elif Keser-Kayaalp and Nihat Erdoğan,

through excavation. Given the use of brick in the vaults, which I shall discuss below, one may suggest that the piers and the vaults were built together. The piers which were introduced probably for purely structural reasons became fashionable, almost a signature for the Syrian Orthodox churches of the eighth century and later.<sup>62</sup> I have argued elsewhere that in that period the Syrian Orthodox wanted to create an architectural vocabulary in their churches which would be distinctive and identifiable as specifically Syrian Orthodox by repeating certain forms in a creative way<sup>63</sup> and using lateral arcades is one of the repeated patterns.

It has been suggested that the lateral arcades of the church of the monastery of Mor Abraham of Kashkar, dating to 571, are original.<sup>64</sup> This makes it the earliest known hall-type church in Northern Mesopotamia with the lateral arcades. The transverse-hall type churches also have lateral arcades but the arcades in the hall-type churches differ from those in the transverse-hall type churches with their tall and narrow forms.<sup>65</sup> The monastery of Mor Abraham of Kashkar is situated not in the ʿTur ‘Abdin, but on Mount Izla, at the edge of the ʿTur ‘Abdin, about thirty kilometres northeast of Nusaybin. Before the Islamic conquest, this region was in the Sasanian territory. Mor Abraham to whom the monastery was dedicated was an important East Syrian monk who built his well-known “Great Monastery” in Mount Izla in 571.<sup>66</sup> The church of this monastery has all the main features of a hall-type church in the ʿTur Abdin. However, a significant difference is that this church is a monastic church. As in the West Syrian or Syrian Orthodox tradition, the monastic churches usually had transverse-hall type plans (see below), the adoption of the hall type for a monastic foundation has been interpreted as the desire of the East Syr-

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“The Cathedral Complex at Nisibis,” *Anatolian Studies* 63 (2013): 137–154) that the building known as the church of Mor Ya‘qub today was part of the fourth-century baptistery and its original roof must have been changed after the piers were added.

62 For an illustration showing all the hall-type churches with piers, see Keser-Kayaalp, *Church Architecture*, pl. 75.

63 Elif Keser-Kayaalp, “Églises et monastères du ʿTur ‘Abdin: les débuts d’une architecture « syriaque »,” in *Les églises en monde syriaques*, ed. F. Briquel Chatonnet (Paris: Geuthner, 2013), 269–288.

64 Mundell Mango, “Deux églises,” 62.

65 However, similar arcades exist in the cistern under the sixth century cathedral of Dara indicating that this technique existed in the region.

66 For more on him and his monastery, see Florence Jullien, “The Great Monastery at Mount Izla and the Defence of the East Syriac Identity,” in *The Christian Heritage of Iraq: Collected Papers from the Christianity of Iraq I–V Seminar Days*, ed. Erica Hunter (Piscataway: Gorgias Press, 2009), 54–64.

ians to differentiate their architecture by adopting a different type of plan.<sup>67</sup> The church of Mor Abraham of Kashkar may have been a source of inspiration for the building of the lateral arcades in the Ṭur ʿAbdin after the frontier was no longer dividing the Izla Mountain and the villages of the Ṭur ʿAbdin.

### 2.1.3 Brick Work

All four hall-type churches mentioned above have vaults with decorative brick work,<sup>68</sup> achieved by using half-cylinder roof tiles (imbrices) and diagonal bricks (herringbone pattern) on the surface. We find similar ornamentations made by brick in a number of churches in the Ṭur ʿAbdin (see Appendix). If we could establish a date for one of them, we would have a basis on which a date for others could be suggested. Although it is a monastic church, the vault of the church of the monastery of Mor Yaʿqub at Ṣālah allows us to do that. It is the most masterly built brick vault that has survived in the region and has the same diagonally placed bricks and half-cylinder roof tiles as decoration. It is divided into three compartments by two transverse stone arches which are painted to look like brick. Palmer records eight Syriac inscriptions in this church, which he dates to 752–755.<sup>69</sup> One of the two inscriptions which mention a restoration is located just under the vault. It records the names of the people and how much money they gave to the monastery. It does not have a date but based on an epigraphical study, Palmer dated it to the eighth century, between 752 and 755.<sup>70</sup> The location of this inscription, as well as its red paint also used in the vault may suggest that the inscription is contemporary with the vault (Figure 5.5).

Unlike other brick vaults in the region, the springing of the vault is of stone up to a considerable height. This may indicate that the original vault was made of stone, as is the case in the almost identical transverse-hall type church at Ambar near Dara.<sup>71</sup> The stone vault of the church, which was most probably a sixth-century foundation, may have later been replaced by brick. This church is one of the four churches for which Gertrude Bell suggested an eighth century date, based mainly on the sculpture of the pilasters of the apse archway.<sup>72</sup> This archway may have been added after the restoration. The fact that it has a floral decoration made with similar red paint in the vault may support that. The

67 Jean-Pascal Fourdrin, “Les Églises à nef transversale d’Apamène et du Ṭur ʿAbdin,” *Syria* 62 (1985): 334.

68 The vault of the nave of Mor Yuhannon at Qēllet is plastered but the side rooms have the same style brick ornamentation indicating that the nave of the church was also of brick.

69 Based on one of them which has a date. Palmer, “Corpus of Syriac Inscriptions,” B1–B8.

70 Palmer, B3.

71 Mundell Mango, “Deux églises,” 54.

72 Bell [and Mango], *The Churches and Monasteries*, 82.





FIGURE 5.5 Vault of Mor Ya'qub at Şālah  
PHOTOGRAPH BY THE AUTHOR

innovative nature of this doorway is surprising. Normally, transverse-hall type churches in the region have very simple doorways, in the east wall leading to the sanctuaries. In the case of Mor Ya'qub at Şālah, the doorway is flanked with highly decorated pilasters topped with a profiled arch. The style of the decoration on the pilasters has no real parallels in the region; although it recalls both sixth-century and eighth-century styles in the region, it is a kind of transition between them, but closer to the latter. I think that the church was not built or completely rebuilt in the eighth century but it went through a major construction work including also the building of the brick vault.<sup>73</sup>

#### 2.1.4 *Beth Şlutho*

Now I want to turn my attention to another innovation in the church architecture of the Țur 'Abdin, which is found almost exclusively in village churches.<sup>74</sup> This architectural feature is called *beth şlutho*, meaning a house of prayer in Syr-

73 This may also suggest that the unusual decoration of the doorway between the sanctuary and the nave was also built during this reconstruction.

74 Except for the monastery of Deir Saliba, all *beth şlutho* in the region are attached to a village church.

iac. The term refers to a specific architectural entity which is a free-standing exedra used as an outdoor oratory.<sup>75</sup> One of these structures at Heshterek, which no longer survives, was securely dated by an inscription to 771/772.<sup>76</sup> These outdoor oratories are built of ashlar masonry and inscribed in a square, open at the west side, allowing large gatherings in front of them. They usually have stone tables in front of them to hold liturgical books or other liturgical objects and served as prayer areas. The epitaphs in some of these oratories<sup>77</sup> suggest that funeral services were conducted in front of them. It was probably more convenient not to have the dead in the main church.<sup>78</sup> Given that they are well-lit, sheltered and accessible to all, these oratories are also good places for inscriptions venerating the dead. They are very well executed with ashlar masonry and adorned with decoration, sometimes including a cross in their conch. Based on their sculptural features and inscriptions, six of them can be dated to the eighth century and four others to a later date.<sup>79</sup>

## 2.2 Monastic Churches (Transverse-Hall-Type Churches)

My focus up to now has been on the village churches. However, monasteries or parts of them were also built in the same period. According to his *Life*, Simeon of the Olives built a recluse tower in the monastery which was just outside the village of Ḥabsenus and dedicated the monastery to Mor Loʿozor.<sup>80</sup> A tower actually survives in the middle of the monastery and it has an inscription dating its construction to 791/792.<sup>81</sup> The fact that extreme ascetic practices, in this case reclusion in a tower or standing on top of it, continued a century after the Islamic conquest is striking. However, what is more remarkable is the innovative form of the tower, combining the functions of a tower and a stylite column,<sup>82</sup> which may show that they were still experimenting with forms.

75 Bell [and Mango], *The Churches and Monasteries*, 165.

76 Palmer, "Corpus of Syriac Inscriptions," A5.

77 Heshterek had twenty-two epitaphs and the clergy was buried under it, Mor Sōvō has seven and Mor Dodho at Beth Svirina has two epitaphs (Palmer, *Monk and Mason*, 211).

78 Palmer, *Monk and Mason*, 136.

79 Keser-Kayaalp, *Church Architecture*, 104.

80 The *Life* of Simeon of the Olives mentions the monasteries he built or rebuilt around Nisibis but I will limit myself only to the Ṭur ʿAbdin.

81 Palmer, *Monk and Mason*, 105–107, and 217, figs. 37–38. For the photograph of the squeeze of the inscription see Palmer, "Corpus of Syriac Inscriptions," 71. The date on the tower does not match the *Life*, according to which Simeon, who according to the *Life* built the tower, died in 734 (*Life of Simeon of the Olives*, fol. 125<sup>v</sup>).

82 Marlia Mundell Mango, "New Stylite at Androna in Syria," *Travaux et Mémoires* 15 (2005): 342.

On the other hand, old and important monasteries, such as Mor Gabriel, seem to have prospered in that period. According to the *Life* of Simeon of the Olives, he bought fields, farms, houses, shops, mills, gardens and enclosures for the monastery of Mor Gabriel. He renewed and adorned it.<sup>83</sup> Simeon's successor, David, also adorned the monastery with vessels and "gold and silver."<sup>84</sup> Apart from the textual references, there are also inscriptions recording building activities in the monastery in the eighth century, documenting the building of a portico.<sup>85</sup> Besides those, I have suggested elsewhere an eighth-century date for the Dome of the Egyptians, a burial chamber (*beth qadishe*) in the monastery, based on the similar brick work that we see in the other hall-type churches, mentioned above.<sup>86</sup> Like the building of a recluse tower, having a *beth qadishe* from this period is significant for the continuity of the monastic traditions.

We also have evidence of monastic churches built in the eighth century. The transverse-hall-type plans which were used for these churches are as common as the hall-type churches mentioned above. In the whole early Christian world, nowhere except the Ṭur 'Abdin, monastic churches can clearly be associated with a certain plan type.<sup>87</sup> The transverse-hall-type church can be considered local, with some significant examples built in the sixth century.<sup>88</sup> However, some churches with this plan lack any significant architectural feature that would allow a dating. On the other hand, others feature architectural sculpture in the style of the sculpture of the hall-type churches mentioned above, enabling us to suggest an eighth-century date for them based on the decoration.

There are three monasteries in the outskirts of Ḥāḥ that can be dated to the eighth century. Of these, the monastery of Mor Yūhannon can be securely dated to 739/740 by an inscription.<sup>89</sup> Although the decoration in that church is limited to a simple vine scroll, the style is very similar to the stylised classical decoration mentioned above. The Church of St. Mary Magdalen, locally known as Deir Habis, has a winged palmette sculpture recalling early Islamic examples such as Mshatta.<sup>90</sup> In the case of Mor Sergius and Bacchus, there

83 *Life of Simeon of the Olives*, fol. 108<sup>r</sup>.

84 *Life of Simeon of the Olives*, fol. 123<sup>v</sup>–124<sup>r</sup>.

85 Palmer, "Corpus of Syriac Inscriptions," C1.

86 Elif Keser-Kayaalp, "The *Beth Qadishe* in the Monasteries of Northern Mesopotamia," *Parole de l'Orient* 35 (2010): 329.

87 It is difficult to say if the plan is shaped according to the liturgy or if the liturgy makes good use of it.

88 See footnote 4.

89 Palmer, "Corpus of Syriac Inscriptions," A2.

90 Mundell Mango, "Continuity," 127.

are many Syriac inscriptions, one of which is dated either to 691 or 789,<sup>91</sup> and some ornamental features suggest an eighth-century date. The transverse-hall-type church with the most distinctive decoration in the style of the eighth century is the church of Mor Samuel at Ḥāḥ, located just north of Mor Sōvō. Its location, small size and poor quality masonry suggests it was not a monastery but a later chapel built in transverse-hall plan using spolia from an eighth-century building.<sup>92</sup>

The high concentration of eighth-century churches and monasteries in and around Ḥāḥ is not a coincidence. From 614 to 1088, the bishop of the Ṭur ʿAbdin resided in the monastery of Mor Gabriel at Qartmin. A separate bishop was consecrated briefly in the mid eighth century and he resided in or near Ḥāḥ, as had probably been the case in the sixth century.<sup>93</sup> Furthermore, the Chronicle of Zuqnin tells us a story of a false prophet in Ḥāḥ who managed to attract groups of people to the village in 769/770.<sup>94</sup> Thus, in the eighth century, Ḥāḥ, enjoyed considerable religious attention. The most important church in the village in that period was probably the church of Yoldat Āloho which is outstanding in terms of its architecture and architectural sculpture. It may have become the new cathedral of Ḥāḥ in the eighth century, replacing the church of Mor Sōvō mentioned above.

### 2.3 *The Church of Yoldat Āloho (Mother of God)*

Gertrude Bell described the church of *Yoldat Āloho* (to which she refers as “el Adhra”), as the “crowning glory” of the Ṭur ʿAbdin and dated it to around 700.<sup>95</sup> As with the hall-type churches the style of its architectural sculpture and brick work are the main references for the dating. The nave is long in the north-south direction and there is a narthex lying to the west of the nave, and thus it has been rightly related to transverse-hall (monastic) churches of the region.<sup>96</sup> However, the upper structure of the church makes it different from the transverse-hall churches. The central dome and the three semi-domes below it covering the east, north and south exedras make the church a centralized (not in plan but at a higher level), compact building.

The church is similar to the sixth-century church of Mor Hanania at Dayr al-Zafaran in terms of the north and south conches in plan, the high drum in

91 Palmer, “Corpus of Syriac Inscriptions,” B10, 112–114.

92 As also suggested by Wiessner, *Kultbauten*, 1:120–123, fig. 121, pls. 67–70.

93 Palmer, *Monk and Mason*, 31.

94 Harrak, *Chronicle of Zuqnin*, 249–252.

95 Bell [and Mango], *The Churches and Monasteries*, 20.

96 Bell [and Mango], 114.



FIGURE 5.6 Upper structure of the Church of Yoldat Āloho at Ḥāḥ  
PHOTOGRAPH BY THE AUTHOR

elevation and the location of the ornamental bands of decoration.<sup>97</sup> The central sanctuary is connected to the nave with a wide archivolt as is also the case in the hall-type churches of the region, and the church of Mor Hanania at Dayr al-Zafaran. In terms of the entrance portico, the church recalls the transverse-hall churches of Mor Ya‘qub at Ṣālah and Mor Gabriel. However, with the new restorations in the church, some parts of the facade, which make it very different from both its surviving contemporaries and predecessors, have become visible. The design of the church seems like an experiment based on older formulae, influenced maybe also by the triconch churches of Armenia and the eastern arrangements of the Coptic churches,<sup>98</sup> although it is much more sophisticated in terms of plan and details.

97 For the architecture of the church of Mor Hanania at Dayr al-Zafaran, see Mundell, “Sixth-Century Sculpture,” 511–528.

98 There are both seventh- and ninth-century triconch Armenian churches which are similar in plan to the Yoldath Aloho church at Ḥāḥ, (See Thierry, *Les arts arméniens*). For the Coptic churches with triconch sanctuaries, see Judith McKenzie, *The Architecture of Alexandria and Egypt, c. 300 B. C. to A. D. 700* (London: Yale University Press, 2007), figs. 462 and 473.

The church of Yoldat Āloho at Ḥāḥ is highly decorated and has the best examples of the style of the architectural sculpture of the period. The architectural sculpture is spread to the small apse niches,<sup>99</sup> engaged collonettes, drum, apse conch, apse and exedras, doorway and entrance portico. The style of the sculpture of this church and others mentioned above supports the idea of a local team of skilled carvers.<sup>100</sup> The squinches of the church are neatly done with mouldings and most probably they were original parts of the design. Although this architectural feature has strong Persian associations, its common use in Armenia in over thirty domed chapels dating to the sixth and seventh centuries,<sup>101</sup> makes an Armenian connection more plausible. The church of Yoldat Āloho is covered with a brick octagonal dome. It is difficult to date this dome given its uniqueness. However, the vault in the narthex of the church is very similar to the brick vaults of the hall-type churches mentioned above. Thus the octagonal dome of the church of Yoldat Āloho is a further example of a flourishing tradition of brick vaulting in the region. The church represents the culmination of the eighth-century architecture in the Ṭur ʿAbdin by combining innovative ideas with local traditions. There is no real parallel to it, neither is it foreign to the region. This may suggest that there was an attempt to find a distinctive architecture.

### 3 Conclusions and Remarks

Above we presented some evidence to date some churches, either their building or rebuilding, to the seventh and eighth centuries. In the Appendix following the text, we have put together the evidence according to which we can suggest such a date for that particular building. List 1 is based on inscriptions

99 These niches also feature in the sixth-century monastery of Mor Abraham of Kashkar mentioned above. This decorative feature appears in the contemporary sixth century churches of Egypt and North Africa (Mundell Mango, "Deux églises," 60) and later in Armenian churches. However, Armenian examples cannot be compared to those in the Yoldath Āloho church at Ḥāḥ in terms of sophistication and neat decoration.

100 There is more textual evidence that supports this. The chronicle of Zuqnin says that craftsmen from the whole of the Jazira were sent to rebuild Melitene in 760–761 (Harrak, *Chronicle of Zuqnin*, 201). Similarly, an inscription in the quarry near the village of Kāmed in the Baq'a valley in Lebanon, dated to 715, mentions workmen from the Jazira who carried out the stone quarrying. See Paul Mouterde, "Inscriptions en syriaque dialectal à Kamed – Beqa," *Mélanges de l'Université Saint-Joseph* 22 (1939): 81.

101 Florence Antablin, "The Squinch in Armenian Architecture in the Sixth and Seventh Centuries," *Revue des études Arméniennes* 18 (1984): 504–507.

and textual material. List 2 brings together the churches and monasteries with similar architectural decoration in the apse archivolt and apse cornice. List 3 names the churches and *beth şlutho* with similar crosses in their apse conches. List 4 records churches and monasteries with similar brick work, with half-cylinder roof tiles (imbrices) and diagonally placed bricks (herringbone) on the surface and list 5 enumerates those with bricks in their piers. Finally, list 6 shows, based on textual sources, the church building or rebuilding recorded in wider northern Mesopotamia.

Some churches and monasteries appear in more than one list and to be able to distinguish each church, the names of the churches and monasteries are written in bold when they first appear in the Appendix. Based on the discussion above and the appendix below, we can suggest that around twenty-eight of the churches and monasteries that have survived in the ʿTur ʿAbdin can be dated to the late seventh and eighth centuries. This covers both the Umayyad period and the first fifty years of Abbasid rule. Political changes naturally affected the landscape and architecture of the region. However, not being able to date the structures precisely, we cannot draw confident conclusions about any changes taking place as a consequence of the Abbasid revolution. The impression that one gets from the lists in the Appendix of this article is that up until the ninth century, the ʿTur ʿAbdin enjoyed a considerable freedom in building churches and monasteries. Moreover, an identifying style of architecture was tried out, with its decoration, apse crosses, *beth şlutho* and brick work. As discussed above, the building works explained above also provide confirmation for the later-eighth century date of the Pact of ʿUmar and let us question the arguments that there was a prohibition of the building of new churches based on treaties drawn up immediately after the conquest.<sup>102</sup>

Ḥāḥ seems to be the only village in the ʿTur ʿAbdin where we have architectural remains from the sixth century, namely the church of Mor Sōvō. In the other villages, the evidence seems to come mainly from the eighth century. This may indicate that either the village churches were built on existing churches of which nothing or little has survived<sup>103</sup> or villages and for that matter village churches increased considerably after the Islamic conquest in that region which previously was mainly a refuge area for Syrian monks, and dominated mainly by monasteries. In the absence of further epigraphic<sup>104</sup> and archaeological investigation, it is difficult to decide which was the case.

102 For example Palmer, "La Montagne," 214, fn. 203.

103 As has also been argued by Palmer (Palmer, *Monk and Mason*, 186).

104 There is a considerable lack of inscriptions in the region dating from the period before

In the newly built or rebuilt churches, there are repeating patterns which may have resulted from a desire to create a distinctive architecture.<sup>105</sup> The Syrian Orthodox communal identity is a subject that has attracted considerable scholarly attention<sup>106</sup> and it seems that in the first centuries of Muslim rule in the region, this identity found a material representation through the churches.

The capacity and initiative of the villagers in terms of building is well illustrated in an inscription in the church of the monastery of Mor Yaʿqub at Ṣālah mentioned above which lists the names of the benefactors (twenty-five of them), together with the amount of money they gave.<sup>107</sup> As Palmer noted it is important that the monastery received money from the village of Ṣālah and probably from the surrounding villages.<sup>108</sup> The collective act of rebuilding the church for whose restoration the neighbouring villages provided money, may illustrate the importance of private patronage in that period. This, however, does not necessarily mean that the region was thriving. It may, on the other hand, also indicate that monasteries were losing power and wealth.<sup>109</sup> In the first centuries of the Muslim rule, the established monasteries, especially the monastery of Mor Gabriel, seemed to have maintained their importance. In addition, new monasteries were continued to be built. However, it is remarkable that they were smaller than the earlier ones.

Building and rebuilding churches and monasteries is a territorial claim. Today the Syrian Orthodox villages can be identified with the monumental churches built in the most prominent locations of the villages. Areas away from the villages are marked with a small monastery, either built or carved, and thus the whole territory is marked as Christian. The freedom extended to the Christians to build and rebuild their ecclesiastical structures may be seen as an intention to create loyalties. This situation recalls the present situation. In an

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the Islamic conquest. This is in sharp contrast with the Limestone Massif in Syria and may offer further proof that they were later structures.

105 Keser-Kayaalp, "Églises et monastères," 269–288.

106 See the *Church History and Religious Culture* 89 (2009) for various articles on the identity issue in the Syrian Orthodox. See especially Bas ter Haar Romeny *et al.*, "The Formation of a Communal Identity among West Syrian Christians: Results and Conclusions of the Leiden Project," *Church History and Religious Culture* 89 (2009): 1–52. See also Wood, 'We Have no King but Christ', where he uses the term 'cultural independence' throughout the book while he talks about the Syriac speaking communities in the fifth and sixth.

107 Palmer, "Corpus of Syriac Inscriptions," B2.

108 Palmer, *Monk and Mason*, 186.

109 For the situation of the monasteries in Egypt in the Umayyad period, see Arietta Papaconstantinou, "Between *Umma* and *Dhimma*: The Christians of the Middle East under the *Umayyads*," *Annales Islamologiques* 42 (2008): 149–150.



analysis of the restorations in the churches and monasteries in the ʿTur ʿAbdin in the past twenty years, I discussed how important it is for the community to keep their churches and monasteries in good shape. Although the community diminished over the past fifty years, the interest in restoring churches increased. In the same article I discuss the attitudes of the state authorities and how they are perceived by the community. In the sense that the current authorities describe themselves as “positively discriminating the Syrian Orthodox by letting them restore their churches as they like” may echo the attitude in the period that we discussed above.<sup>110</sup>

## Appendix

### *Church Building in the ʿTur ʿAbdin in the Late Seventh-Early Eighth Centuries*

When the churches are mentioned for the first time, their names are printed in bold.

#### List 1. According to Textual Sources and Inscriptions

- 643–664 **Monastery of Mor Awgen** – cells built – text (Sebastian Brock, “Notes on Some Monasteries on Mount Izla,” *Abr-Nahrain* 19 (1980–1981): 13).
- 691 – Ḥāḥ – **Mor Sergis and Bacchus built** – inscription (Jarry, “Inscriptions,” 47). The dating of the inscription is not certain. After 1000, comes a date starting with one of the rectangular letters. Palmer suggested qof (instead of a beth which gives 691) and thus a date of 788/789 (Palmer, “Corpus of Syriac Inscriptions,” B10).
- 698 (shortly before) **Monastery of Mor Theodotos** near Qëllet was built – text (Palmer, *Monk and Mason*, 167) – ruins.
- ca. 700 Monastery of Mor Awgen rebuilt – text (Fiey, *Nisibe*, 135).
- Early eighth century **Monastery of Mor Gabriel** at Qartmin – building of a Portico – inscription (Palmer, “Corpus of Syriac Inscriptions,” C1).
- Before 734 – Ḥabsenus – **Church of Mor Simeon** – text (*Life of Simeon of Olives*).
- 739/740 – Ḥāḥ – **Monastery of Mor Yuḥannan** Theotokos church inscription (Palmer, “Corpus of Syriac Inscriptions,” A2).
- 752/775 – Ṣalah – **Monastery of Mor Yaʿqub** – 8 inscriptions with an approximate date (Palmer, “Corpus of Syriac Inscriptions,” B1–B8), 2 of them record

<sup>110</sup> Elif Keser-Kayaalp, “Preservation of the Architectural Heritage of the Syrian Christians in the ʿTur ʿAbdin: Processes and Varying Approaches,” *TÜBA-KED* 14 (2016): 57–71.

- restoration, 2 others record the financial contribution of the locals to the monastery.
- 761/762 – Arnas – **Church of Mor Quryakos** – templon screen – inscription (dated to ninth century, Palmer, “Corpus of Syriac Inscriptions,” C2).
- 771/772 – Heshterek – **Church of Mor Addai** – church and/or *beth ṣlutho* built – inscription (Palmer, “Corpus of Syriac Inscriptions,” A5).
- 775/790 **Monastery of the Cross in Beth El** – building of a *beth qadishe* – inscription (possible dating, Palmer, “Corpus of Syriac Inscriptions,” B9).
- 778/779 (before) – Keferbe – **Church of Mor Stephen** – inscription (Palmer, “Corpus of Syriac Inscriptions,” A7) – brick work.
- 784/785 Wine press at the monastery of Mor Gabriel at Qartmin – inscription (Palmer, “Corpus of Syriac Inscriptions,” A8).
- 791/792 – Ḥabsenus – **Tower in Mor Loʿozor monastery**- text (*Life of Simeon of Olives*) – inscription (Palmer, “Corpus of Syriac Inscriptions,” A9).
- 793–811 **Dayr al-Zafaran** refounded (Leroy, “L’ état présent,” 490).
- 794/795 or 734/735 Beth Svirina **Church of Mor Dōdhō** – building of the *beth ṣlutho* – inscription (possible dating, Palmer, “Corpus of Syriac Inscriptions,” C3).
- Eighth–ninth centuries Monastery of Mor Gabriel at Qartmin – 8 inscriptions, 2 of them recording building (Palmer, “Corpus of Syriac Inscriptions,” C4–C11).

List 2. Churches with Similar Architectural Decoration in the Apse Archivolt and Apse Cornice.

References in brackets are for illustrations.

- Mor ʿAzozyēl** at Kafarzē (Bell [and Mango], *The Churches and Monasteries*, pls. 161–163).
- Dayr Qub** (Wiessner, *Kultbauten*, 2:47, part 2)
- Yoldat Āloho** at Ḥāḥ (Bell [and Mango], *The Churches and Monasteries*, pls. 137–145).
- Mor Samuel** at Ḥāḥ (Wiessner, *Kultbauten*, 1:14, 114, part 2).
- Mor Quryakos at Arnas (Bell [and Mango], *The Churches and Monasteries*, pls. 99–104).
- Mor Yuḥannon** at Qēllet (Wiessner, *Kultbauten*, 2:85–86, part 2).
- Mor Simeon at Ḥabsenus (Wiessner, *Kultbauten*, 2:138–141, part 2).
- Dayr Habis** (St. Mary Magdalen Church) at Ḥāḥ (Mundell Mango 1982a: fig. 13, Wiessner, *Kultbauten*, 3:43–52, part 2).
- Theotokos Church** at Ḥāḥ (*Yoldat Āloho*, also known as Mor Yohannan and Deyr Sorho) (Bell [and Mango], *The Churches and Monasteries*, pl. 147, Wiessner, *Kultbauten*, 3:55, part 2).

*Beth šlutho* of **Dayr Salib** (Bell [and Mango], *The Churches and Monasteries*, pl. 186).

Church and *Beth šlutho* of **Mor Sōvō at Arbay** (Wiessner, *Kultbauten*, 2:64–65, part 2).

*Beth šlutho* of **Mor Quryakos** at Anhel (Wiessner, *Kultbauten*, 2:165, part 2).

Mor Sergius and Bacchus (not the apse archivolt but two templon screens, especially the one in the altar, Wiessner, *Kultbauten*, 2:52, par t 1).

List 3. Churches and *beth šlutho* with Similar Crosses in Their Apse Conches

*Beth šlutho* of **Church of Mor Dōdhō** (dated 794/795 or 734/735) (Wiessner, *Kultbauten*, 2:124–125, part 2).

Mor ‘Azozoyēl at Kafarzē (Bell [and Mango], *The Churches and Monasteries*, pl. 161).

*Beth šlutho* of Mor ‘Azozoyēl at Kafarzē.

Mor Quryaqos at ‘Arndas (Bell [and Mango], *The Churches and Monasteries*, pl. 101).

*Yoldat Āloho* at Ḥāḥ.

Adjacent chapel at Mor Yuḥannon at Qēllet.

Mor Simeon at Habsenus.

*Beth šlutho* of **Mor Sōvō at Ḥāḥ**. The church itself also has a fragment of an earlier, more simple cross (Bell [and Mango], *The Churches and Monasteries*, pls. 121 and 126).

*Beth šlutho* of Deyr Saliba (fragments of the cross incorporated to the arch, Wiessner, *Kultbauten*, 1:66, part 2).

List 4. Churches with Similar Brick Work, with Half-Cylinder Roof Tiles (*Imbrices*) and Diagonally Placed Bricks (Herringbone) on the Surface

Mor Ya‘qub at Šālah (752/755) (Bell [and Mango], *The Churches and Monasteries*, pl. 244).

Mor ‘Azozoyēl at Kafarzē (Bell [and Mango], *The Churches and Monasteries*, pl. 164).

Room to the south of the apse, Mor Quryaqos at ‘Arndas.

Narthex of *Yoldat Āloho* at Ḥāḥ.

Transverse chapel next to Mor Yuḥannon at Qēllet.

Mor Simeon at Habsenus (the part towards the apse).

Dome of Egyptians at Monastery of Mor Gabriel at Qartmin.

## List 5. Bricks in the Piers

- Mor Sōvō at Ḥāḥ (arches and alternating courses in the piers) (Bell [and Mango], *The Churches and Monasteries*, pl. 120).
- Mor Yuḥannon at Qēllet (arches on the south wall and alternating courses in the piers) Figure 5.3 of this article.
- Mor Stephen at Kfarbe (arches on the piers. piers and vaults are plastered, they also might have bricks) (Hans Hollerweger, *Turabdin: Living Cultural Heritage: Where Jesus' Language is Spoken* (Linz: Friends of Tur Abdin, 1999): 246, Wiessner, *Kultbauten*, 2:114, part 2).
- Mor Philoxenus** at Midyat (Bell [and Mango], *The Churches and Monasteries*, pl. 175).

## List 6. Church Building or Rebuilding Recorded in Wider Northern Mesopotamia

(This list is based on Marlia Mango's list in Bell [and Mango], *The Churches and Monasteries*, 162–163.)

- 678/679 Caliph Muʿāwiya rebuilt the dome of the cathedral of Edessa which had been destroyed by the great earthquake of 678/679 (*Chronicle of 1234*, I, pp. 288/224; *Chronicle of Michael the Syrian*, xi.xiii).
- 699 – Harran – Syrian Orthodox church built.
- ca. 700 Athanasius bar Gurmaye, built the church of the Mother of God in Edessa. He also built a baptistery in the same city (Dionysius, 132 and 133).
- 707–709 – Nisibis – 5 Syrian Orthodox churches and monasteries and a hostel was built (*Life of Simeon of the Olives*).
- 713–758 – Nisibis – The baptistery has been converted to a church dedicated to Mor Yaʿqub by rebuilding the northern part.
- 748 – Büyük Keşişlik monastery was built
- ca. 750 – Amida – St. Thomas church restored
- ca. 750 Monastery founded above Tell-Beshmai
- 752 Bishop Athanasius Sandalaya, built a “magnificent church” in Martyropolis.
- 766/767 Üç Kilise near Edessa was built.
- 768–769 The people of Amida “executed a major and splendid renovation of their great church which had been built by the God-fearing emperor and believer Heraclius” (*Chronicle of Zuqin*, 259).

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## Les aménagements agricoles dans les Marges arides de Syrie du Nord (5<sup>e</sup>–10<sup>e</sup> siècles)

*Des témoins des modalités d'appropriation et d'exploitation des campagnes*

*Marion Rivoal et Marie-Odile Rousset*

La plus grande partie de la région étudiée ici se situe à l'est d'une ligne Damas-Alep, dans la province de Hama, et correspond à une zone désormais connue en Syrie sous le nom de « Marges arides du Croissant fertile » ou encore « Marges arides de la Syrie du Nord »<sup>1</sup>. Elle correspond au territoire de la cité de Chalcis du Bélus, fortement hellénisée, devenue Qinnasrin à l'époque islamique<sup>2</sup>. Les résultats présentés ici sont issus d'enquêtes de terrain sur une zone pour laquelle nous ne disposons pas de textes mais seulement de quelques études épigraphiques. Seuls de très rares sites ont été fouillés et les autres vestiges archéologiques n'ont été envisagés que sous l'angle de la prospection. Cependant, leur état de conservation exceptionnel en fait une source matérielle incontournable pour l'analyse de la politique économique agricole en Syrie du Nord entre le 5<sup>e</sup> et le 10<sup>e</sup> siècle. Les vestiges agraires (épierrements, parcellaires, enclos), les grands ouvrages hydrauliques pour l'irrigation et l'alimentation en eau des hommes et des animaux d'élevage témoignent

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- 1 Voir par exemple Bernard Geyer, éd., *Conquête de la steppe et appropriation des terres sur les marges du Croissant fertile* (Lyon: Maison de l'Orient et de la Méditerranée, 2001); Ronald Jaubert et Bernard Geyer, eds, *Les marges arides du Croissant fertile: peuplements, exploitation et contrôle des ressources en Syrie du Nord* (Lyon: Maison de l'Orient et de la Méditerranée, 2006); Pierre-Louis Gatier, Bernard Geyer et Marie-Odile Rousset, eds, *Entre nomades et sédentaires: prospections en Syrie du Nord et en Jordanie du Sud* (Lyon: Maison de l'Orient et de la Méditerranée, 2010) et Marie-Odile Rousset, Bernard Geyer, Pierre-Louis Gatier et Nazir Awad, *Habitat et environnement: prospections dans les marges arides de la Syrie du Nord, Conquête de la steppe* (Lyon: Maison de l'Orient et de la Méditerranée, 2016), 9–17 pour l'ensemble de la bibliographie sur la région.
  - 2 Pierre-Louis Gatier, « « Grande » ou « petite Syrie Seconde » ? Pour une géographie historique de la Syrie intérieure protobyzantine, » dans *Conquête de la steppe et appropriation des terres sur les marges du croissant fertile*, éd. Bernard Geyer (Lyon: Maison de l'Orient et de la Méditerranée, 2001), 105. Sur les recherches archéologiques récentes conduites sur ce site, voir Marie-Odile Rousset, « De Chalcis à Qinnasrin, » dans *Topoi: villes et campagnes aux rives de la Méditerranée ancienne: hommages à Georges Tate*, eds. Gérard Charpentier et Vincent Puech, Supplément 12 (2013), 311–340.

d'une prise en compte de l'ensemble des potentiels agricoles et d'une organisation territoriale centralisée.

Pour les besoins de cet article, nous avons choisi d'étendre la zone prise en considération à l'ensemble des trois plateaux basaltiques – les Jabal al-'Alā, al-Ḥaṣ et Shbayṭ – qui bordent, au nord et à l'ouest, la steppe aride. Chacun d'entre eux fournit en effet des indications importantes sur les modes de gestion de ces campagnes pendant l'Antiquité tardive<sup>3</sup>.

La région dans son ensemble, avec une dotation pluviométrique modique (entre 150 mm et 400 mm de précipitations moyennes annuelles) et très variable d'une année à l'autre<sup>4</sup>, est par définition une zone de marge. Les stratégies de mise en valeur, quelles qu'elles soient (culture, élevage, association des deux), y sont nécessairement soumises à l'aléatoire<sup>5</sup>. Les Marges

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- 3 À la zone prospectée au cours du programme « Marges arides » s'ajoutent ainsi l'ensemble du Jabal al-'Alā, pour lequel on possède des données bibliographiques importantes (Jean Lassus, *Inventaire archéologique de la région au nord-est de Hama*, 2 vols. (Damas: Institut français et Paris: Leroux, 1935–1936); Howard Crosby Butler, *Syria, Publications of the Princeton University Archaeological Expeditions to Syria in 1904–1905 and 1909*, vol. 2, *Architecture, Section B, Northern Syria* (Leyde: Brill, 1920)), ainsi que le Jabal al-Ḥaṣ et le Jabal Shbayṭ, pour lesquels la bibliographie, ancienne ou relativement ancienne (Howard Crosby Butler, *Syria: Publications of an American Archaeological Expedition to Syria in 1899–1900*, vol. 2, *Architecture and Other Arts* (New York: the Century Company, 1903); René Mouterde et Antoine Poidebard, *Le Limes de Chalcis: organisation de la steppe en Haute-Syrie romaine*, 2 vols. (Paris: Geuthner, 1945); Heinz Gaube, "Die syrischen Wüstenschlösser: einige wirtschaftliche und politische Gesichtspunkte zu ihrer Entstehung," *Zeitschrift des Deutschen Palästina-Vereins* 95 (1979): 195–209; Claus-Peter Haase, "Ein archäologischer Survey im Gabal Sbet und im Gabal al-Ahass," *Damaszener Mitteilungen* 1 (1983): 69–76), a pu être complétée ces dernières années par des prospections (Jean-Baptiste Rigot, "Environnement naturel et occupation du sol dans le bassin-versant du lac Jabbûl (Syrie du Nord) à l'Holocène" (PhD diss., Université Lumière-Lyon 2, 2003); Marion Rivoal, "Le peuplement byzantin et la mise en valeur de la Syrie centrale: l'exemple des plateaux basaltiques (Jebel al-'Ala, Jebel Hass et Jebel Shbayṭ)," dans *Regards croisés sur l'étude archéologique des paysages anciens: nouvelles recherches dans le Bassin méditerranéen, en Asie centrale et au Proche et Moyen-Orient*, éd. Hala Alarashi et al. (Lyon: Maison de l'Orient et de la Méditerranée, 2010), 79–92; Marion Rivoal, "Le peuplement byzantin des massifs basaltiques de la Syrie centrale: modalités d'occupation du sol et stratégies de mise en valeur," dans *Entre nomades et sédentaires. Prospections en Syrie du Nord et en Jordanie du Sud*, éd. Pierre-Louis Gatier, Bernard Geyer et Marie-Odile Rousset (Lyon: Maison de l'Orient et de la Méditerranée, 2010), 209–240; Marion Rivoal, "Entre steppe et plateaux basaltiques: l'occupation de la Syrie centrale à la période byzantine," *Syria* 88 (2011)).
- 4 Voir Myriam Traboulsi, "Les précipitations dans les Marges arides de la Syrie du Nord," dans *Entre nomades et sédentaires. Prospections en Syrie du Nord et en Jordanie du Sud*, éd. Pierre-Louis Gatier, Bernard Geyer et Marie-Odile Rousset (Lyon: Maison de l'Orient et de la Méditerranée, 2010), 73–108.
- 5 Sur cette "culture de l'aléatoire," voir Jean Métral, "Économie et sociétés: stratégies alterna-

arides de la Syrie du Nord rassemblent des milieux contrastés, souvent profondément imbriqués<sup>6</sup>, où se côtoient traditionnellement des populations de cultivateurs-éleveurs sédentaires et de pasteurs nomades ou semi-nomades. Aussi, lorsqu'on évoque une « ruée vers l'est », un processus de conquête ou encore une tentative d'appropriation des territoires situés à l'est de l'axe Hama-Alep, choisit-on implicitement le point de vue des sédentaires. Les zones à l'est de l'isohyète des 200 mm – seuil théorique de l'agriculture pluviale –, majoritairement délaissées par les sédentaires, hormis au cours de l'âge du Bronze<sup>7</sup>, constituaient les terrains de parcours des pasteurs nomades, dans l'Antiquité comme jusqu'au milieu du 19<sup>e</sup> siècle (*bādiya*), période durant laquelle commence le repeuplement contemporain de ces régions. Du 5<sup>e</sup> au 7<sup>e</sup> siècle de notre ère, ces zones de pâture paraissent cependant en grande partie – sinon en totalité – avoir été acquises aux sédentaires. C'est ce qu'indiquent le semis serré des sites de ces périodes et la densité des aménagements hydro-agricoles qui les accompagnent. Ces installations, avec leurs spécificités, renvoient à un système de mise en valeur fondé sur les potentiels agronomiques des différents milieux<sup>8</sup>, particulièrement à la fin de la période byzantine. Les productions régionales, diversifiées, sont manifestement intégrées dans des réseaux d'échanges régionaux voire extra-régionaux<sup>9</sup>. Ce phénomène semble s'intensifier aux 7<sup>e</sup>–8<sup>e</sup> siècles puisque, malgré la diminution du nombre des sites à cette époque, les monnaies omeyyades retrouvées en prospection sont proportionnellement beaucoup plus nombreuses que les monnaies byzantines<sup>10</sup>.

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tives et cultures de l'aléatoire," dans *Steppes d'Arabie: états, pasteurs, agriculteurs et commerçants: le devenir des zones sèches*, éd. Riccardo Bocco, Ronald Jaubert et Françoise Métral (Paris: Presses universitaires de France et Genève: Cahiers de l'I.U.E.D.), 385–386.

- 6 Jacques Besançon et Bernard Geyer, "Contraintes écogéographiques et modes d'occupation du sol," dans *Les marges arides du croissant fertile: peuplements, exploitation et contrôle des ressources en Syrie du Nord*, éd. Ronald Jaubert et Bernard Geyer (Lyon: Maison de l'Orient et de la Méditerranée, 2006), 11–53.
- 7 Bernard Geyer, Jacques Besançon et Marie-Odile Rousset, "Les peuplements anciens," dans *Les marges arides du croissant fertile*, éd. Ronald Jaubert et Bernard Geyer (Lyon: Maison de l'Orient et de la Méditerranée, 2006), 55–60.
- 8 Ronald Jaubert et al., éd., *Land Use and Vegetation Cover in the Semi-arid and Arid Areas of Aleppo and Hama Provinces (Syria)* (Lyon: Maison de l'Orient et de la Méditerranée, 1999).
- 9 Rivoal, "Le peuplement byzantin des massifs basaltiques," 230–233; Rivoal, "Entre steppe et plateaux basaltiques," 161–163.
- 10 Olivier Callot, "Monnaies trouvées dans les Marges arides (Syrie)," dans *Entre nomades et sédentaires: prospections en Syrie du Nord et en Jordanie du Sud*, éd. Pierre-Louis Gatier, Bernard Geyer et Marie-Odile Rousset (Lyon: Maison de l'Orient et de la Méditerranée, 2010), 271–288. Par comparaison avec ce qui a été observé ailleurs en Méditerranée

Les vestiges matériels qu'ont laissés ces économies traduisent simultanément une forme de revendication du territoire et l'usage qui est fait par la suite de ce terroir, c'est-à-dire ses modalités d'exploitation. Les limites des champs, les aménagements destinés à assurer les rendements des cultures les plus fragiles et/ou les plus rentables ou bien à les augmenter de manière significative témoignent de formes d'appropriation et de contrôle des campagnes par les cultivateurs sédentaires qui évoluent entre le 5<sup>e</sup> et le 10<sup>e</sup> siècle. Il est possible aujourd'hui de suivre certaines des adaptations que subissent les installations hydro-agricoles, même si l'on manque encore d'éléments indispensables – notamment chronologiques – pour étayer nos discours. Ces évolutions, qui traduisent des changements dans les stratégies économiques adoptées par les populations, apportent indirectement des indications sur les modalités d'appropriation et de gestion des campagnes.

## 1 Les vestiges agraires : des témoins de l'appropriation des campagnes

Dans l'Antiquité, sur des terres jusque-là principalement exploitées pour leurs ressources pastorales, la mainmise des populations d'agriculteurs sédentaires s'est traduite par des aménagements agricoles de nature et de fonctions variées<sup>11</sup>. Seuls quelques exemples, parmi les étapes plus représentatives et les plus éclairantes de ce processus de formation des terroirs, seront abordés ici.

Les aléas de la conservation des vestiges agraires – et une pierrosité des sols plus élevée qu'ailleurs qui a favorisé, dans ces secteurs, leur fossilisation – nous conduisent à privilégier, pour ces exemples, les plateaux basaltiques de l'ouest et du nord de la région (figure 6.1).

La zone de steppe qui s'étire entre ces *mesas* et le bastion montagneux nord-palmyrénien (Jabal Bal'as), au sud et à l'est, n'est pas dépourvue d'aménage-

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orientale, on pouvait s'attendre à une quantité de monnaies byzantines beaucoup plus importante que celle effectivement retrouvée. Mais ces résultats sont peut-être dus aux aléas de la prospection. Le petit nombre de monnaies de l'époque abbasside (trois, au maximum) est le reflet de la forte baisse du monnayage mise en évidence ailleurs en Syrie. Voir également Cécile Morisson, "Le monnayage omeyyade et l'histoire administrative et économique de la Syrie," dans *La Syrie de Byzance à l'Islam VII<sup>e</sup>-VIII<sup>e</sup> siècles: Actes du Colloque International, Lyon-Paris, 11-15 septembre 1990*, éd. Pierre Canivet et Jean-Paul Rey-Coquais (Damas: Institut Français d'Études Arabes de Damas, 1992), 309–318.

11 L'"agriculture" est ici prise dans son sens le plus large, qui rassemble les activités de culture et d'élevage.

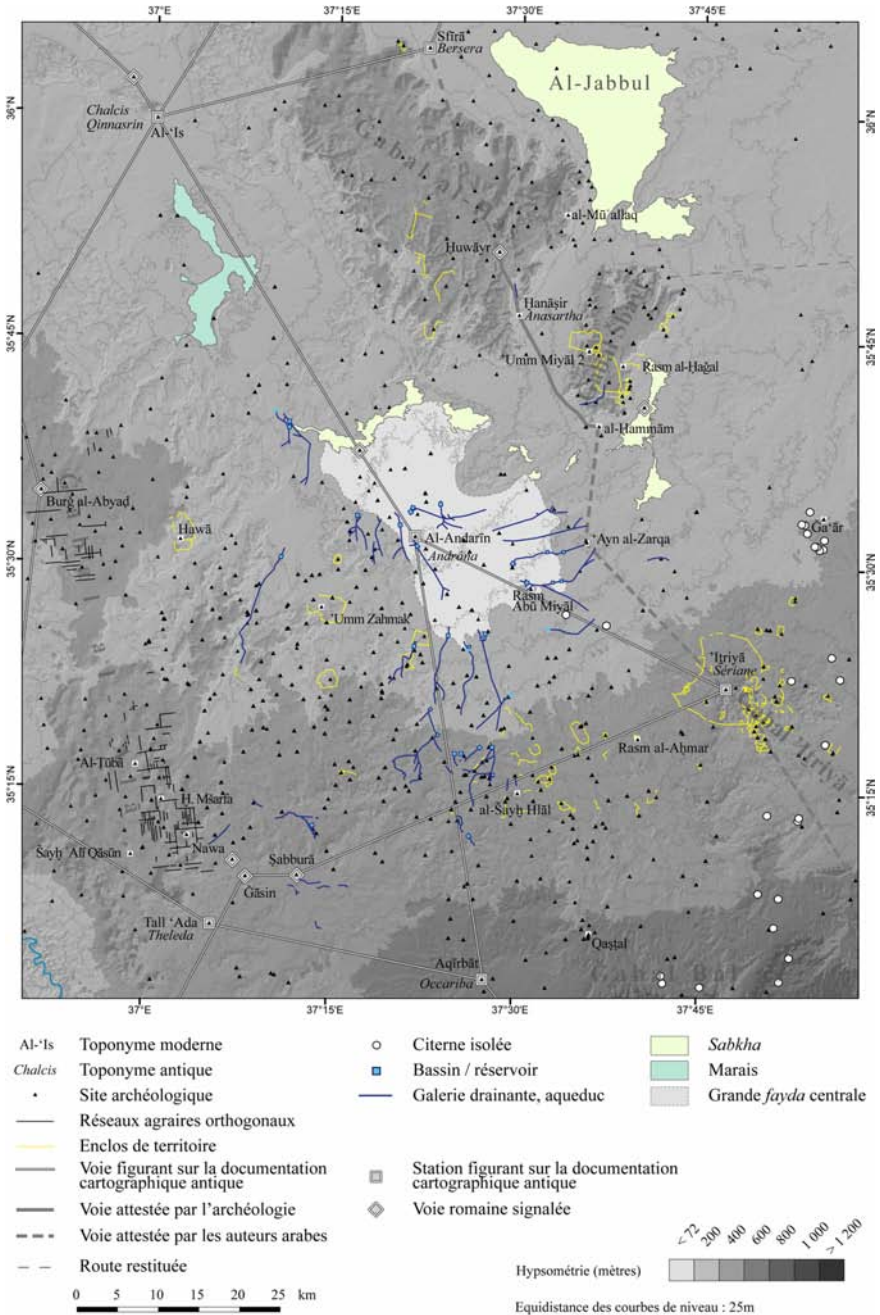


FIGURE 6.1 Carte générale de la région des Marges arides et des massifs basaltiques  
 MARION RIVOAL, MARIE-ODILE ROUSSET, OLIVIER BARGE ©MISSION  
 MARGES ARIDES 2011

ments agricoles – nous les évoquerons –, mais les efforts des populations d’agriculteurs pour constituer et organiser un terroir n’apparaissent nulle part plus clairement que dans les secteurs basaltiques<sup>12</sup>.

### 1.1 *L'épierrement*

Dans le contexte particulier des plateaux basaltiques (Jabal al-‘Alā, Jabal al-Ḥaṣ et Jabal Shbayt)<sup>13</sup> (figure 6.1), la culture imposait en général au préalable un épierrement soigneux<sup>14</sup>. Cette opération, à l’origine de la formation et de la fossilisation du terroir – quoique, on le verra, certains parcellaires ont subi de profondes modifications en raison de changements de stratégies agricoles –, s’inscrit dans la longue durée<sup>15</sup>. L’épierrement n’est en effet qu’une étape d’un processus qui vise à faciliter la culture et, à long terme, avec d’autres techniques, à rendre la terre plus productive.

Les vestiges des épierrements successifs se présentent, d’une part, sous la forme de pierriers et, d’autre part, sous celle d’un parcellaire constitué de murets ou de murs de pierre sèche (figures 6.2 et 6.3).

12 Il faut cependant souligner que certains des parcellaires antiques du Jabal al-‘Alā ont pu subir des modifications au cours du temps : d’abord à l’époque ayyoubide, au cours de laquelle une partie des habitations des villages antiques a été réoccupés, ensuite plus récemment, au cours du repeuplement moderne de ces régions (18<sup>e</sup>–19<sup>e</sup> siècles). De nos jours, les remaniements au bulldozer tendent à faire disparaître le parcellaire antique des secteurs basaltiques. Sur la diversité des murs, voir Bernard Geyer, Nazir Awad et Jacques Besançon, “Murs, murets et enclos : l’usage de la pierre dans la mise en valeur des steppes arides de Syrie du Nord,” dans *De l’île d’Aphrodite au Paradis perdu, itinéraire d’un gentilhomme lyonnais : en hommage à Yves Calvet*, éd. Bernard Geyer, Valérie Matoïan et Michel Al-Maqqdissi, Ras Shamra-Ougarit XXII (Louvain : Peeters, 2015), 275–298.

13 Ces *mesas* sont des terres à blé réputées (Abdul-Rahman Hamidé, *La région d’Alep : étude de géographie rurale* (Paris : Imprimerie de l’Université, 1959), 131, 135). Vraisemblablement en raison de ce potentiel agricole élevé, elles semblent avoir été les premières terres mises en valeur dans l’Antiquité dans les Marges arides de la Syrie du Nord. C’est en effet sur le plateau du Jabal al-‘Alā que l’on trouve les inscriptions les plus anciennes de la région (Louis Jalabert, René Mouterde et Claude Mondésert, *Inscriptions grecques et latines de la Syrie*, vol. 4, *Laodicée, Apamène* (Paris : Geuthner, 1955), nos. 1871–1872 et 1928). Elles datent au plus tôt du milieu du 2<sup>e</sup> siècle.

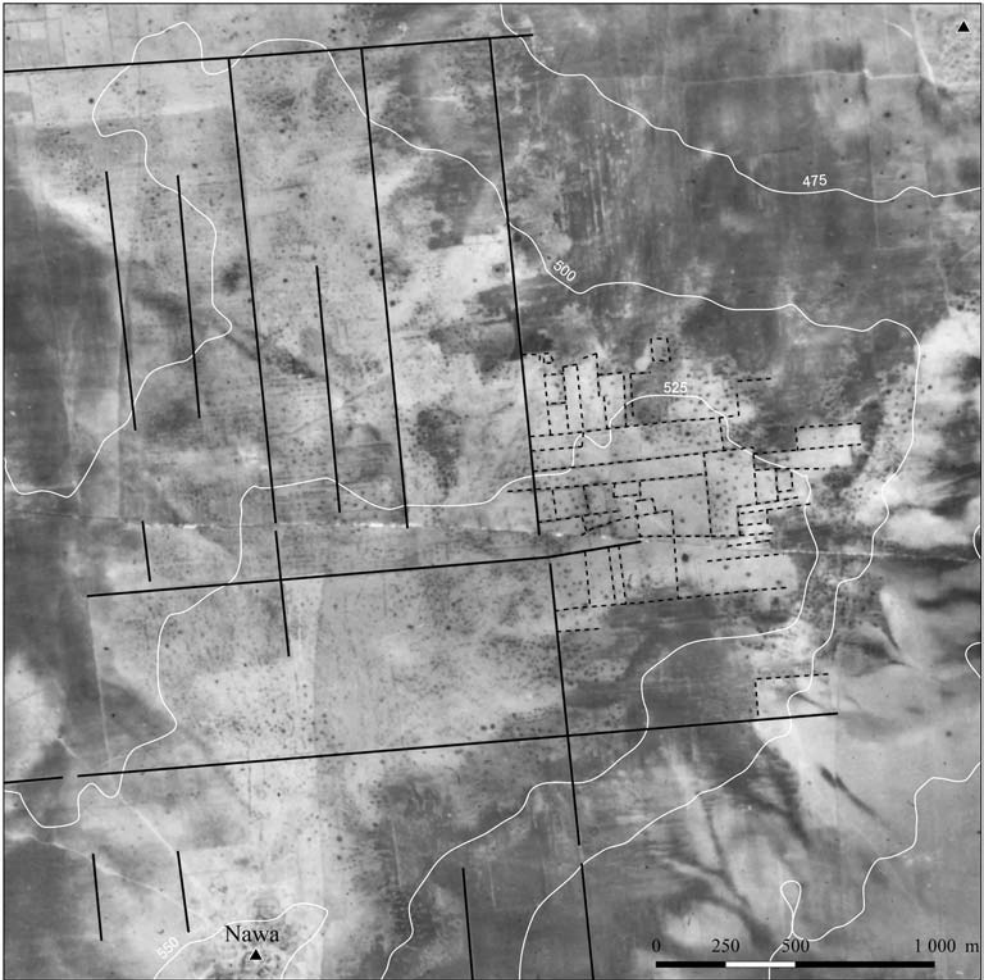
14 Les secteurs basaltiques ne sont vraisemblablement pas les seuls terroirs qui ont été épierrés, mais en raison de leur pierrosité élevée, les vestiges de ces opérations y sont le mieux conservés.

15 Le parcellaire antique des plateaux basaltiques tel qu’il nous apparaît aujourd’hui – ou plutôt tel qu’il apparaît sur les photographies aériennes des années 1960 – est le produit d’épierrements successifs.



▲ Site de Samaqiyya al-Šamāliyya (probablement byzantin) Photographie aérienne de 1958.  
 — Réseau agraire orthogonal Equidistance des courbes de niveau : 25 m.

FIGURE 6.2 Le parcellaire laniéré dans la région de Samaqiyya al-Šamāliyya  
 MARION RIVOAL ©MISSION MARGES ARIDES 2011



- ▲ Site byzantin
- Réseau agraire orthogonal
- - - - Enclos, parcellaire

Photographie aérienne de 1958.

Equidistance des courbes de niveau : 25 m.

FIGURE 6.3 Réseau agraire orthogonal et parcellaire au nord-ouest de Nawa

MARION RIVOAL ©MISSION MARGES ARIDES 2011



Les pierriers sont, en apparence, de simples empilements de pierres et de blocs<sup>16</sup>, plus ou moins hauts et étendus, souvent approximativement circulaires. Ils sont fréquemment répartis de manière irrégulière à la surface de la parcelle. Leur nombre varie d'un champ à l'autre et il arrive que le produit de l'épierrement d'une même parcelle soit rassemblé en une seule pile fruste de forme allongée, au beau milieu de la surface à cultiver<sup>17</sup>. Les pierriers ne sont pas liés à une forme déterminée du parcellaire, car on les retrouve dans les champs en lanière comme dans les enclos de culture, rectangulaires ou polygonaux, qu'on observe sur le sommet des plateaux et sur leurs versants. La multiplication des pierriers conduit à une réduction parfois importante de la surface cultivable, mais ce constat vaut essentiellement pour les versants des plateaux, dont les sols sont les plus pierreux, et secondairement pour leurs surfaces. Les piémonts et les vallées des *mesas* ne sont pas exempts de pierres et de blocs de basalte – charriés notamment par les crues des oueds –, ce qui explique que le parcellaire antique soit aussi conservé dans ces zones. En revanche, les pierriers en sont le plus souvent absents, ce qui tendrait à prouver que les exploitants tenaient, sur ces terroirs au potentiel agricole très élevé, à profiter de toute la surface arable. Ce souci s'est notamment traduit par l'aménagement de jardins dans les fonds de vallée<sup>18</sup>. Dans ces secteurs, le produit de l'épierrement a bien servi à la construction des murets qui séparent les différents lopins, mais il est probable que les pierres excédentaires ont été évacuées en dehors des zones de jardins.

### 1.2 *La trame du parcellaire : les réseaux agraires orthogonaux*

L'épierrement et la mise en valeur du terroir fertile que constitue le Jabal al-'Alā paraissent s'être déroulés dans un cadre organisé. Des alignements réguliers de murets dessinent en effet, sur le sommet de la *mesa*, une trame orthogonale dans laquelle le parcellaire – en particulier, le parcellaire laniéré – s'insère parfaitement (figures 6.2 et 6.3). Ces réseaux sont particulièrement lisibles, sur les photographies aériennes des années 1960, dans le quart sud-est du plateau<sup>19</sup>. L'imagerie satellitaire, quant à elle, permet d'observer dans le quart nord-ouest

16 Pierre Gentelle a cependant mis en évidence, dans les environs de Si', la structure interne organisée des pierriers de cette partie du Hauran (Pierre Gentelle, "Éléments pour une histoire des paysages et du peuplement du Djebel Hauran septentrional, en Syrie du Sud," dans *Hauran 1: Recherches archéologiques sur la Syrie du Sud à l'époque hellénistique et romaine*, éd. Jean-Marie Dentzer (Paris: Geuthner, 1985), 1:35).

17 Ce type de pierrier peut par exemple être observé sur certains versants du Jabal Shbayt.

18 Voir *infra*.

19 Dans cette zone du Jabal al-'Alā, les alignements couvrent une surface de 18 km du nord au sud et de 10 km environ d'ouest en est.

du plateau ce qui pourrait être le prolongement de la trame identifiée au sud (figure 6.1).<sup>20</sup> Si l'orientation générale de ces alignements paraît cohérente<sup>21</sup>, seules des études approfondies confrontant l'observation des photographies aériennes et de l'imagerie satellitaire avec des observations et des vérifications de terrain<sup>22</sup> permettront de définir si ces réseaux orthogonaux relèvent d'une seule et même opération d'organisation du territoire.

À l'heure actuelle, et avec les connaissances qui sont les nôtres, les réseaux agraires suscitent plus d'interrogations sur l'organisation du territoire qu'ils n'apportent de réponses. Leur datation mais aussi leur(s) rôle(s) éventuel(s) dans l'organisation et le contrôle de ce territoire posent question. Cette trame orthogonale traduit-elle une opération d'assignation des terres ordonnée par l'administration impériale? Si oui, précède-t-elle l'occupation du plateau ou reconnaît-elle de fait un partage du territoire déjà effectif entre les différents sites (habitat isolé et/ou groupé?) installés sur le sommet du plateau? S'il s'agit d'une assignation de terres, conserve-t-elle une quelconque valeur fiscale aux 5<sup>e</sup> et 6<sup>e</sup> siècles, au moment où les Marges arides de Syrie du Nord connaissent leur principal essor économique et démographique<sup>23</sup>? Il est bien difficile de saisir la manière dont s'organise la distribution des sites byzantins (habitat et finage) dans ce cadre. Sur les photographies aériennes des années 1960 en effet, les vestiges des murets de délimitation s'estompent aux abords des agglomérations antiques.

20 On peut suivre ces alignements, à cheval sur la partie nord du plateau et le piémont du chaînon calcaire situé à l'ouest (Jabal Zawiya), sur une vingtaine de kilomètres du nord au sud et 12 km environ d'ouest en est.

21 L'orientation générale est de 6 à 7° ouest pour les trames identifiées au nord et au sud du plateau. L'intervalle entre les axes nord-sud, dans le quart sud-est du plateau, est en moyenne de 240 à 280 m et celui entre les axes est-ouest, de 570 à 620 m environ. Dans le quart nord-ouest, la distance entre les premiers est de 400 à 450 m et de 430 à 470 m approximativement entre les seconds. Aucun espace de circulation (*limites*) n'a encore été reconnu, mais cela ne signifie pas qu'il n'en existait pas. La définition des photographies aériennes anciennes et l'état de conservation actuel de ces alignements ne permettent pas d'approfondir cette question. Dans ce contexte, il est bien difficile de déterminer la nature ou les fonctions de ces réseaux orthogonaux.

22 Les photographies aériennes et l'imagerie satellitaire permettent un relevé relativement précis de ces alignements, mais cette documentation engendre des déformations et des distorsions que seules les observations de terrain sont en mesure de corriger.

23 Rivoal, "Le peuplement byzantin des massifs basaltiques," 233–236. Bernard Geyer et Marie-Odile Rousset, "Les steppes arides de la Syrie du Nord à l'époque byzantine ou la «ruée vers l'est»,» dans *Conquête de la steppe et appropriation des terres sur les marges du croissant fertile*, éd. Bernard Geyer (Lyon: Maison de l'Orient et de la Méditerranée, 2001), 115–118.

Dans le quart nord-ouest du Jabal al-‘Alā, la présence du village byzantin de Hawā et son association avec un enclos de territoire (figure 6.1)<sup>24</sup> pourraient indiquer l’existence de deux types d’organisation du territoire sur ce plateau. Au réseau agraire orthogonal identifié au nord-ouest et au sud-est succéderait, sur la frange orientale du plateau, au nord, une forme plus spontanée d’appropriation des terres : l’enclos de territoire. Malheureusement, l’absence d’alignements orthogonaux conservés dans le quart nord-est du Jabal al-‘Alā ne permet pas d’étudier les relations chronologiques qu’entretiennent dans cette zone ces deux types d’aménagements. Les enclos de territoire sont cependant probablement postérieurs aux réseaux orthogonaux. Si les alignements qu’on observe sur une grande partie de la surface du plateau correspondent à une forme d’assignation des terres et si les enclos de territoire – comme on le verra – relèvent bien d’une forme d’appropriation du terroir plutôt représentative de la période byzantine, on peut douter que la trame orthogonale du Jabal al-‘Alā ait conservé aux 5<sup>e</sup> et 6<sup>e</sup> siècles les rôles administratifs qui pouvaient être les siens à l’origine. Mais l’absence d’enclos de territoire repéré à ce jour sur le Jabal al-‘Alā, exception faite de celui de Hawā, pourrait laisser penser que, sur le reste du plateau, les limites des finages villageois restaient calquées sur les réseaux agraires orthogonaux.

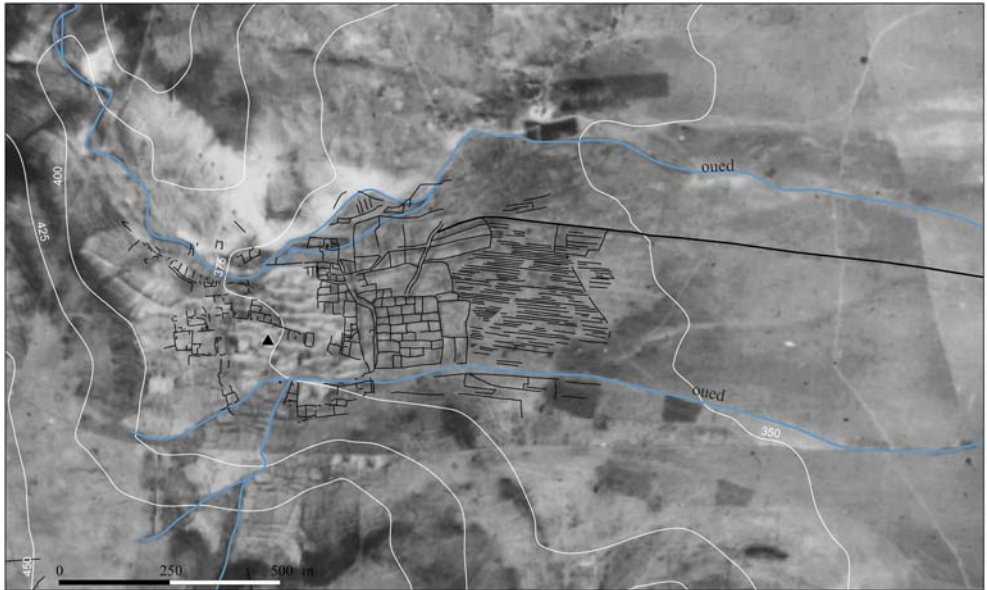
### 1.3 *Les formes du parcellaire*

Le parcellaire traduit la volonté d’organiser l’espace agraire, non pas à l’échelle régionale, comme on peut le supposer pour les réseaux orthogonaux, mais à celle d’une agglomération. Le parcellaire définit, au sein d’un territoire communautaire, les surfaces cultivables par chaque exploitant et façonne le finage en fonction des cultures pratiquées.

Les plateaux basaltiques de la région portent les vestiges d’un parcellaire diversifié, qui a manifestement été conçu pour accueillir des cultures différentes. Ces aménagements reflètent des orientations économiques complexes, dont certaines paraissent avoir évolué au cours du temps – bien qu’il soit impossible de dater précisément ces modifications.

Plusieurs types de parcelles et d’enclos peuvent être reconnus sur et autour des trois plateaux basaltiques : des champs en lanière, des terrasses de culture, des jardins et, enfin, des enclos de forme et de destination variable en fonction de leur localisation.

24 Rivoal, “Le peuplement byzantin des massifs basaltiques,” 225, fig. 10. Ces enclos sont particulièrement fréquents dans le Jabal al-Ḥaṣ, le Jabal Shbayṭ et dans la steppe, à l’est du Jabal al-‘Alā. Le village de Hawā est l’exemple le plus occidental que nous connaissons. Sur la notion d’enclos de territoire, voir *infra*.



- ▲ Site byzantin de Rasm al-Hajal
- Enclos de territoire
- Enclos de culture, parcellaire laniéré, jardins

Photographie aérienne de 1958.

Equidistance des courbes de niveau : 25 m.

FIGURE 6.4 Mise en valeur autour du village de Rasm al-Hajal

MARION RIVOAL ©MISSION MARGES ARIDES 2011

Les champs en lanière sont la forme la plus courante du parcellaire. On les observe sur chacun des sommets des plateaux mais aussi dans certaines vallées du Jabal al-‘Alā et sur les bas de versant, dans le sens de la pente, et au débouché de certaines vallées du Jabal Shbayṭ sur le piémont, comme à l’est de Rasm al-Hajal (figure 6.4).

Ces parcelles très allongées<sup>25</sup>, comparables à celles que l’on connaissait dans l’économie traditionnelle syrienne<sup>26</sup> avant les opérations de remembrement

25 340×40m pour des parcelles antiques d’orientation approximativement est-ouest au nord d’al-Ṭubā, dans la moitié sud du Jabal al-‘Alā ou encore 600×20m pour des parcelles d’orientation méridienne dans le même secteur. Sur le sommet du Jabal al-Ḥaṣ, on observe même par endroits, sur les images satellitaires Google Earth, des champs de moins d’une dizaine de mètres de large pour une longueur de plusieurs centaines de mètres.

26 André Latron évoque notamment le cas du terroir du village moderne de Sfirā, dont certaines parcelles mesuraient 3 500m de long pour quelques sillons de large seulement (André Latron, *La vie rurale en Syrie et au Liban : étude d’économie sociale* (Beirut: Imprimerie catholique, 1936), 183 et pl. 2).

des années 1930 et adaptées aux labours pratiqués à l'araire, sont destinées à la culture d'annuelles et plus spécialement à celle des céréales de plein champ<sup>27</sup>.

Se substituant aux champs en lanière sur les versants les plus raides – c'est-à-dire ceux soumis au ravinement, soit la quasi-totalité des pentes des plateaux basaltiques du nord<sup>28</sup> –, des terrasses de culture semblent refléter le second pan d'une agriculture principalement bipolaire, du moins dans ce secteur. Ce type d'aménagement renvoie en effet à une pratique intensive de l'arboriculture<sup>29</sup>. Dans le cas qui nous occupe, les éléments de pressoirs qu'ont livrés les prospections du Jabal al-Ḥaṣ et du Jabal Shbayṭ<sup>30</sup> attestent la culture de l'olivier et l'on peut supposer que celle de la vigne s'y ajoutait.

À proximité de certains villages, une autre forme de mise en valeur a été repérée : des jardins<sup>31</sup>. Le potentiel agricole élevé des fonds de vallée, leur étendue restreinte, les possibilités d'irrigation qu'offraient la proximité des oueds et la présence d'une nappe de sous-écoulement, alimentée une bonne partie de l'année sinon toute l'année, ont conduit les villageois à délimiter soigneusement des surfaces de culture beaucoup plus modestes que les autres. Localisées au plus près des villages, ces parcelles présentent une forme régulière, carrée ou rectangulaire, de 20 à 40 m de long à 20 à 30 m de large. Il est probable qu'elles recevaient des cultures particulièrement exigeantes en soin et en eau,

27 Jacques Weulersse, *Paysans de Syrie et du Proche-Orient* (Paris: Gallimard, 1946), 99. Si cette forme de parcelle exclut l'arboriculture, pour des raisons pratiques, la culture de la vigne, elle, reste possible (Latron, *La vie rurale*, 195).

28 Seule la retombée du plateau du Jabal al-'Alā vers les collines de l'est est souvent assez progressive pour rendre superflue la construction de terrasses.

29 Le complantage n'est pas exclu, mais l'effort considérable que requiert la construction de terrasses de culture ne se justifie guère, dans ce milieu, dans le cadre d'une céréaliculture (Philippe Blanchemanche, *Bâtisseurs de paysages : terrassement, épierrement et petite hydraulique agricole en Europe, XVII<sup>e</sup>-XIX<sup>e</sup> siècles* (Paris: Maison des Sciences de l'Homme, 1990), 135-137).

30 L'architecture en brique crue, caractéristique de ces deux plateaux – l'utilisation du basalte dans la construction est plus importante dans le Jabal al-'Alā, même si la brique crue est loin d'en être absente –, ne permet pas de reconnaître par la prospection de surface la nature des édifices en ruines, contrairement au Massif calcaire par exemple. Seuls des éléments de pressoir ont été découverts. Les contours des bâtiments qui les abritaient restent difficiles à cerner. Des jumelles, des contrepoids, une table de pressurage et, plus nombreuses, des meules dormantes et des meules roulantes ont ainsi été retrouvés sur une poignée de sites de ces plateaux. Les broyeurs à meule prouvent une production d'huile d'olive. Et, à en juger par la surface qu'occupent les terrasses sur ces terroirs, il est certain que le nombre de pressoirs identifiés est très en-deçà de leur effectif réel.

31 Par exemple Rasm al-Ḥajal et al-Mū'allaq, respectivement installés dans une vallée du Jabal Shbayṭ et du Jabal al-Ḥaṣ, mais aussi Hawā (Jabal al-'Alā) et al-Qaṣṭal, un village établi à proximité d'un oued important qui entaille le glacis de piémont des Palmyrénides, à 50 km environ à l'est de la pointe sud du Jabal al-'Alā.

et déterminantes pour l'économie domestique. Les superficies des différents lotissements, sensiblement équivalentes, suggèrent – au moins pour l'exemple de Rasm al-Ḥajal et il est probable qu'il ne s'agit pas d'un cas isolé – une division égalitaire de ce terroir privilégié. Chaque famille jouissait vraisemblablement au minimum d'un de ces lopins<sup>32</sup>.

#### 1.4 *Les enclos*

Aux côtés de ce parcellaire aux formes et aux fonctions relativement bien définies, un grand nombre d'enclos ont également été identifiés. Leur forme, leur surface et leur(s) destination(s) varient considérablement. Les exemples de partition du territoire dont nous avons jusqu'ici signalé l'existence se limitent, pour la plupart, aux plateaux basaltiques. Les enclos, eux, se trouvent dans des contextes beaucoup plus variés et, même s'ils sont représentés sur et autour des *mesas*, ils sont plus fréquents à l'est et au sud de ces plateaux<sup>33</sup>. Le plus souvent, en l'absence de toute partition interne, c'est à partir de facteurs hydrologiques (présence/absence d'oued) et édaphiques (nature, épaisseur et capacité de rétention en eau du sol, présence/absence d'une dalle calcaire à l'affleurement)<sup>34</sup> que l'on peut déduire la fonction (culture ou élevage) de certains de ces enclos.

Il existe également une catégorie d'enclos que l'on retrouve sur les plateaux basaltiques et dans la steppe indifféremment et dont la fonction a vraisemblablement plus à voir avec la volonté de délimiter, de revendiquer – et de protéger – une surface agricole. Ce sont ce que nous avons appelé des « enclos de territoire »<sup>35</sup>. Avec les réseaux agraires orthogonaux, ils font partie des vestiges les

32 Le rôle des jardins dans l'équilibre alimentaire familial est notoirement reconnu, que ce soit dans le cadre de l'économie traditionnelle syrienne des années 1930–1940 (Thierry Boissière, *Le jardinier et le citadin : ethnologie d'un espace agricole urbain dans la vallée de l'Oronte en Syrie* (Damas : Institut Français du Proche-Orient, 2005), 65) ou de l'économie antique en général (Michel Kaplan, "L'économie paysanne dans l'Empire byzantin du v<sup>e</sup> au x<sup>e</sup> siècle," dans *Byzance : villes et campagnes*, éd. Michel Kaplan (Paris : Picard, 2006), 43).

33 Sur les enclos des plateaux basaltiques, voir Rivoal, "Le peuplement byzantin des massifs basaltiques," 227–233. Pour les enclos identifiés dans la steppe, entre Shaykh Hlāl et Ithriyā, voir Rivoal, "Entre steppe et plateaux basaltiques," 152–155.

34 Sur la présence de ces croûtes et leur impact sur la mise en valeur de la région, voir Besançon et Geyer, "Contraintes écogéographiques," 35.

35 La notion d'enclos de territoire a été évoquée par Bernard Geyer, "Des fermes byzantines aux palais omayyades ou l'ingénieuse mise en valeur des plaines steppiques de Chalcedique (Syrie)," dans *Aux origines de l'archéologie aérienne : A. Poidebard (1878–1955)*, éd. Lévon Nordiguan et Jean-François Salles (Beyrouth : Université Saint-Joseph, 2000), 109–122, par Besançon et Geyer, "Contraintes écogéographiques," 50–51, par Geyer, Besançon

plus susceptibles d'éclairer les modalités d'appropriation et d'administration des campagnes des Marges arides.

Ces enclos de territoire se présentent sous la forme de murets de pierre sèche<sup>36</sup>, à double parement, au tracé continu et irrégulier. Ils délimitent une surface variable<sup>37</sup> au potentiel agronomique souvent très inégal – contrairement aux enclos de culture et d'élevage. Au centre ou en périphérie de ces enclos se trouve toujours – sauf exceptions, sur lesquelles nous reviendrons plus loin – une unique implantation (village, hameau ou encore ferme ou monastère<sup>38</sup>). C'est naturellement le caractère isolé du site d'habitat qui nous amène à y voir une forme de revendication et de possession du territoire défini par l'enclos.

Avec l'économie mixte qui caractérise les Marges arides de la Syrie du Nord<sup>39</sup> et la place importante qu'occupe l'élevage de caprinés dans le sud et l'est de la région<sup>40</sup> – zone dans laquelle on a reconnu le plus grand nombre d'enclos de territoire –, il est cependant peu probable que ces enclos circonscrivent l'intégralité du terroir effectivement exploité par un site. Ils définissent presque certainement le territoire exclusif que s'est arrogé un site, un territoire qui rassemble des ressources culturelles et pastorales et, le plus souvent, une portion du lit d'un oued. Mais, même dans les secteurs où les enclos de territoire sont particulièrement nombreux, leur maillage est assez lâche pour que les troupeaux d'une ferme ou d'un hameau – mais aussi ceux des pasteurs nomades

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et Rousset, "Les peuplements anciens," 61, par Geyer et Rousset, "Les steppes arides," 118 et par Rivoal, "Entre steppe et plateaux basaltiques," 153, n. 47.

36 Il pourrait s'agir, comme pour l'habitat, de soubassements de pierre destinés à recevoir une superstructure en brique mais, dans ce cas, celle-ci n'a guère laissé de trace.

37 De 23 ha pour l'enclos de territoire de la ferme de 'Umm Miyāl 2 (Jabal Shbayt) à 1 115 ha pour celui du village de 'Umm Zahmak, dans les collines à l'est du Jabal al-'Alā.

38 Plusieurs plans d'agglomérations associées à des enclos dans Catherine Duvette, "Habitat byzantin dans la steppe : maisons et villages de terre," dans *Entre nomades et sédentaires. Prospections en Syrie du Nord et en Jordanie du Sud*, éd. Pierre-Louis Gatier, Bernard Geyer et Marie-Odile Rousset (Lyon : Maison de l'Orient et de la Méditerranée, 2010), 177–191 et Catherine Duvette, "Rasm Afandi, village des steppes de Syrie," dans *Habitat et environnement : prospections dans les Marges arides de la Syrie du Nord*, éd. Marie-Odile Rousset, Bernard Geyer, Pierre-Louis Gatier et Nazir Awad, Travaux de la Maison de l'Orient 71, Conquête de la steppe IV (Lyon : Maison de l'Orient et de la Méditerranée, 2016), 153–168.

39 Voir Geyer et Rousset, "Les steppes arides," 115–118; Geyer, Besançon et Rousset, "Les peuplements anciens," 61–69; Rivoal, "Le peuplement byzantin des massifs basaltiques," 227–233 et Rivoal, "Entre steppe et plateaux basaltiques," 161.

40 Geyer, "Des fermes byzantines," 116–117; Marie-Odile Rousset et Catherine Duvette, "L'élevage dans la steppe à l'époque byzantine : indices archéologiques," dans *Les villages dans l'Empire byzantin, IV<sup>e</sup>–XV<sup>e</sup> siècle*, éd. Jean Lefort, Cécile Morrisson et Jean-Pierre Sodini (Paris : Lethielleux, 2005), 485–494; Rivoal, "Entre steppe et plateaux basaltiques," 160–161.

dont la présence, au moins saisonnière, est probable<sup>41</sup> – aient pu paître hors leurs limites, sans pour autant empiéter sur le territoire du site voisin. On doit aussi garder à l'esprit qu'il y a de grandes chances pour que, les années où les précipitations étaient les plus abondantes, les exploitants d'un village aient mis en culture les fonds d'oueds et les dépressions les plus propices, à l'extérieur des limites des enclos de territoire, dans ces zones qui paraissent non attribuées – ou non revendiquées.

Les enclos de territoire identifiés à ce jour – sur le terrain ou à partir des photographies aériennes anciennes et de l'imagerie satellitaire – restent peu nombreux relativement au nombre de sites antiques et islamiques reconnus et la restitution de leur tracé demeure fréquemment incomplète. Mais il nous semble que le rôle de ces aménagements, ainsi défini, prête peu à controverse. Les enclos de territoire identifiés autour des plateaux basaltiques du nord, du village de Hawā dans le Jabal al-'Alā ou encore dans la steppe au sud d'Andarīn ou aux environs de Shaykh Hlāl paraissent se conformer à la définition que nous proposons plus haut.

En revanche, plus à l'est, autour d'Ithriyā, et sur le bastion montagneux au sud de l'agglomération (Jabal Ithriyā)<sup>42</sup>, des aménagements, pourtant similaires, soulèvent davantage de questions. L'agglomération d'Ithriyā, par exem-

41 Les prospections ont permis d'établir une présence importante des populations d'éleveurs nomades ou semi-nomades dans la zone dite des « Marges arides de Syrie du Nord » de la fin de l'époque hellénistique à l'époque romaine incluse, d'une part, et au cours la période ayyoubide, d'autre part (Marie-Odile Rousset, "Le peuplement de la steppe de Syrie du Nord entre le 11<sup>e</sup> s. av. et le 14<sup>e</sup> s. apr. J.-C.," *Syria* 88 (2011): 123–139). Comme le montrent les citernes (nous le verrons plus loin), les principales aires de nomadisme se trouvent, à l'époque byzantine, à l'est du bastion d'Ithriyā (Geyer et Rousset, "Les steppes arides," 118 et Rivoal, "Entre steppe et plateaux basaltique," 143), mais cela n'exclut pas pour autant la présence occasionnelle – saisonnière ? – de pasteurs nomades dans cette partie de la steppe.

42 Le temple romain étudié par Rudiger Gogräfe témoigne de l'occupation romaine tardive du site (Rudiger Gogräfe, "Der Tempel von Isriye zwischen nahöthlicher Kulturtradition und römischer Architektur," *Topoi* 7, no. 2 (1997): 801–836). L'occupation byzantine, elle, s'est traduite par la construction de trois à quatre églises et le site figure sur la *Notitia Dignitatum* (*Notitia Dignitatum*, éd. Otto Seeck, *Notitia dignitatum. Accedunt Notitia urbis Constantinopolitanae et Laterculi provinciarum* (Berlin: Berolini, 1876), 33), dont la partie concernant l'Orient est datée du tout début du 5<sup>e</sup> siècle (Constantin Zuckerman, "Comtes et ducs en Égypte autour de l'an 400 et la date de la *Notitia Dignitatum Orientis*," *Antiquité Tardive* 6 (1998): 146). L'identification de Sériane avec Ithriyā est aujourd'hui communément admise (René Dussaud, *Topographie historique de la Syrie antique et médiévale* (Paris: Geuthner, 1927), 275; Gatier, "« Grande »,", 103), malgré les arguments qu'Ernst Honigmann avançait en faveur d'al-Sa'an (Ernst Honigmann, "Syria," dans *Paulys Realencyclopädie der Classischen Alterumswissenschaft* 4A, 2, éds. Georg Wissowa, Karl Mittelhaus et Wilhelm Kroll (Stuttgart: J.B. Metzler, 1932), col. 1677).



ple, est ceinte d'un vaste enclos – sous réserve qu'il lui soit contemporain – qui délimite une superficie d'environ 75 km<sup>2</sup><sup>43</sup>. Mais, contrairement à ce que l'on observe dans le cas des enclos de territoire, cette surface n'est pas tout à fait dépourvue de sites antiques (figure 6.5).

On y trouve en effet de petites implantations, occupées pendant la période byzantine et au-delà : un monastère connu par une inscription (al-Ṭāḥūna 1)<sup>44</sup> et un second site, perché comme le premier, qui pourrait également être de même nature (Khunṣur Ithriyā al-Shamālī)<sup>45</sup>. Aucune agglomération ne s'est donc développée dans l'espace circonscrit par cet enclos et la seule présence, à l'intérieur de ses limites, de ces deux sites d'habitat isolé ne suffit pas à écarter définitivement la fonction d'enclos de territoire. Car les liens de dépendance administrative entre les sites sont loin d'avoir été élucidés dans la région et il est tout à fait envisageable que les deux sites soient rattachés fiscalement à l'agglomération d'Ithriyā. L'enclos qui entoure la base du promontoire sur lequel est établi le monastère d'al-Ṭāḥūna 1 pourrait indiquer une enclave et une forme de concession, au sein du vaste territoire d'Ithriyā<sup>46</sup>.

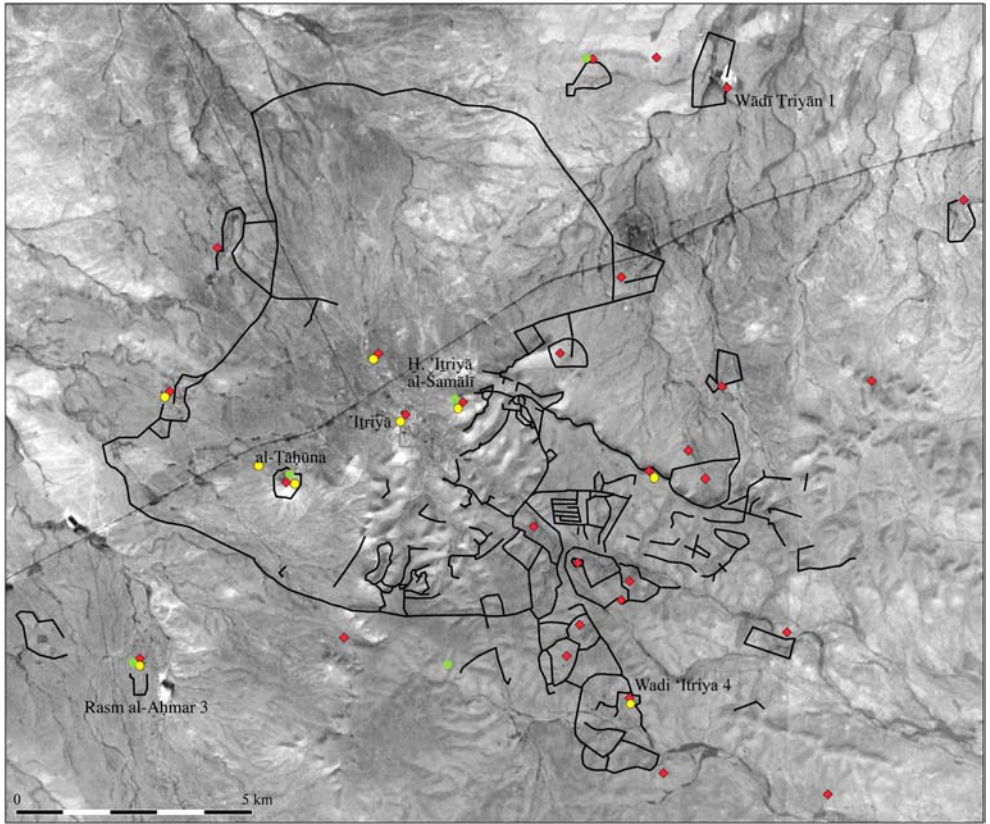
Plus au sud, sur le bastion d'Ithriyā, des aménagements présentent aussi des points communs avec les enclos de territoire reconnus au nord et à l'ouest (figure 6.5). Agglutinés les uns aux autres selon un axe nord-sud, ils semblent

43 L'enclos de territoire d'Ithriyā n'avait jusque là été que partiellement publié dans Geyer, "Des fermes byzantines," 120 et Geyer, "Murs, murets et enclos," 292. Nous remercions Bernard Geyer de nous avoir autorisées à publier cet ensemble.

44 Mouterde et Poidebard, *Le Limes de Chalcis*, 1:91, 226. Sur ce site a été retrouvée de la céramique byzantine et abbasside, en faible quantité, la majorité des tessons identifiés relevant de l'époque omeyyade.

45 Ce site a connu une occupation byzantine, omeyyade et abbasside – toutefois, ces deux dernières périodes sont moins bien représentées par la céramique. Il a livré également une monnaie de Maurice Tibère (frappée en 589–590) et un fragment de dirham d'argent abbasside : Callot, "Monnaies," nos. 42 et 64. Ce site pourrait aussi avoir eu une fonction plutôt résidentielle : Bernard Geyer et Marie-Odile Rousset, "Déterminants géoarchéologiques du peuplement rural dans les Marges arides de Syrie du Nord aux VII<sup>e</sup>-IX<sup>e</sup> siècles," dans *Le Proche-Orient de Justinien aux Abbassides, Peuplement et dynamiques spatiales*, éd. Antoine Borrut et al. (Turnhout : Brepols, 2011), 88. Voir aussi Denis Genequand et Marie-Odile Rousset, "Résidences aristocratiques byzantines et omeyyades des marges arides du nord de la Syrie," dans *Habitat et environnement : prospections dans les Marges arides de la Syrie du Nord*, éd. Marie-Odile Rousset, Bernard Geyer, Pierre-Louis Gatier et Nazir Awad, *Travaux de la Maison de l'Orient* 71, *Conquête de la steppe IV* (Lyon : Maison de l'Orient et de la Méditerranée, 2016), 220–225.

46 François Villeneuve supposait que les villages de Syrie du Sud avaient accordé à des monastères, plus tardifs, des concessions sur leur finage (François Villeneuve, "L'économie rurale et la vie des campagnes dans le Hauran antique (1<sup>er</sup> s. av. J.-C.–VII<sup>e</sup> s. ap. J.-C.) : une approche," dans *Hauran 1 : Recherches archéologiques sur la Syrie du Sud à l'époque hellénistique et romaine*, éd. Jean-Marie Dentzer (Paris : Geuthner, 1985), 1:121).



- ◆ Site occupé à la période byzantine
- Site occupé à la période omeyyade
- Site occupé à la période abbasside

— Enclos de territoire

Image GoogleEarth.

Equidistance des courbes de niveau : 25 m.

FIGURE 6.5 Le grand enclos de 'Ithriyā

BERNARD GEYER, MARION RIVOAL, MARIE-ODILE ROUSSET ©MISSION MARGES ARIDES 2018

longés à l'est par un axe de circulation qui devait traverser les Palmyrénides en direction du sud (figure 6.1). Certains de ces enclos satisfont tous les critères des enclos de territoire, c'est-à-dire qu'ils sont associés à un site archéologique et marquent les limites de son terroir potentiel, en incluant le plus souvent un fond de vallée<sup>47</sup>. Mais d'autres enclos, par exemple situés au sud du monastère de Wādī 'Ithriyā 4, paraissent n'offrir aucune alternative à l'élevage. Bien qu'ils

47 Les fonds de vallée ne sont guère entaillés sur ce bastion montagneux, les possibilités de culture y sont très réduites.

jouxtent d'autres enclos, ils ne semblent curieusement rattachés à aucun site. Leur rôle est donc manifestement distinct de celui des enclos de territoire. Mais lorsque l'on connaît l'orientation économique spécifique de ce secteur, tourné vers l'élevage<sup>48</sup> (élevage de caprinés certainement, mais aussi possiblement de chevaux pendant la période de cantonnement de la garnison d'*equites scutarii Illyriciani*, sous Dioclétien)<sup>49</sup>, ces enclos, comme une grande partie de celui qui entoure Ithriyā, pourraient correspondre à des aires de pâture réservées et renvoyer à une gestion raisonnée, alternée, de la ressource pastorale. Le potentiel agronomique médiocre de ces surfaces encloses ne permet guère d'envisager d'une autre forme de mise en valeur<sup>50</sup>.

## 2 De rares indications sur la datation des structures agraires et les différentes politiques de mise en valeur de la région

L'étude des structures agraires n'éclaire qu'indirectement les modalités d'appropriation du terroir et l'organisation et la gestion des campagnes. Les ouvrages hydrauliques, on le verra, sont susceptibles d'apporter des réponses partielles à ces questions, mais on peut aussi exploiter dans ce but d'autres types de données – bien qu'elles soient plus hétérogènes et plus diffuses. Le réseau routier – encore qu'il soit difficile de déterminer la durée d'utilisation des voies romaines et des routes secondaires – et de rares inscriptions peuvent nous aider à préciser la situation.

L'impression qui se dégage du réseau routier des Marges arides de la Syrie du Nord – que l'on peut tenter de reconstituer à partir des documents cartographiques antiques, des sources historiques et des données archéologiques<sup>51</sup> – est celle d'une sous-administration de la région, un trait qu'avait déjà souligné Pierre-Louis Gatier, en constatant le développement limité et tardif des cités de

48 Geyer, "Des fermes byzantines," 116–118; Rivoal, "Entre steppe et plateaux basaltiques," 160–161.

49 Voir Rivoal, "Entre steppe et plateaux basaltiques," 162.

50 Le bastion d'Ithriyā présente en effet une surface largement décapée par l'érosion (Besançon et Geyer, "Contraintes écogéographiques," 17–22).

51 Nous ne reprendrons pas ici les résultats, bien connus, auxquels sont parvenus André Poidebard et René Mouterde à partir d'observations aériennes (Mouterde et Poidebard, *Le Limes de Chalcis*). D'autres ont mis en cause, non pas tant leurs méthodes de travail, que leur fâcheuse tendance à amalgamer des réseaux d'époques différentes (Pierre-Louis Gatier, "Une frontière sans limes?" dans *Aux origines de l'archéologie aérienne: A. Poidebard (1878–1955)*, éd. Lévon Nordiguian et Jean-François Salles (Beyrouth: Université Saint-Joseph, 2000), 142).

la région<sup>52</sup>. Les terres agricoles parmi les plus fécondes, les plateaux basaltiques en particulier, apparaissent en effet relativement à l'écart des principaux axes de communication, au moins jusqu'au 7<sup>e</sup> siècle (figure 6.1). La situation évolue au début de l'époque islamique, à partir du moment où les voyageurs qui se rendaient d'Alep à Bagdad ont préféré emprunter la route du désert pour bénéficier de la protection des Bédouins<sup>53</sup>. L'axe Khanāšir – Sūriyā (Ithriyā) par al-Ḥammām et al-Zarqa' devient alors prépondérant, jusqu'au milieu du 10<sup>e</sup> siècle<sup>54</sup>.

Les inscriptions du Jabal al-'Alā, quant à elles, prouvent, d'une part, une occupation relativement précoce de la partie sud du plateau<sup>55</sup> et, d'autre part, la mainmise tout aussi précoce de l'administration impériale sur ces terres. L'une de ces inscriptions, retrouvée à proximité d'un village byzantin à Shaykh 'Alī Qāsūn, au sud du Jabal al-'Alā, fait référence à la borne d'un *praetorium*, mise en place en 296/297 ap. J.-C., sous la Tétrarchie<sup>56</sup>. Quel que soit le sens à donner à l'emploi du terme *praetorium* – domaine impérial, comme le suggère Marc Griesheimer ou, plus vraisemblablement, relais en contexte routier, comparable à une *taberna*<sup>57</sup> – cette borne confirme que l'autorité impériale s'exerçait dans les campagnes des Marges arides dès la fin du 3<sup>e</sup> siècle (mais était-ce encore le cas aux 5<sup>e</sup>–7<sup>e</sup> siècles?). La borne d'Andrōna marque, au 6<sup>e</sup> siècle, une des limites du territoire de cette ville d'environ 160 ha, qui n'a jamais été élevée au rang de cité<sup>58</sup>. Le texte de l'inscription suivante, retrouvée dans

52 Gatier, « Grande », 106.

53 Ibn Ḥawqal, *Kitāb šūrat al-arḍ*, trad. Johannes Hendrik Kramers et Gaston Wiet (Beirut/Paris: al-Laḡna ad-duwaliya li-tarḡamat ar-rawā'i' et G.P. Maisonneuve et Larose, 1964), 176.

54 al-Zarqa' ('Ayn al-Zarqa) est mentionnée en tant que source, à propos d'un épisode de la lutte entre Sayf al-Dawla et les Banu 'Amr au milieu du 10<sup>e</sup> siècle: al-Bakrī, *Kitāb al-masālik wa-l-mamālik: juz'ān*, éd. Adrien van Leeuwen et André Ferré (Carthage-Tunis: Bayt al-Hakima Dār al-'Arabiyya lil-Kitāb, 1992), 760. D'après Yāqūt al-Rūmi, *Kitāb mu'jam al-buldān*, éd. Ferdinand Wüstenfeld (Leipzig: F.A. Brockhaus, 1866–1873), 2:924, l'eau n'y tarit jamais. Sur l'abandon de cette route: Ibn Ḥawqal dans Alois Musil, *Palmyrena: A Topographical Itinerary* (New York: AMS Press, 1928), 119.

55 Voir *supra*, note 13.

56 Marc Griesheimer, "L'occupation byzantine sur les marges orientales du territoire d'Apamée de Syrie (d'après les inscriptions de Taroutia empōron et d'Androna)," dans *Conquête de la steppe et appropriation des terres sur les marges du croissant fertile*, éd. Bernard Geyer (Lyon: Maison de l'Orient et de la Méditerranée, 2001), 142–144. À noter que Denis Feissel avait déjà jugé cette hypothèse infondée (Denis Feissel, en collaboration avec Pierre-Louis Gatier, "Bulletin épigraphique: Syrie, Phénicie, Palestine, Arabie," *Revue des Études grecques* 116 (2003): no. 565).

57 *Corpus Inscriptionum Latinarum, Voluminis tertii: inscriptiones Asiae provinciarum Europae graecarum Illyrici latinae Pars posterior*, éd. Theodor Mommsen (Berlin: Berolini, 1873), no. 6123.

58 Pierre-Louis Gatier, "Une borne d'Andrōna," dans *Habitat et environnement: prospections*

le village byzantin de Khirbat Msharfa, mentionne le curateur d'une maison divine<sup>59</sup> que son rang de *magnificus* permet de situer dans la seconde moitié du 4<sup>e</sup> siècle<sup>60</sup>. Elle témoigne donc de l'existence de domaines impériaux dans la partie sud du Jabal al-'Alā<sup>61</sup>. Mais, à partir des rares données que fournit l'épigraphie, il est impossible de se faire une opinion précise de l'emprise qu'exerçait l'administration de l'empire sur les campagnes de la région et encore moins de son évolution.

L'interprétation chronologique des vestiges agraires soulève bien des difficultés, car on ne possède d'éléments de datation – et encore, relatifs uniquement – que pour certains d'entre eux. Nous n'avons ainsi aucune idée de la période au cours de laquelle le réseau orthogonal du Jabal al-'Alā a été mis en place. Mais on peut remarquer que la plus grande partie du parcellaire laniéré – et, partant, l'exploitation céréalière de ce plateau – se conforme à ce cadre imposé et paraît ne s'en être jamais complètement affranchi – à tout le moins dans les zones où ces alignements sont conservés. Lorsque le paysage ne conserve aucune trace de ce cadre, comme autour du village du Hawā ou encore de celui de Umm Zahmak, à cheval sur les collines basaltiques de l'est du Jabal al-'Alā, ce sont les enclos de territoire qui semblent dicter les changements d'orientation du parcellaire, selon que les limites de champs s'appuient à l'intérieur ou à l'extérieur de ces enclos (figure 6.6).

Autour de Drīb al-Wāwī, dans la partie sud du Jabal Shbayt, les enclos de culture (consacrés à l'orge?) ou d'élevage s'adossent également à l'enclos de territoire du village et sont indéniablement postérieurs<sup>62</sup>.

Sur les enclos de territoire eux-mêmes, nous n'avons aucun élément de datation absolue et les indications que la chronologie relative peut apporter sont ténues. Seuls certains des sites associés à ces enclos ont été datés, d'après la céramique collectée en surface. Sur 43 d'entre eux<sup>63</sup>, 16 ont été occupés à la période romaine ou romaine tardive, 36 ont connu une occupation byzantine et 14 une occupation omeyyade. Pour 17 des sites qui ont livré de la céramique

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dans *les Marges arides de la Syrie du Nord*, éd. Marie-Odile Rousset, Bernard Geyer, Pierre-Louis Gatier et Nazir Awad, Travaux de la Maison de l'Orient 71, Conquête de la steppe IV (Lyon: Maison de l'Orient et de la Méditerranée, 2016), 137–151.

59 Jalabert et Mouterde, *Inscriptions*, no. 1905.

60 Michel Kaplan, *Les hommes et la terre à Byzance du VI<sup>e</sup> au XI<sup>e</sup> siècle* (Paris: Publications de la Sorbonne, 1992), 141.

61 À noter que le site (un village administré par un komarque) était déjà connu comme un domaine grâce à une inscription datée de 344 (Jalabert et Mouterde, *Inscriptions*, no. 1908). Le bien-fonds était alors géré par un intendant (*pragmateutès*).

62 Rivoal, "Le peuplement byzantin des massifs basaltiques," 226, fig. 11.

63 22 sites ont connu plusieurs périodes d'occupation.



- ▲ Site byzantin de 'Umm Zahmak
- Enclos de territoire
- ↔ Orientation du parcellaire laniéré

Photographie aérienne de 1958.

Equidistance des courbes de niveau : 25 m.

FIGURE 6.6 Changement de parcellaire à l'ouest de Umm Zahmak

MARION RIVOAL ©MISSION MARGES ARIDES 2011

byzantine, l'occupation semble limitée à cette seule période. Par comparaison, seuls quatre sites omeyyades et un site romain n'auraient connu qu'une seule période d'occupation. Enfin, neuf sites omeyyades présentaient des tessons attestant également d'une occupation byzantine. À partir de cet échantillon, certes restreint, on est tenté de conclure que les enclos de territoire sont une forme d'appropriation du territoire plutôt caractéristique de la période byzantine, même si un site romain fait figure de précurseur – pour les 15 autres sites de la même période, l'enclos de territoire pourrait être contemporain<sup>64</sup> mais il

64 Pour les périodes romaine et romaine tardive, les sites identifiés dans la région semblent principalement tournés vers des activités d'élevage. Ces périodes d'occupation et ces stratégies d'exploitation de la steppe se traduisent souvent sur le terrain par des vestiges d'habitat associés à des cavités aménagées sous roche ou sous la dalle calcaire (Rousset, "Le peuplement de la steppe," 127–129). Le site romain de Rasm M'ammash fait figure d'exception, d'une part, parce qu'il est le seul pour cette période que l'on puisse incontestablement rattacher à un enclos de territoire, et, d'autre part, parce qu'il s'agit d'une ferme, un type d'implantation et une forme de mise en valeur encore peu courants pour cette époque (Marie-Odile Rousset, "Qanats de la steppe syrienne," dans *Entre*

pourrait aussi être attribué à la période byzantine – et si une poignée de sites islamiques présentent le même type d’enclos. Mais il est difficile de pousser plus avant la réflexion sur le contrôle et l’organisation des campagnes en se fondant sur les vestiges agraires.

L’antériorité des alignements orthogonaux du Jabal al-‘Alā sur le parcellaire laniéré est acquise, tout comme il est évident que les deux types d’aménagement ont fonctionné ensemble et ce probablement sur une longue période. C’est bien ce que l’on peut déduire des alignements de pierriers qu’on observe au nord du village de Nawa (figure 6.3), dans le quart sud-est de ce plateau. Des rangées de pierriers, régulièrement espacées, témoignent d’une modification du parcellaire laniéré initial, vraisemblablement en lien avec un changement d’orientation de la production<sup>65</sup>. Seul l’abandon de la céréaliculture – ou plus probablement une réduction des surfaces consacrées aux céréales – peut expliquer ce remaniement, qui a dû être opéré au profit d’une culture plus rentable, comme l’olivier et, dans une moindre mesure, la vigne – car cette dernière, peut s’accommoder de parcelles en lanière.

### 3 Les ouvrages hydrauliques

Entre le 5<sup>e</sup> et le 10<sup>e</sup> siècle, le paysage agricole de la région à l’est d’une ligne Salamiyya/Qinnasrin s’est vu profondément modifié par la mise en place de réseaux hydrauliques<sup>66</sup>. Ces éléments du système de mise en valeur généralisé

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*nomades et sédentaires: prospections en Syrie du Nord et en Jordanie du Sud*, eds. Pierre-Louis Gatier, Bernard Geyer et Marie-Odile Rousset (Lyon: Maison de l’Orient et de la Méditerranée, 2010), 255).

65 Rousset, “Le peuplement de la steppe,” 126–127. On ne possède aucune certitude quant au fait que cette réorganisation soit intervenue à la période byzantine, mais, compte-tenu de la forte spécialisation économique de la région à cette époque, cela nous paraît plus que probable. Si les champs en lanière sont, par leur forme même, adaptés au passage de l’araire et donc à la céréaliculture, leur démantèlement implique manifestement une modification des cultures. Dans l’économie traditionnelle syrienne, le parcellaire laniéré est généralement remanié pour faire la place à des champs plus larges, plus propices à l’arboriculture (Latron, *La vie rurale*, 195–196). Il est probable que les mêmes motivations aient produit les mêmes résultats dans l’Antiquité.

66 La question des *qanats* dans les Marges arides a été abordée dans plusieurs articles: Bernard Geyer, “Pratiques d’acquisition de l’eau et modalités de peuplement dans les Marges arides de la Syrie du Nord,” dans *Stratégies d’acquisition de l’eau et société au Moyen-Orient depuis l’Antiquité*, eds. Mohamed al-Dbiyat et Michel Mouton (Beyrouth: Presses de l’Ifpo, 2009), 25–43; Geyer, Besançon et Rousset, “Les peuplements anciens,” 65–68; Geyer et Rousset, “Les steppes arides,” 115–117; Rousset, “*Qanats* de la steppe,” 241–270;

de la région sont, comme les autres, parfaitement adaptés aux particularités géographiques et aux ressources hydriques des différents micro-milieus qui composent les Marges arides de la Syrie du Nord<sup>67</sup>. Les *qanats* sont des galeries drainantes qui concentrent les eaux des nappes phréatiques superficielles ou des sources et les acheminent par gravité jusqu' à leur débouché, en suivant, souvent sur plusieurs kilomètres, une pente très faible. Des puits d'aération qui servent, au moment de la construction et des opérations de maintenance, à l'évacuation des déblais, sont creusés à intervalles réguliers, entre la galerie souterraine et la surface. Selon la nature des formations géologiques traversées, les parois des puits et de la galerie peuvent être laissées brutes ou maçonnées. Enfin, dans le cas d'un terrain absorbant, des conduits en céramique peuvent être utilisés.

L'irrigation a vraisemblablement permis d'affecter des terres à des cultures exigeantes en eau et contribué à augmenter les rendements, notamment dans la grande *fyda* centrale. Cette plaine alluviale, vers laquelle converge la plupart des galeries, bénéficie de sols épais et bien drainés, mais, en dehors des années particulièrement pluvieuses, les précipitations y sont trop modiques et les écoulements trop profonds pour profiter aux cultures pluviales. Sa mise en valeur nécessite donc d'irriguer.

Les aménagements hydrauliques repérés lors de la prospection des Marges arides de Syrie du Nord sont de plusieurs types : les galeries drainantes évoquées plus haut et des aménagements greffés sur les sources artésiennes, *qanats* complétées d'ouvrages divers, donc des systèmes mixtes. On compte environ une quarantaine de ces systèmes dans la zone qui correspond à la carte de Salamiyya au 1 : 200 000<sup>e</sup>, en dehors de la cuvette exoréique de Salamiyya<sup>68</sup> (figure 6.7).

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Jaubert et al., *Land Use*, 59–60. Ce réseau est également étudié par la mission britannique d'Andarīn sous la direction de Marlia Mundell Mango (université d'Oxford) : Marlia Mundell Mango, "Excavations and Survey at Androna, Syria: The Oxford Team 1999," *Dumbarton Oaks Papers* 56 (2002) : 307–315 ; Marlia Mundell Mango, "Baths, Reservoirs and Water Use at Androna in Late Antiquity and the Early Islamic Period," dans *Residences, Castles, Settlements : Transformation Processes from Late Antiquity to Early Islam in Bilad al-Sham*, éd. Karin Bartl et Abd al-Razzaq Moaz (Damas : Deustches Archäologisches Institut, 2008), 73–88.

67 Geyer et Rousset, "Les steppes arides ;" Besançon et Geyer, "Contraintes écogéographiques ;" Franck Braemer et al., "Conquest of New Lands and Water Systems in the Western Fertile Crescent (Central and Southern Syria)," *Water History* 2 (2010) : 91–114 et fig. 8.

68 Cette zone, au potentiel agricole très riche, a été laissée de côté par la prospection « Marges arides », qui s'est concentrée sur des secteurs plus pertinents pour étudier les rapports hommes/milieu en contexte aride.



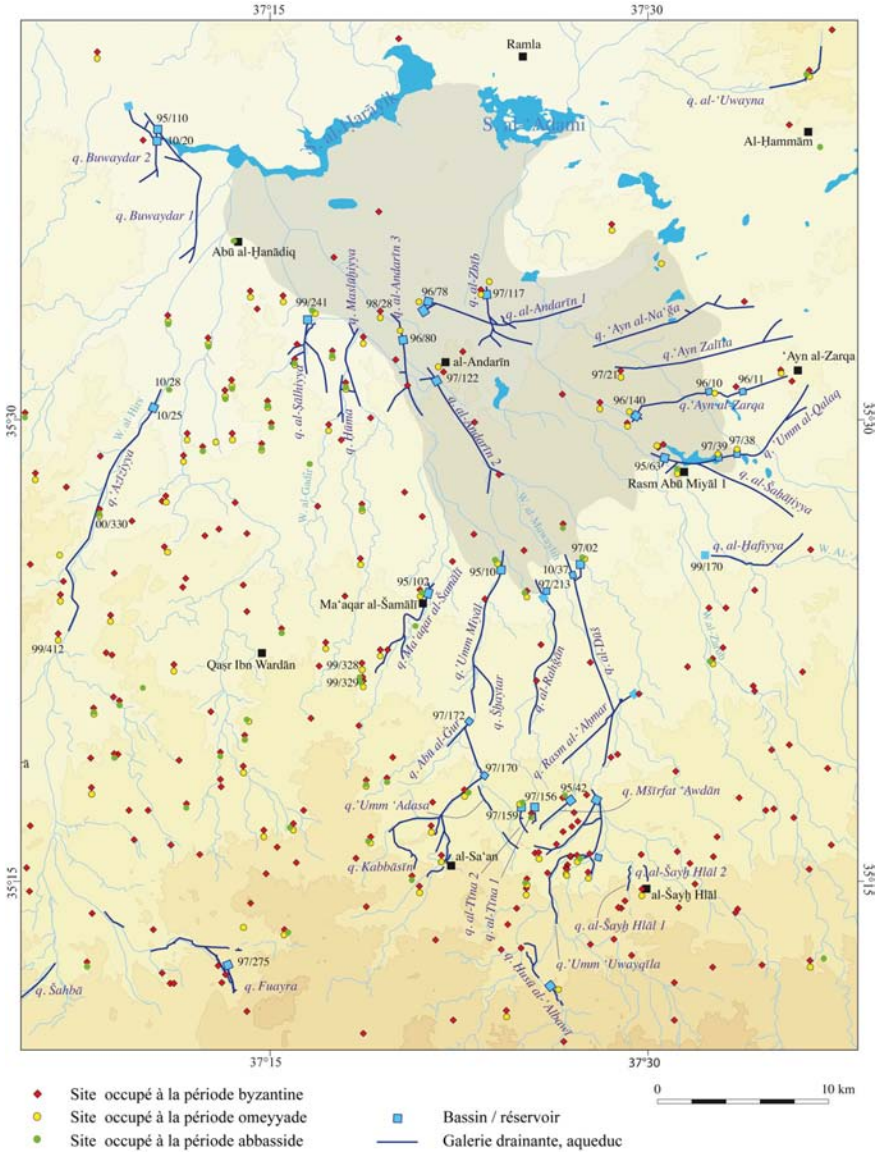


FIGURE 6.7 Carte générale des ouvrages hydrauliques dans les Marges arides et sites prospectés

OLIVIER BARGE, MARIE-ODILE ROUSSET ©MISSION MARGES ARIDES 2010

Les *qanats* ont été cartographiées d'après les informations fournies par les cartes topographiques au 1: 50 000<sup>e</sup>, d'après des photographies aériennes anciennes (vues verticales à l'échelle approximative de 1: 80000<sup>e</sup>, prises en 1958 et 1961) et des vues d'hélicoptère<sup>69</sup>, des images Landsat et *Google Earth* mais aussi, et surtout, grâce aux informations collectées sur le terrain. La prospection «Marges arides», réalisée entre 1995 et 2010, a permis de compléter la documentation par des enquêtes orales, la prise de points GPS et l'observation au sol des puits de creusement et d'aération, des canaux et des bassins. La présentation que nous en ferons est par conséquent fondée uniquement sur des observations de surface, aucune fouille archéologique n'ayant été effectuée sur ces installations<sup>70</sup>. La remise en usage, à partir de la première moitié du 20<sup>e</sup> siècle, du réseau hydraulique ancien, si elle permet de mieux suivre sur le terrain les tracés des galeries, perturbe aussi la vision d'ensemble qu'on peut en avoir dans la mesure où les *qanats* n'ont pas toutes été réutilisées et, lorsqu'elles l'ont été, ce n'est pas nécessairement sur la totalité de leur parcours<sup>71</sup>.

69 Nous remercions la Direction Générale des Antiquités et des Musées de Syrie qui nous a permis d'accéder à cette couverture photographique aérienne et nous a autorisés à réaliser des vues d'hélicoptère, lors d'un survol de la région, le 22 avril 1997.

70 Une *qanat* a été curée lors de sa remise en fonction dans les années 1990, à Shallāla Şaghīra (Joshka Wessels, "Tunneling for survival: ICARDA, Aleppo (Syria)," *ICARDA Caravan* 11 (1999): 12–13; Joshka Wessels, "Reviving Ancient Water Tunnels in the Desert – Digging for Gold?" *Journal of Mountain Science* 2, no. 4 (2005): 294–305). Notre connaissance du système hydraulique s'est affinée depuis le début du programme de prospection et notre interprétation de ses différentes composantes a évolué en conséquence par rapport aux premiers articles que nous avons consacrés à ce sujet (cf. Geyer et Rousset, "Les steppes arides"). À noter que les résultats auxquels nous sommes parvenus sont sensiblement différents de ceux publiés par Marlia Mundell Mango pour la région d'Andarīn ("Baths, Reservoirs and Water Use").

71 Les *qanats* ont progressivement été remis en état à partir de la première moitié du 20<sup>e</sup> siècle, mais la plupart d'entre elles se sont asséchées dans les années 1960–1970 (Mohamed al-Dbiyat, "Eau et peuplement dans les marges arides: le cas de la région de Salama en Syrie centrale," dans *Stratégies d'acquisition de l'eau et société au Moyen-Orient depuis l'Antiquité*, éd. Mohamed al-Dbiyat et Michel Mouton (Beyrouth: Presses de l'Ifpo, 2009), 179–187). La réutilisation est maximale dans la région d'Andarīn à partir des années 1950 (Ronald Jaubert, Mohamed al-Dbiyat et Françoise Debaine, "Transformations des régions cultivées: différenciation des exploitations et extension de l'irrigation," dans *Les marges arides du Croissant fertile: peuplements, exploitation et contrôle des ressources en Syrie du Nord*, éd. Ronald Jaubert et Bernard Geyer (Lyon: Maison de l'Orient et de la Méditerranée, 2006), 167–187; Ronald Jaubert et al., "L'exploitation des eaux de subsurface des marges arides de Syrie: dégradation ou transformation?" *Sécheresse* 13, no. 1 (2002): 43–50). Les auteurs estiment que l'extension des surfaces irriguées à cette époque était probablement comparable à celle de l'époque byzantine.

### 3.1 *Les galeries drainantes*

Les galeries drainantes, orientées sud-nord, exploitent les eaux d'inféroux s'écoulant dans les vallées qui incisent les glacis de piémont des Palmyrénides (figure 6.7). Elles sont nettement plus nombreuses que les *qanats* issues des tertres de source (nous en avons compté 23). Elles sont pour la plupart localisées sur les quatre oueds majeurs, qui drainent toute la partie centrale de la région, du Jabal Bal'as, au sud-est, jusqu'à la Sabkha al-Ḥarāyik, qui prolonge au nord la grande *ḡayḡa* centrale<sup>72</sup>. Trois ensembles de galeries sont étagés le long de ce réseau hydrographique. Sauf exception, les *qanats* suivent le lit des oueds, ce qui leur donne un tracé plus ou moins sinueux selon l'encaissement du cours d'eau – de manière générale, les galeries les plus méridionales sont les plus tortueuses.

L'ensemble sud, le plus élevé, se présente au premier abord sous la forme de galeries relativement courtes. Cependant, une étude attentive des photographies aériennes anciennes et de la répartition des bassins, réservoirs construits ou *birkats* (dépressions non maçonnées), localisés dans la partie aval de ce réseau, permet de supposer que certaines des *qanats* de ce secteur devaient être à l'origine plus longues. L'exploitation moderne paraît n'avoir tiré parti que de certains segments. On doit probablement la complexité du réseau dans ce secteur à l'intensité de la réutilisation mais aussi au creusement de nouvelles *qanats*, comme à Shaykh Hlāl. Les sites sont relativement nombreux dans cette zone, notamment dans la partie orientale du secteur. Certains d'entre eux étaient sans doute alimentés en eau par la *qanat*, comme Umm 'Adasa<sup>73</sup>, sur la Qanāt Kabbāsīn.

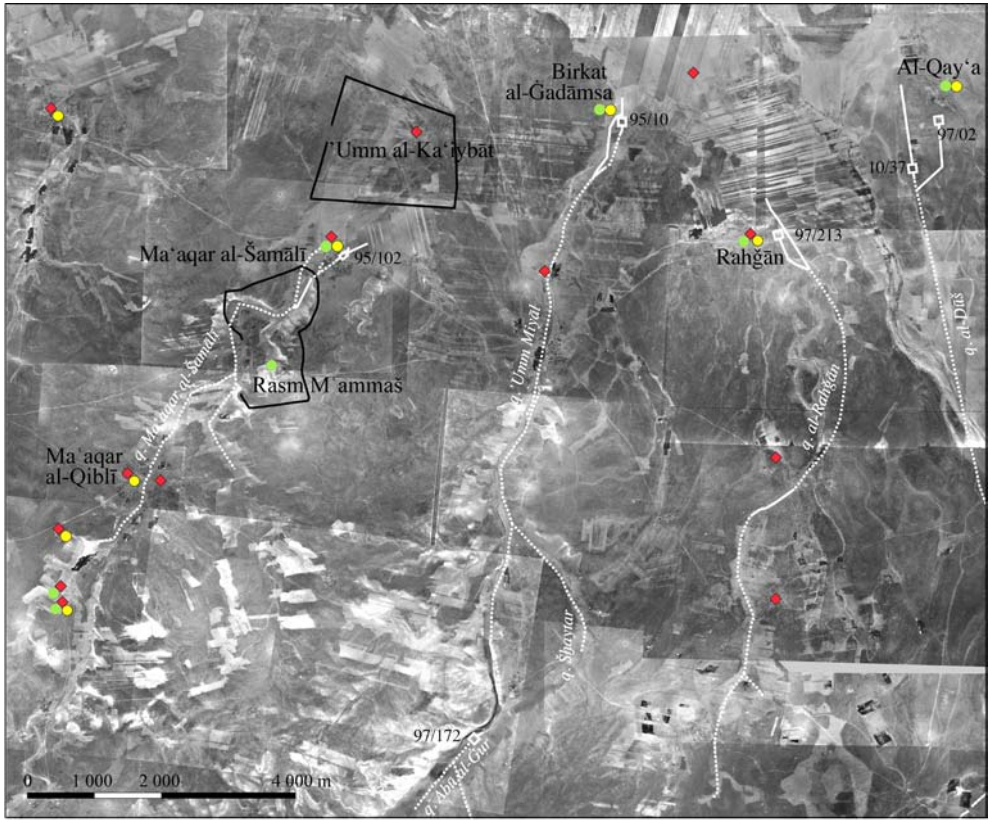
L'ensemble intermédiaire est composé de quatre grandes *qanats* qui alimentent chacune un réservoir, en lisière sud de la grande *ḡayḡa* centrale (figure 6.8).

Les regards suivent le talweg et seules les parties terminales sont à ciel ouvert. C'est le cas de la *qanat* de Ma'aqar al-Shamālī, un canal de 0,70 à 1 m de largeur, creusé dans la roche, prolonge sur 1 km<sup>74</sup>. Le conduit de la *qanat* de Rahjān, qui appartient au même ensemble, à l'est de celle de Umm Miyāl,

72 Cette *sabḡa* est une cuvette fermée dont le plancher est tapissé d'alluvions riches en gypse et en chlorure de sodium. Les possibilités de mise en valeur agricole y sont nulles, hormis une éventuelle exploitation du sel (Besançon et Geyer, "Contraintes écogéographiques," 32).

73 Le site 95/05, relativement étendu (700 × 300 m), est occupé aux périodes romaine (site à cavités), byzantine, omeyyade et abbasside (grand bâtiment carré, d'environ 40 m de côté, au nord du site).

74 Rousset, "Qanats de la steppe," 252, fig. 8.



◆ Site occupé à la période byzantine      — Enclos de territoire      Photographie aérienne de 1961.  
● Site occupé à la période omeyyade      ..... Galerie drainante  
● Site occupé à la période abbasside      — Canal      Equidistance des courbes de niveau : 25 m.

FIGURE 6.8 Les galeries drainantes de la zone centrale

MARION RIVOAL, MARIE-ODILE ROUSSET ©MISSION MARGES ARIDES 2011

présente une section d'environ 0,50 m de largeur pour une hauteur totale d'environ 0,90 m.

L'ensemble nord rassemble quatre *qanats*, au sud et à l'ouest de la ville d'Andarīn, qui irriguaient la partie ouest de la *fayda* centrale<sup>75</sup>. Les deux *qanats*

75 Cette partie du réseau a été étudiée par Mundell Mango, "Baths, Reservoirs and Water Use," 75–77. Notre analyse de ce secteur fait apparaître plusieurs différences, notamment dans le tracé des *qanats*, dont certains éléments, non visibles sur les photographies aériennes de 1958, sont plus récents, alors que d'autres, évidents sur cette documentation, ont été effacés depuis par les travaux agricoles modernes. C'est le cas de la Qanāt al-Šālhiyya pour

est, les plus proches d'Andarīn (al-Andarīn 2 et 3), ont été abandonnées les premières, comme l'agglomération elle-même, à la fin de l'époque omeyyade. Ces deux *qanats* exploitent les mêmes aquifères que celles des deux ensembles précédents. Elles ont pu s'assécher en raison d'une diminution du niveau piézométrique de la nappe d'inféoflux, en grande partie accaparée par les *qanats* en amont. Leur tracé général est plus simple que celui des deux *qanats* occidentales, qui ont été utilisées jusqu'au 10<sup>e</sup> siècle, probablement avec des réaménagements. Ces deux *qanats* exploitent des affluents de l'oued principal. L'absence de galeries drainantes à l'amont pourrait expliquer qu'elles soient restées en activité plus longtemps.

Un autre oued majeur a été drainé par des *qanats* : il s'agit du Wādī d'al-Hirsh, à l'ouest, qui rejoint lui aussi la Sabkha al-Ḥarāyik (figure 6.7). Dans sa partie amont, une branche – celle de Fuayra – est en relation avec un grand site byzantin (97/275, Fūayra 2), non loin duquel subsiste un bassin. Les autres galeries repérées dans ce secteur semblent plutôt le fait de creusements modernes.

Une seule grande *qanat* exploite la partie aval de l'oued (Qanāt 'Azīziyya). Formée d'une seule galerie, elle aboutit dans un bassin terminal en rive droite de la vallée, sur une terrasse à dalle calcaire, d'où il était possible d'irriguer par gravité. Le site le plus proche, à 1 km au nord-est, date de l'époque abbasside. Il est implanté sur un interfluve très bas ouvrant au nord vers la vaste plaine d'al-Hirsh. Un site occupé du 7<sup>e</sup> au 9<sup>e</sup> siècle (00/330, Nahr al-Uṣūd), à mi-parcours, pourrait laisser penser que la *qanat* était à l'origine plus courte et aurait été prolongée dans un second temps.

Une dernière *qanat* paraît drainer, non un oued majeur, mais le fond de la grande *fayda* elle-même. Contrairement aux autres galeries drainantes, la Qanāt al-Zbīb, au centre de la *fayda*, capte l'eau par plusieurs branches largement étalées, dont deux installées sur des oueds secondaires, et l'achemine vers un réservoir situé 2 km plus loin (figure 6.9).

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laquelle certaines prises d'eau n'ont pas été vues par l'équipe britannique, mais aussi de celle d'al-Zbīb, dont la dernière prise indiquée à l'est correspond en fait à une trace de labour sur *Google Earth*; et de la Qanāt al-Andarīn 1 qui présente non pas un mais deux réservoirs terminaux. Enfin, l'utilisation à l'époque omeyyade de ces structures n'est que suggérée alors que la mission "Marges arides" l'a clairement mise en évidence grâce à la céramique ramassée sur les sites en liaison avec ces réseaux (76, elle est simplement évoquée dans le cas du réservoir sud-ouest d'Al-Andarīn, où l'analyse par *Optically Stimulated Luminescence* des fours qui ont été construits pour la fabrication du mortier utilisé pour ce bassin les attribue aux huitième-neuvième siècles).



▲ Site de Wādī al-Zbīb (omeyade)

Photographie aérienne de 1958.

Equidistance des courbes de niveau : 25 m.

FIGURE 6.9 Débouché de la Qanāt al-Zbīb et site de Wādī al-Zbīb 2

MARIE-ODILE ROUSSET

La fonction de cette *qanat* pourrait avoir été de collecter l'excédent des eaux d'irrigation déversées par les galeries plus au sud et profondément infiltrées dans l'épaisseur alluviale. La Qanāt al-Zbīb aurait ainsi recueilli ce surplus, inexploitable en l'état pour la culture, et l'aurait redistribué en aval à partir du bassin terminal, un peu plus au nord dans la *fayda*<sup>76</sup>. Le site de Wādī al-Zbīb, seul dans les environs du réservoir, est associé à un enclos rectangulaire de 360 × 220 m, qui devait protéger les cultures irriguées par cette *qanat*.

### 3.2 Les qanats issues des tertres de source

Ce second groupe de *qanats* conduit vers l'ouest et vers la grande *fayda* centrale l'eau captée à partir de tertres de sources artésiennes, concentrés dans la partie centrale de la région<sup>77</sup>. Au moins huit ont été identifiées (figure 6.7). La plus septentrionale est la Qanāt al-Andarīn 1, issue d'un petit tertre de source dans la *fayda*<sup>78</sup>. La céramique retrouvée sur un bâtiment à côté de l'exutoire indique que la partie terminale aurait été remaniée au cours de la période omeyyade. Un débit important, ou une augmentation de ce débit, aurait entraîné la construction d'un second bassin terminal, plus grand que le premier, à moins qu'on ait eu un besoin en eau plus important. À une période non déterminée, l'eau acheminée par cette *qanat* est venue s'ajouter par une dérivation à mi-parcours à celle collectée par la Qanāt al-Zbīb, transformant cette dernière en un système mixte.

Les Qanāt 'Ayn al-Na'ja et Qanāt 'Ayn Zalīla sont les plus simples. Composées chacune de deux prises d'eau et d'un conduit au tracé quasi rectiligne, elles débouchent dans la grande *fayda* centrale, sans aménagement particulier. Seule la seconde aboutit à proximité d'un site, une petite ferme occupée aux époques byzantine et omeyyade<sup>79</sup>.

76 Le dénivelé de la pente, sur la longueur de la *qanat* permet de proposer que la tête pouvait récupérer l'eau à une profondeur maximale de 12 m.

77 Les tertres de sources constituent un ensemble hydrologique particulier (Besançon et Geyer, "Contraintes écogéographiques," 23, fig. 10; Jacques Besançon et al., "Les plateformes gypseuses et les tertres de sources de la région de 'Ayn al-Zarqa (Syrie du Nord)," *Bulletin de l'Association de Géographes Français* 77, no. 1 (2000): 10–16). On dénombre environ une vingtaine de sources artésiennes, à présent toutes taries du fait de la surexploitation de la nappe phréatique depuis le milieu des années 1990. Les plus grands tertres atteignent vingt mètres de hauteur pour un diamètre d'environ 350 m.

78 Ce tertre est mentionné par Besançon et Geyer, "Contraintes écogéographiques," 23, fig. 10.

79 D'après la base de données de la mission de prospection des Marges arides de la Syrie du Nord; datation d'après la céramique ramassée durant la prospection 2010.

Deux puits de la Qanāt ‘Ayn Zalīla, décapés, laissent voir un conduit vertical, rectangulaire avec son grand axe dans l’axe de la *qanat* (dimensions : 1,30 m par 0,65 m)

Une portion de la Qanāt ‘Ayn al-Zarqa, entre les deux bassins 96/10 et 96/11, à l’emplacement où la *qanat* traverse la dépression périphérique de la plateforme de ‘Ayn al-Zarqa, correspond à un passage en aqueduc, aménagé dans un fossé d’environ 4 m de largeur. La partie médiane est construite et atteint environ 2 m de large. Sur un radier de petits cailloux, des blocs de gypse sont posés à plat. Ils sont recouverts d’un sol noir, à taches blanchâtres. La conduite pourrait avoir été construite en basalte et blocs de travertin. Un mortier hydraulique lissé, de forme convexe, apparaît en surface.

La Qanāt de Rasm Abū Miyāl comporte deux branches issues de deux sources différentes (‘Umm al-Qalaq et al-Shahāṭiyya). Cet aménagement est le plus long (12,5 km) et le plus complexe. Son tracé, assez sinueux est dicté, d’une part, par la nécessité de conserver une pente régulière et, d’autre part, par la volonté de diversifier au maximum les sources d’approvisionnement en eau. Le départ de la canalisation s’effectue en plusieurs points, au sud-est de la plateforme de ‘Ayn al-Zarqa, et la *qanat* s’alimente également à plusieurs sources sur son trajet. Ce système d’adduction comporte des aménagements variés et adaptés aux particularités du terrain : canal souterrain creusé dans la roche, canal à ciel ouvert – dans certains cas, sur un remblai artificiel –, canalisations maçonnées à l’aide d’un mortier hydrofuge charbonneux, digues, bassins de régulation et siphons<sup>80</sup>. Après la jonction avec la Qanat al-Shahāṭiyya, une dérivation alimentait une vaste mare, dans l’enceinte de l’enclos de territoire du grand site omeyyade de Rasm Abū Miyāl 1. Le canal se divise ensuite pour, d’une part, se jeter dans un grand réservoir et, d’autre part, irriguer la *fayda*. Ces *qanats* sont indissociables de la résidence de Rasm Abū Miyāl 1, assimilable à un « château du désert » : une propriété ceinte de murs, avec un apport d’eau artificiel et des bâtiments secondaires, dont une résidence luxueuse et des constructions plus modestes, de type fermes et/ou maisons<sup>81</sup>. Le site et les aménagements hydrauliques afférents ont été utilisés de manière continue jusqu’à l’époque abbasside (9<sup>e</sup> siècle).

80 Voir Rousset, “*Qanats de la steppe*,” 242–250.

81 Sur le site de Rasm Abū Miyāl, voir Geyer, “Des fermes byzantines,” 119–121; Bernard Geyer et Marie-Odile Rousset, “Rasm Abū Miyāl, château du désert,” dans *Une aventure archéologique : Antoine Poidebard, photographe et aviateur*, éd. Fabrice Denise et Lévon Nordiguan (Marseille : Parenthèses, 2004), 294–295; Genequand et Rousset, “Résidences aristocratiques,” 233–248.



En dehors de la Qanāt Wādī al-Zbīb, un autre système mixte a pu être observé. Il s'agit de la Qanat al-Khafiyya, qui capte l'eau du tertre de source d'al-Shahāṭiyya et la conduit vers le Wādī al-'Azīb, qu'elle draine ensuite sur environ 4 km pour aller irriguer la *fayda* d'Abū Laffa, à l'ouest, par un canal à ciel ouvert embranché sur un bassin à al-Khafiyya.

### 3.3 *Les bassins-réservoirs : formes et usages*

Les bassins sont généralement situés dans la partie terminale des *qanats*, entre le conduit principal et le ou les canaux répartiteurs. Cependant, deux cas présentent des bassins sur le tracé de la canalisation principale. Deux paires de bassins de régulation intermédiaires ont ainsi été repérés sur le tracé des Qanat 'Ayn al-Zarqa et Umm al-Qalaq. Ils sont de petite taille, ronds (16–17 m de diamètre pour 97/38 et 97/39, 30 m de diamètre pour 96/11) ou carrés (12×13 m pour 96/10). Des vestiges d'un habitat semi-sédentaire d'époque omeyyade, à proximité du bassin 96/10, indiquent qu'il a vraisemblablement dû servir également à l'alimentation en eau des éleveurs et de leur bétail. Les puits de *qanat* qui recourent le bassin 96/11 montrent un creusement du canal d'origine et l'abandon de ce bassin, probablement dès l'époque omeyyade.

Les grands réservoirs terminaux sont en général maçonnés. Dans le cas contraire, ce sont des *birkats*, des dépressions creusées dont le fond et les parois sont recouverts d'argile. Les dimensions dont nous disposons pour les installations de stockage du réseau sud sont variées alors que tous les bassins terminaux des *qanats* issues des tertres de source mesurent environ 40×40 m<sup>82</sup>. Il est difficile d'établir des comparaisons fondées sur la taille des bassins-réservoirs, dans la mesure où les dimensions ne sont pas homogènes et où les mesures n'ont pas toujours été prises dans les mêmes conditions, lorsqu'il ne s'agit pas d'estimations. Néanmoins, les variations de la capacité des bassins que suggèrent ces mesures pourraient être liées soit au débit des galeries, lui-même conditionné par des modes d'alimentation différents, soit à l'extension des cultures à irriguer. Le débit des *qanats* issues des tertres de source serait ainsi moindre que celui des *qanats* du réseau sud.

L'un des réservoirs les mieux conservés est celui de Ma'aqar al-Shamālī. Ce grand bassin, qui jouxte le village actuel, est installé sur un promontoire, sur un lambeau de glaciaire à dalle calcaire qui domine une vallée large à fond plat.

82 On peut d'ailleurs rattacher à cet ensemble la *qanat* 'Amšaradda, au sud-est de la zone prospectée, qui aboutit dans un réservoir de 40 m de côté (d'après les photos aériennes). Soubhi Mazloum donne pour la *birkat* 'Amsharadda un diamètre de 40 m (Mouterde et Poidebard, *Le Limes de Chalcis*, 1:119). Cependant, les images de *Google Earth* montrent clairement qu'il s'agit d'un bassin carré.

Cette disposition est idéale pour un début d'irrigation. De plan rectangulaire (54,75 × 39,62 m pour 3 m de profondeur), il est orienté au nord-est, c'est-à-dire dans l'axe du débouché de la *qanat*<sup>83</sup>. Ses forme et taille sont plutôt inhabituelles pour la région puisqu'un seul autre bassin franchement rectangulaire a été observé, à Qanāt al-Andarīn 1 (96/78, 122 × 103 m). L'eau s'y déversait par un canal taillé dans la roche au milieu de l'un des petits côtés. Elle s'écoulait ensuite à l'opposé, par un conduit aménagé dans le tiers supérieur de la paroi. La base de ce mur ayant été reconstruite récemment, rien ne permet de voir si une autre sortie d'eau, plus basse, avait été prévue à l'origine. Les murs et le sol sont faits de blocs calcaires parfaitement taillés, assemblés à joints vifs (1 × 0,40 m de haut).

Le réservoir de Birkat al-Ghadāmsa (95/10, environ 65 m de côté), creusé dans la dalle calcaire, est pourvu d'une colonne en basalte qui devait permettre de mesurer le niveau de l'eau<sup>84</sup>.

Deux réservoirs, au sud-ouest (97/122) et au nord-ouest (96/80) de l'agglomération d'Andarīn, ont été étudiés par la mission britannique. Contemporains, ils mesurent chacun 61 × 61 m de côté pour 2,50 à 3 m de profondeur et sont construits en blocs calcaires taillés, avec un sol de galets ou de dalles. Ils sont tous deux richement décorés : niches et colonnettes à motifs gravés pour 97/122, frise ornementale pour 96/80, avec notamment un panneau représentant Jonas et la Baleine. La datation par C<sub>14</sub> des charbons de bois inclus dans le mortier du sol du bassin sud-ouest permet de situer sa construction entre 540 et 670, soit dans le dernier siècle de la domination byzantine ou au début de la période islamique. Des fours à chaux pour la préparation de mortier ont été retrouvés à proximité du bassin 97/122. Les analyses par thermoluminescence les datent des 8<sup>e</sup>–9<sup>e</sup> siècles<sup>85</sup>.

Ces réservoirs sont manifestement à la fois des bassins de régulation et des installations de stockage de l'eau destinée à l'irrigation – c'est ce que suggère la présence d'un canal terminal, en sortie du bassin. Mais les réservoirs d'Andarīn pourraient avoir eu d'autres finalités, pas nécessairement incompatibles avec la première, comme celle de bassin d'élevage pour les poissons<sup>86</sup>. Mais cela supposerait soit la présence de grille ou de tout autre système évitant la fuite des poissons par le canal d'évacuation, soit que le bassin ne servait pas simul-

83 Rousset, "Qanats de la steppe," 253–254, fig. 9 et 10; Genequand et Rousset, "Résidences aristocratiques," 252–256.

84 Genequand et Rousset, "Résidences aristocratiques," 248–252.

85 Mundell Mango, "Baths, Reservoirs and Water Use," 76–79.

86 Marlia Mundell Mango, "Fishing in the Desert," dans *Golden Gate, Festschrift for Ihor Ševcenko*, éd. Peter Schneider et Olga Strakhov, Palaeoslavica 10, no. 1 (2002) : 323–330.

tanément pour l'irrigation et la pisciculture<sup>87</sup>. Deux canaux de dérivation, en amont du réservoir<sup>88</sup>, pourraient avoir été utilisés pour une irrigation directe, c'est-à-dire sans que l'eau acheminée par la *qanat* ne transite par le bassin de régulation lorsqu'on destinait ce réservoir à la pisciculture. L'un des canaux le contourne par le sud et aboutit à un réservoir plus petit (25,60 × 27,20 m), entièrement construit avec des blocs de remplois, lors d'une réutilisation tardive du système hydraulique. Un autre grand canal terminal, raccordé à ce petit bassin, se dirige vers le sud-ouest sur une distance de 752 m.

La présence des décors sculptés suggère aussi que ces bassins pourraient avoir été utilisés pour des spectacles nautiques<sup>89</sup>. Se pose alors la question de la contemporanéité de ces fonctions, très différentes les unes des autres. Les prospecteurs des Marges arides ont reconnu presque systématiquement, à proximité des bassins terminaux localisés dans ou sur le pourtour de la grande *fayda* centrale, une construction rectangulaire ou carrée, d'une cinquantaine de mètres de côté voire davantage qui pourrait avoir été une grosse ferme ou un édifice au caractère résidentiel plus prononcé, associé au bassin. La céramique byzantine est très faiblement représentée sur ces sites et seuls quelques bassins ont livré des tessons de cette période. Au contraire, la céramique omeyyade – et des fragments de placage de marbre – a été systématiquement retrouvée sur ces bâtiments. La céramique abbasside, quant à elle, n'est présente que sur les édifices au débouché des *qanats* du réseau sud et sur le bâtiment A du site de Rasm Abū Miyāl 1<sup>90</sup>.

Les indications chronologiques dont nous disposons pour dater ces bassins terminaux et leur utilisation permettent d'envisager des fonctions différentes et susceptibles d'avoir évolué au cours du temps. Nous supposons qu'ils ont été construits en même temps que les galeries drainantes, avant tout dans un but d'irrigation. Pour le réseau qui exploite les sources artésiennes des plateformes gypseuses, pérennes et au débit constant, la fonction première des bassins terminaux serait celle de bassins répartiteurs, c'est-à-dire que leur rôle serait d'abord de redistribuer l'eau vers les terres à irriguer. Dans le cas des galeries qui drainent les nappes d'inferoflux, dont le débit, également pérenne mais

87 D'autre part, les poissons qui auraient été élevés dans ce type de bassin (poisson-chat) peuvent survivre dans très peu d'eau ou dans des eaux peu oxygénées. Leur élevage n'impose donc pas nécessairement de maintenir une circulation d'eau dans les bassins.

88 Mundell Mango, "Baths, Reservoirs and Water Use," 87, fig. 11 et 12. À Ma'aqar al-Shamālī également, un canal étroit est creusé dans la roche, à faible distance de l'entrée de la conduite principale dans le bassin (Rousset, "Qanats de la steppe," 253, fig. 9).

89 Mundell Mango, "Fishing," 325.

90 Rousset, "Qanats de la steppe," 247, fig. 4; Genequand et Rousset, "Résidences aristocratiques," 233. Ce bâtiment est particulier car il est entouré d'un mur d'enclos.

plus irrégulier – qu’il soit supérieur ou moindre par rapport à celui des qanats en provenance des tertres –, fluctue d’une saison à l’autre, les bassins auraient plutôt eu pour fonction d’emmagasiner l’eau pour en réguler les quantités disponibles pour l’irrigation ou pour abreuver le bétail. À ces usages agricoles s’ajoutent ou succèdent une fonction piscicole et une fonction d’agrément, attestée ailleurs à l’époque omeyyade<sup>91</sup>.

La réutilisation contemporaine des réseaux d’irrigation a laissé de côté plusieurs de ces bassins, comme à Buwaydar 2 (10/20), où de nouveaux puits d’aération recourent les déblais de creusement du réservoir. À Birkat al-Ghadāmsa, une canalisation à ciel ouvert contourne le bassin pour rejoindre directement le canal répartiteur. À l’extrémité de la Qanat al-‘Azīziyya, une conduite moderne est raccordée au tracé d’origine, en amont du bassin, et le contourne par l’est. À Qanat Umm al-Qalaq, un canal secondaire, qui se ramifie ensuite en deux branches, part de la canalisation principale, bien en amont du bassin, pour irriguer la zone située au sud de ce dernier<sup>92</sup>. Dans ce dernier cas, on peut s’interroger sur la contemporanéité des différents aménagements. L’abandon du bassin peut s’expliquer dans certains cas par la difficulté que représente la remise en service des installations anciennes, comme à Ma‘aqar al-Shamālī, où le bassin antique a été curé, puis en partie ré-enduit, sans qu’il ait jamais pu retenir l’eau (d’après les témoignages recueillis sur le terrain).

### 3.4 Les canaux répartiteurs

Les canaux répartiteurs qui conduisent l’eau vers les terres à irriguer sont le plus souvent raccordés aux réservoirs terminaux, qui servent alors à réguler les flux et les quantités distribuées. Le canal principal est le plus souvent raccordé au bassin dans l’axe du conduit d’arrivée d’eau, comme à Qanat ‘Azīziyya, Qanat Umm al-Qalaq, Qanat ‘Ayn al-Zarqa, Qanat Umm Miyāl, Qanat al-Andarīn 2 et Qanat al-Andarīn 3<sup>93</sup>. Plus rarement, le canal se ramifie à la sortie du bassin en deux branches à 45° (Qanat Ma‘aqar al-Shamālī)<sup>94</sup>. En fonction de la topographie et de la nécessité, l’eau peut parfois être acheminée également par une ou deux autres conduites répartitrices, embranchées perpendiculaire-

91 Denis Genequand, “Économie de production, affirmation du pouvoir et *dolce vita* : aspects de la politique de l’eau sous les Omeyyades au Bilad al-Sham,” dans *Stratégies d’acquisition de l’eau et société au Moyen-Orient depuis l’Antiquité*, éd. Mohamed al-Dbiyat et Michel Mouton (Beyrouth : Presses de l’Ifpo, 2009), 157–177 ; Denis Genequand, *Les établissements des élites omeyyades en Palmyrène et au Proche-Orient*, Bibliothèque Archéologique et Historique 200 (Beyrouth : Presses de l’Ifpo, 2012), 282.

92 Rousset, “Qanats de la steppe,” 247, 262, fig. 4 et 15.

93 Rousset, figs 2, 4 et 15 ; Mundell Mango, “Baths, Reservoirs and Water Use,” 87, fig. 11 et 12.

94 Rousset, “Qanats de la steppe,” 253, fig. 9.

ment aux autres côtés du bassin (Qanat Umm al-Qalaq)<sup>95</sup>. La fouille des bassins d'Andarīn a mis en évidence la présence d'écluses à porte pour les canaux latéraux. Le canal axial qui quitte le bassin nord-ouest d'Andarīn (bassin 96/80), en pierre, est connecté au réservoir par un trou au niveau du sol, situé à l'aplomb d'un autre conduit, qui évacue le trop-plein d'eau. Le canal répartiteur a pu être suivi sur près d'un kilomètre, en direction du nord-ouest. Le conduit supérieur, quant à lui, oblique en diagonale vers le nord-est pour irriguer les champs environnants<sup>96</sup>.

Lorsqu'aucun réservoir terminal n'a été repéré, l'extrémité du canal débouche directement au milieu des terres cultivables.

### 3.5 « Les maîtres de l'eau » et l'évolution des grands ouvrages hydrauliques : de l'utile à l'agrément

L'aménagement des *qanats* est une entreprise délicate qui a été décrite dans les ouvrages d'agronomie anciens<sup>97</sup>. Elle nécessite l'intervention de spécialistes, regroupés en corporations, à différentes étapes de sa réalisation : captage, calcul des altitudes – essentiel, la galerie devant suivre une pente légère et régulière –, creusement, appréciation des débits ... Par conséquent, il est impensable que les *qanats* aient été construites par les cultivateurs eux-mêmes. Leur usage est soumis à des contraintes juridiques, portant sur le statut des terres et la gestion des tours d'eau. À l'époque abbasside (aux environs de 830), les traités d'agriculture et d'hydraulique évoquent largement la question des droits d'accès à l'eau. Le *ḥarīm* – une zone d'environ 250 m de large de part et d'autre de la *qanat* – est un espace réservé au sein duquel il est interdit de construire une autre *qanat*, de creuser un puits mais également de cultiver et de bâtir, pour qu'aucun prélèvement ni aucune pollution n'affecte la ressource

95 Rousset, 247, fig. 4; Geyer, Besançon et Rousset, "Les peuplements anciens," 68, fig. 7.

96 Mundell Mango, "Baths, Reservoirs and Water Use," 87, fig. 12.

97 Nombre de ces écrits s'inspirent de l'*Agriculture nabatéenne* de Kützami, traduite du syriaque vers l'arabe par Ibn Waḥṣīyya au 10<sup>e</sup> siècle, qui expose les techniques de culture et d'irrigation en usage aux 3<sup>e</sup>–6<sup>e</sup> siècles dans le Bilād al-Šām : Simone Zakri, "Pratiques hydroagricoles traditionnelles d'après les manuscrits arabes d'agronomie à la période médiévale dans le monde arabo-musulman," dans *Techniques et pratiques hydro-agricoles traditionnelles en domaine irrigué, approche pluridisciplinaire des modes de culture avant la motorisation en Syrie : Actes du colloque de Damas, 27 Juin–1<sup>er</sup> Juillet 1987*, éd. Bernard Geyer (Paris : Geuthner, 1990), 37; Patrick Landry, "Eaux souterraines et qanats d'après un livre arabe du XI<sup>e</sup> siècle," dans *Techniques et pratiques hydro-agricoles traditionnelles en domaine irrigué, approche pluridisciplinaire des modes de culture avant la motorisation en Syrie : Actes du colloque de Damas, 27 Juin–1<sup>er</sup> Juillet 1987*, éd. Bernard Geyer (Paris : Geuthner, 1990), 271–283; Mohamed El-Faiz, *Les Maîtres de l'eau : histoire de l'hydraulique arabe* (Arles : Actes Sud, 2005).

exploitée par la *qanat*<sup>98</sup>. L'existence des *qanats* implique donc celle d'une autorité en mesure de faire respecter ces contraintes.

Nous l'avons déjà souligné, il est extrêmement difficile, en l'absence de fouilles, de dater ces réseaux d'irrigation. Les renseignements fournis par les textes pour cette région sont extrêmement rares. Une inscription sur un linteau d'époque byzantine, répertoriée dans la région, pourrait faire référence à une *qanat* entre al-Ḥammām et Khanāšir (soit une distance d'environ 17 km)<sup>99</sup>. Elle mentionne un certain Grégorios Abiménos, également connu pour avoir restauré les portes et l'enceinte de Khanāšir en 604<sup>100</sup>. Cependant, bien que la présence d'un tertre de source à 2,5 km au sud-est du site d'al-Ḥammām soit une bonne configuration pour un départ de *qanat*, aucune galerie n'a été repérée dans ce secteur, ni sur le terrain, ni sur les photographies aériennes. Depuis la source située au sud d'al-Ḥammām part un canal à ciel ouvert qui se dirige vers le site, sur 800 m, et qui a été recreusé au moins une fois; cependant il est très probablement moderne.

Avec les seules données de la prospection, il est souvent impossible de déterminer la chronologie relative entre les différents segments des conduites et les sites localisés à proximité. De plus, les céramiques sont généralement absentes dans les canaux et rares auprès des bassins. Cependant, l'évolution de la répartition générale des sites d'une période à l'autre livre quelques indices sur l'utilisation du réseau hydraulique. Les sites ont sans doute eu, à un moment donné, un rapport direct avec l'exploitation et la gestion de l'eau. Les implantations romaines, souvent modestes, sont assez régulièrement réparties sur

98 El-Faiz, 175.

99 Mouterde et Poidebard, *Le Limes de Chalcis*, 1:207–208: "Il est naturel à cet univers de dérouler [les plaines] après les sommets et [de faire succéder] le sec à l'humide: par un bon vouloir divin, échut à cette source, sortie du roc, la vertu d'exhaler des vapeurs, offrant un remède salubre convenable aux passants [m. à m. à ceux qui s'arrêtent]. Ayant découvert un canal abondant, Grégorios (?) a opéré un captage, qui étendit commodément jusqu'à sa patrie le flot de vie et de sécurité préventif des maladies. Tout le travail a été accompli [l'an ...], la 12<sup>e</sup> indiction"; voir aussi Jeanne et Louis Robert, "Bulletin épigraphique," *Revue des Études Grecques* (1946–1947): 357–359, no. 204, et Jeanne et Louis Robert, "Bulletin épigraphique," *Revue des Études Grecques* (1954): 175, no. 243. Cette traduction de l'inscription laisse entendre la construction par un évergète d'une conduite d'adduction d'eau vers Anasatha (Khanāšir) à partir de la source d'al-Ḥammām. Mais l'édition du texte et sa traduction par René Mouterde soulèvent de nombreux problèmes et l'inscription ferait plutôt référence à la construction d'un bain qu'à celle d'une *qanat* (Gatier, « Grande », 97 et n. 25; nous remercions Pierre-Louis Gatier pour les informations complémentaires qu'il a bien voulu nous communiquer).

100 Jalabert, *Inscriptions*, nos. 281 et 292.

l'ensemble du secteur, espacées d'environ 2 km les unes des autres, avec des sites plus étendus, répartis selon un maillage plus lâche. Ils ne semblent pas entretenir de rapport direct avec les *qanats* et leur sont vraisemblablement antérieurs car les galeries drainent les terrains qu'elles traversent et les rendent, de ce fait, moins propices à la culture en les privant en partie de l'accès aux nappes d'inféoflux.

Les sites byzantins sont installés soit en rapport direct – à proximité de la tête ou au débouché de la *qanat* – soit à l'écart de la galerie drainante. On ne les trouve que dans de rares cas sur le trajet de la *qanat*<sup>101</sup>. Lorsque c'est le cas, l'eau devait être remontée depuis les puits par des machines élévatoires – c'est du moins ce que suggère la présence de godets sur certains de ces sites. Ces établissements, des fermes le plus souvent, seraient donc contemporains des *qanats*, vraisemblablement gérées par des communautés villageoises.

Le système a continué à être exploité et entretenu au début de l'époque islamique. Les sites sont alors plus systématiquement localisés au débouché des *qanats*, exception faite du réseau sud, issu des Palmyrénides. La présence, à partir de l'époque omeyyade, d'un nouveau type de bâtiment, à proximité immédiate des réservoirs terminaux, témoigne vraisemblablement d'une gestion différente des *qanats*. L'exploitation des *qanats* et la mise en valeur des terres qu'elles irriguent seraient le fait d'un grand propriétaire, résidant – peut-être temporairement – à proximité du débouché de la galerie, plutôt que d'une communauté<sup>102</sup>. Les ressources hydrauliques semblent avoir été suffisantes, au

101 Par exemple la Qanat Umm 'Uwayqila, au sud-est du réseau et à Umm al-Ka'iybāt (Rousset, "Qanats de la steppe," 256–257).

102 Genequand et Rousset, "Résidences aristocratiques," 259–263. Hugh Kennedy, "The Impact of Muslim Rule on the Pattern of Rural Settlement in Syria," dans *La Syrie de Byzance à l'Islam VII<sup>e</sup>–VIII<sup>e</sup> siècles: Actes du Colloque International, Lyon-Paris, 11–15 septembre 1990*, éd. Pierre Canivet et Jean-Paul Rey-Coquais (Damas: Institut Français d'Études Arabes de Damas, 1992), 295. L'essentiel de la mise en valeur agricole, d'après Hugh Kennedy, aurait porté, à l'époque omeyyade, sur des zones dites marginales, qui n'auraient connu qu'une occupation sporadique auparavant – le cas des Marges arides de la Syrie du Nord a cependant conduit à corriger fortement ce point de vue – et qui ne furent guère réoccupées par la suite. Il n'était pas nécessaire, au début de l'époque islamique, d'acheter des terres dans les zones de marges – au climat semi-aride ou aride – pour les mettre en valeur. Le développement de ces secteurs, planifié par des magnats qui résidaient ou non sur place, est en partie lié à la fiscalité de la dynastie régnante. Les élites omeyyades vivaient pour une grande part de leurs propres ressources et non du revenu d'une taxation générale – la perception de l'impôt n'est centralisée qu'à partir de l'époque abbasside. Voir également Michael Morony, "Economic boundaries? Late Antiquity and Early Islam," *Journal of the Economic and Social History of the Orient* 47, no. 2 (2004): 166–194.

9<sup>e</sup> siècle, pour effectuer des prélèvements en amont sur certaines *qanats*. Cet apport en eau est parfois complété par des citernes d'appoint, comme à Umm 'Adasa ou Rasm M'ammash<sup>103</sup>.

On peut observer des différences notables dans la chronologie de l'utilisation des ouvrages hydrauliques, d'un secteur à l'autre. Dans la région des tertres de sources, les deux *qanats* septentrionales pourraient avoir été abandonnées après le 6<sup>e</sup> siècle alors qu'une *qanat* plus au sud (Umm al-Qalaq) aurait été réutilisée, modifiée ou bien construite à l'époque omeyyade, en relation avec un établissement de type « château du désert »<sup>104</sup>. La répartition des sites autour des *qanats* d'Andarīn semble indiquer que seules les deux *qanats* occidentales étaient encore – au moins en partie – en activité à l'époque abbasside (9<sup>e</sup> siècle), alors que les plus proches d'Andarīn auraient périclité en même temps que l'agglomération elle-même. Enfin, à l'époque abbasside, l'utilisation des ouvrages hydrauliques apparaît variable selon les zones. D'une part, l'extension du réseau en usage se réduit, car les sites de cette période sont presque tous répartis dans la moitié sud-ouest de la région. D'autre part, comme à l'époque omeyyade, des résidences aristocratiques existent à proximité des bassins terminaux. On observe autour de ces établissements des murs d'enceinte, voire dans certains cas des fossés, qui témoigneraient de la volonté de défendre ces installations du fait d'une insécurité grandissante, en partie due à la guerre civile des années 830. Le caractère défensif de ces établissements est particulièrement bien représenté par le camp fortifié du 9<sup>e</sup> siècle à Abū al-Khanādiq. Une forteresse de basalte y est entourée de deux fossés, doublés chacun d'un mur en brique crue<sup>105</sup>.

La période byzantine est probablement celle qui a vu l'aménagement de la majeure partie des grands ouvrages hydrauliques, dans le cadre d'une exploi-

103 Site localisé le long de la Qanat Ma'aqar al-Shamālī (Rousset, "Qanats de la steppe," 255–256).

104 Genequand et Rousset, "Résidences aristocratiques," 233–248.

105 Marie-Odile Rousset, "Traces of the Banu Salih in the Syrian Steppe? The Fortresses of Qinnasrin and Abu al-Khanadiq," *Levant* 45 (2013), 69–95; Marie-Odile Rousset, "Deux sites fortifiés au début de l'époque islamique au Bilād al-Šām: Qinnasrīn et Abū al-Ḥanādiq," dans *La guerre dans le Proche-Orient médiéval (x<sup>e</sup>–xv<sup>e</sup> s.): état de la question, lieux communs, nouvelles approches*, éd. Mathieu Eychenne, Stéphane Pradines et Abbès Zouache, Recherches d'archéologie, de philologie et d'histoire 37 (Le Caire: IFAO, 2014), 193–229. Aucune céramique antérieure au début du 9<sup>e</sup> siècle n'a été retrouvée sur ce site, en grande partie construit avec des matériaux de remploi. Les inscriptions qui y ont été relevées sont selon toute probabilité hors contexte (Griesheimer, "L'occupation byzantine," 141–142, no. 25). Abū al-Khanādiq n'est donc vraisemblablement pas l'étape sur l'*Itinéraire Antonin*, suggérée par Marlia Mundell Mango (Mundell Mango, "Baths, Reservoirs and Water Use," 78).



tation générale et raisonnée de l'ensemble des ressources de la région. Les réseaux hydrauliques ont dû, d'une part, permettre d'augmenter les rendements des céréales et, d'autre part, favoriser dans l'ouest de la région irriguée le passage de la céréaliculture à l'arboriculture. Les installations ont été entretenues et de nouvelles modalités de gestion de ces aménagements paraissent s'instaurer au début de l'époque islamique. L'époque omeyyade voit l'émergence de grands projets d'aménagements agricoles dans l'ensemble du Bilād al-Shām et les Marges arides de la Syrie du Nord profitent, elles aussi, de ce mouvement<sup>106</sup>. L'importance de cette région pour la famille régnante transparaît dans les textes : on sait qu'en 709, le calife omeyyade al-Walīd b. 'Abd al-Malik séjournait à Khunāshira (Khanāshir)<sup>107</sup>. Le calife 'Umar b. 'Abd al-'Azīz (717–720) s'établît au même endroit. Il s'y était fait construire un château où il résidait fréquemment ; il y mourut en 720<sup>108</sup>. Qaṣṭal est mentionné dans les textes comme l'une des résidences du prince al-'Abbās, qui s'y installa en 744, fuyant une épidémie qui ravageait Damas. Son frère, Yazīd b. al-Walīd, s'établît un peu plus loin, à Jarūd [?] <sup>109</sup>. En 745, le calife Marwan II passa par Qaṣṭal et Sūriyā (Ithriyā) sur son trajet vers Ruṣāfa<sup>110</sup>. Ainsi qu'en témoignent les vestiges archéologiques (céramiques, ouvrages hydrauliques, résidences ...), cette zone était par conséquent directement contrôlée par la famille omeyyade.

À partir du début de l'époque abbasside, la superficie des zones irriguées a dû diminuer puisque seules les *qanats* de l'ouest et du sud sont maintenues en activité. L'irrigation serait alors destinée aux cultures à forte valeur ajoutée, comme par exemple celle du safran<sup>111</sup>. Les textes rapportent que Ṣāliḥ b. 'Abd Allāh b. al-'Abbās, nommé gouverneur du sud et du centre de la Syrie en 758, s'installa à Salamiyya et s'appliqua à reconstruire la ville. Son fils, 'Abd Allāh, poursuivit son entreprise et en profita pour développer le système d'irrigation de l'agglomération et de ses environs<sup>112</sup>. De nombreux membres de la famille

106 Kennedy, "The Impact of Muslim Rule," 293 ; Genequand, *Les établissements* ; Genequand et Rousset, "Résidences aristocratiques," 233–265.

107 Musil, *Palmyrena*, 204.

108 al-Ṭabarī, *Tārīkh al-rusūl wa-l-mulūk*, trad. Hermann Zotenberg (Paris : Maisonneuve, 1958), 2:1361.

109 al-Ṭabarī, 1784.

110 al-Ṭabarī, 1896, 1908.

111 Un texte mentionne une culture irriguée du safran dans la région de Salamiyya (André Miquel, *La géographie humaine du monde musulman jusqu'au milieu du 11<sup>e</sup> siècle* (Paris : École des Hautes Études en Sciences Sociales, 1980), 435).

112 al-Ya'qubi, *Les pays*, trad. Gaston Wiet, Textes et traductions d'auteurs orientaux 1 (Le Caire : IFAO, 1937), 324 ; Rousset, "Traces of the Banu Salih," 91–92.

abbasside hāshimite vécurent à Salamiyya au début de la période abbasside. Vers le début du 9<sup>e</sup> siècle, ‘Abd Allāh, arrière-petit-fils de l’imam Ja‘far al-Ṣādiq et réfugié en Syrie, s’installa à Salamiyya et s’y fit construire un palais somptueux<sup>113</sup>.

L’abandon généralisé des réseaux hydrauliques, au milieu du 9<sup>e</sup> siècle, fait suite aux tentatives de reconquête byzantine et à la destruction des arbres par les Hamdānides<sup>114</sup>. Le climat d’insécurité qui régnait alors ne permettait plus l’entretien des grands ouvrages et la disparition de l’arboriculture privait la population d’une part importante de ses revenus. Dès lors, le maintien du peuplement dans cette région fut compromis<sup>115</sup>.

#### 4 Les citernes

Si les ouvrages hydrauliques évoqués ci-dessus sont en priorité destinés à l’irrigation, une autre catégorie d’aménagement est dévolue plus spécifiquement – mais non exclusivement – à l’approvisionnement en eau des hommes et des animaux. Ce sont les puits et les citernes. Nous nous contenterons d’évoquer les secondes car elles témoignent d’une volonté de définir les parcours des populations nomades en constituant des réserves d’eau dans les secteurs les plus arides.

La citerne est un aménagement particulièrement adapté à la faible dotation pluviométrique et à des milieux où le substrat et les formations superficielles favorisent le ruissellement (affleurement de roches compactes et de dalles cimentées)<sup>116</sup>. Son ouverture réduite, souvent creusée dans le calcaire, limite l’évaporation et les risques de pollution. Alimentée par les crues des oueds

113 Johannes Hendrik Kramers et Farhad Daftary, “Salamiyya,” dans *Encyclopaedia of Islam*, 2nd ed. (Leiden : Brill, 1995), 8:952–955.

114 Nicéphore Phocas attaque Qinnasrīn en 961 et ravage douze grandes villes de Syrie du Nord en 968. En 944, au cours de la lutte qui oppose Sayf al-Dawla aux Ikshidides, les arbres fruitiers autour d’Alep sont sciés et les Alépins contraints d’importer leurs fruits et leurs légumes depuis la région d’Antioche, en territoire byzantin (Thierry Bianquis, “Pouvoirs arabes à Alep aux x<sup>e</sup> et xi<sup>e</sup> siècles,” *Revue des mondes musulmans et de la Méditerranée* 62 (1991) : 53–54).

115 Geyer et Rousset, “Déterminants géoarchéologiques,” 92.

116 Besançon et Geyer, “Contraintes écogéographiques,” 41–42 ; Bernard Geyer, Jacques Besançon et Marie-Odile Rousset, “Les citernes pluviales des steppes syriennes, éléments de la conquête d’une marge aride,” dans *Habitat et environnement : prospections dans les Marges arides de la Syrie du Nord*, Travaux de la Maison de l’Orient 71, Conquête de la steppe IV (Lyon : Maison de l’Orient et de la Méditerranée, 2016).

ou par le ruissellement qui ravine les pentes immédiatement sus-jacentes, elle capte l'eau de pluie avant qu'elle ne s'infilte ou ne s'évapore.

La forme de la citerne dépend du substrat dans lequel elle est creusée. Les plus petites sont généralement piriformes. Les grandes sont cubiques ou parallélépipédiques, parfois aménagées immédiatement sous la dalle calcaire qui sert ainsi de couverture, et parfois plus profondes.

La modicité des cumuls annuels de précipitation impose de tirer parti au mieux de l'eau fugitive et, pour ce faire, de multiplier les dispositifs de stockage. À Rasm Kandūš, en plus de celles disséminées dans la zone d'habitat, une cinquantaine de citernes ont été dénombrées dans les alentours proches<sup>117</sup>.

Une fois creusées, les citernes demandent un entretien : curage pour évacuer les sédiments transportés par le ruissellement, qui diminuent progressivement les capacités de stockage, et réfection des enduits. Ces opérations nécessitent une concertation entre les différents utilisateurs.

#### 4.1 *Les citernes associées aux agglomérations : une gestion collective*

Dans certaines grandes agglomérations, comme Dawsa ou Rasm al-Aḥmar 3, des citernes ont manifestement été aménagées par une collectivité. La surface et la capacité de ces installations est parfois perceptible par la quantité de déblais qui la jouxte mais pas toujours, les déblais de creusement, blocs et éclats de roche, ayant sans doute été utilisés pour les bâtiments. Dans le cas de Rasm al-Aḥmar 3, une agglomération qui s'étend sur 850 m environ du nord au sud et approximativement 700 m d'est en ouest, un secteur entier est dévolu au stockage de l'eau : deux groupes de citernes, de plan carré, avec enduit et margelle, sont regroupés dans la partie sud-est, non bâtie, du site. Elles sont installées sur une déclivité très peu marquée, à proximité d'un grand enclos qui aurait servi au parcage des animaux<sup>118</sup>. De grosses buttes-dépotoirs, très sombres, intercalées entre les zones d'habitation pourraient traduire l'importance des activités d'élevage sur ce site. Il pourrait en effet s'agir de tas de fumier provenant du nettoyage de l'enclos<sup>119</sup>.

117 Duvette, "Habitat byzantin," 186.

118 Geyer, "Pratiques d'acquisition," 41, fig. 17–18; Geyer et Rousset, "Déterminants géoarchéologiques," 85; Rivoal, "Entre steppe et plateaux basaltiques," en part. fig. 9.

119 Marion Rivoal, "Autour des dépotoirs : production, gestion et exploitation des excréments animaux dans la steppe syrienne pendant l'Antiquité tardive," dans *Habitat et environnement : prospections dans les Marges arides de la Syrie du Nord*, éd. Marie-Odile Rousset, Bernard Geyer, Pierre-Louis Gatier et Nazir Awad, Travaux de la Maison de l'Orient, Conquête de la steppe IV (Lyon : Maison de l'Orient et de la Méditerranée, 2016), 169–201.

Dawsa est une agglomération étendue située dans une zone répulsive, globalement défavorable à la culture. En conséquence, l'économie du site paraît majoritairement tournée vers l'élevage. De nombreuses citernes ont été repérées, tant dans la zone d'habitat que dans celle où se concentrent des enclos qui servent probablement à parquer des troupeaux<sup>120</sup>. Séparés par des allées, ces enclos pourraient être les vestiges d'un lieu de rassemblement du petit bétail (caprinés) et de vente des sous-produits de l'élevage. L'agglomération aurait ainsi fonctionné comme un marché, à la lisière des zones dévolues à l'élevage (zone III) et à la culture, notamment irriguée (zone II)<sup>121</sup>.

À Abū al-Khanādiq, une vingtaine de citernes, de plus de 4 m de profondeur conservée, a été aménagée dans une zone qui jouxte la forteresse de basalte<sup>122</sup>. Seul exemple de ce type, ces citernes permettaient de constituer des réserves d'eau conséquentes, en cas de siège. Néanmoins, dans ce cas précis, l'eau emmagasinée ne semble pas provenir des écoulements de surface, nécessairement restreints dans une zone peu étendue limitée par deux fossés. Il pourrait s'agir d'une réserve d'eau pluviale, recueillie aux toits du bâtiment voisin, ou d'une quantité d'eau transportée depuis l'extérieur du site. Mais seule une autorité – militaire, dans ce cas – devait permettre d'entretenir et d'approvisionner régulièrement ce dispositif.

#### 4.2 *Les citernes isolées et la fixation des nomades*

Dans l'est de la région, sur le plateau calcaire d'al-'Alanda, dans le secteur de Rasm al-Ja'ār (figure 6.10), une série de citernes isolées a été observée<sup>123</sup>.

Elles sont le plus souvent aménagées dans le lit majeur de l'oued et se remplissent à la faveur du ruissellement, les collines environnantes concentrant les eaux de pluies dans le talweg. Elles sont particulièrement grandes – jusqu'à 17,50 m de profondeur pour 16 m de côté – et leur capacité semble avoir imposé de réserver, lors du creusement, des piliers qui soutiennent le plafond. On accédait à ces citernes par un puits étroit, de plusieurs mètres de long pour les plus profondes, qui traversait les strates meubles ou fissurées et s'évasait ensuite en une vaste salle creusée dans la roche saine.

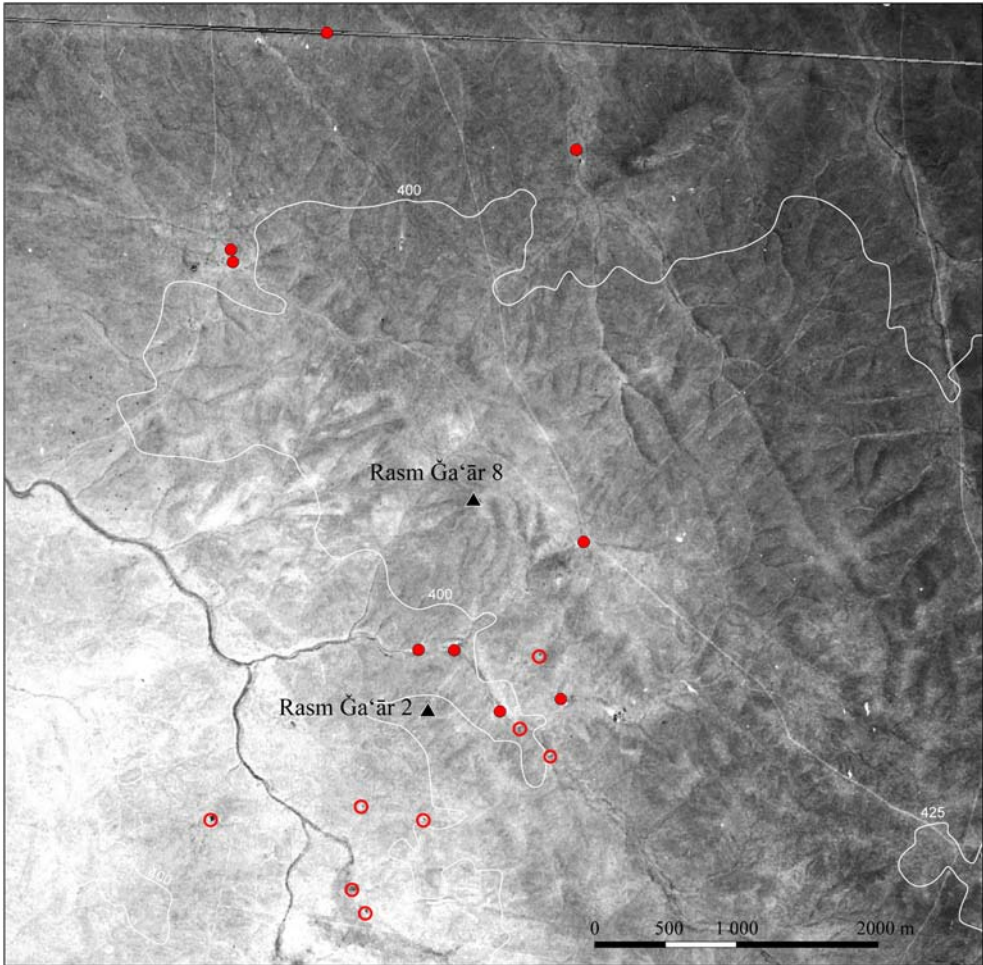
Les déblais de curage de la citerne – plus rarement ceux provenant du creusement – sont disposés en arc de cercle en contrebas ou en aval de l'embou-

120 Rousset et Duvette, "L'élevage," 490–491.

121 Geyer et Rousset, "Les steppes arides," 116–117.

122 Rousset, "Deux sites fortifiés," 211 et fig. 15.

123 D'autres groupements de citernes ont été repérés, par exemple dans certains des oueds du Jabal Bal'as dans la région de Umm al-Fuhūd, sur la retombée du massif nord palmyrénien.



▲ Site

Photographie aérienne de 1958.

● Citerne isolée vue sur le terrain

○ Citerne isolée repérée sur photographie aérienne

Equidistance des courbes de niveau : 25 m.

FIGURE 6.10 Répartition des citernes dans la région de Rasm Ġa'ār

MARION RIVOAL, MARIE-ODILE ROUSSET ©MISSION MARGES ARIDES  
2011

chure, de manière à former une sorte de barrage de retenue qui contribue à une récupération maximale du ruissellement. Des rigoles peuvent également être aménagées pour guider l'eau vers la bouche de la citerne.

Dans ce secteur à l'aridité climatique et édaphique marquée, avec un accès à l'eau problématique sinon inexistant sans aménagement, seul l'élevage est

praticable. De fait, des traces de campements anciens ont été repérées presque systématiquement non loin de chacune de ces citernes. Ce sont des espaces nettoyés, avec un tas de petites pierres repoussé en périphérie – vestiges des balayages successifs de la zone située à l'avant de la tente – et parfois une butte plus terreuse – peut-être une petite construction en brique crue. Seul le site de Rasm al-Ja'ār 2 peut être attribué à une occupation de semi-sédentaires, datée de l'époque omeyyade. Il se compose de deux constructions, distantes d'une centaine de mètres, constituées, pour l'une, d'une seule pièce de 5,50 m de côté et, pour l'autre, de trois pièces accolées, un peu plus grandes (6 m de côté). Les deux bâtiments sont construits en blocs de gypse et la largeur des arases de murs (0,80 m) permet de restituer une couverture en coupole. Un autre site, occupé à l'époque byzantine, correspond à un unique petit bâtiment de stockage formé d'une seule pièce de 5 m de côté (Rasm Ja'ār 8). La base des murs, construite en blocs de gypse et de dalle, soutenait les murs de terre crue.

Les citernes ont rendu possible l'occupation temporaire et parfois permanente dans des zones répulsives. Le nombre de citernes construites dans la région de Rasm al-Ja'ār et surtout leur capacité laissent penser que ces aménagements ne sont vraisemblablement pas le fait des nomades eux-mêmes mais qu'ils ont été réalisés dans le cadre d'une politique de mise en valeur généralisée de la région. Même si la maîtrise de ces dispositifs de stockage, faciles à mettre en œuvre, est bien antérieure à l'époque byzantine, ce n'est qu'à partir de cette période qu'ils semblent avoir été utilisés comme un moyen de contrôler le peuplement nomade. Le matériel céramique, récolté dans les déblais de curage ou les campements associés aux citernes, bien que peu abondant, indique une première utilisation de ces citernes aux alentours des 5<sup>e</sup>–6<sup>e</sup> siècles, puis tout au long des 7<sup>e</sup>–8<sup>e</sup> siècles et, dans une moindre mesure, aux 9<sup>e</sup>–10<sup>e</sup> siècles. La représentation des différentes périodes, en terme de matériel, est la même dans le secteur de Rasm al-Ja'ār que dans les zones situées plus à l'ouest. Cela signifierait que, entre l'époque byzantine et l'époque abbasside, l'occupation purement nomade évolue dans les mêmes proportions que l'occupation semi-sédentaire ou sédentaire. Le recul du peuplement sédentaire vers l'ouest, auquel on assiste entre le 7<sup>e</sup> et le 10<sup>e</sup> siècle, n'est donc vraisemblablement pas à imputer à une modification de la nature du peuplement. Le reflux des sédentaires ne paraît pas coïncider avec une augmentation de la population nomade, ce qui tend à montrer qu'il s'agit bien d'un déclin démographique, touchant les populations sédentaires comme les populations nomades et non d'un changement de stratégie de subsistance des agriculteurs sédentaires, qui se seraient progressivement tournés vers le pastoralisme nomade. La céramique montre également

une réutilisation tardive des citernes, à l'époque médiévale qui correspond, dans la région, à une période d'élevage intensif, ainsi qu'à l'époque contemporaine.

## 5 Conclusion

Il est difficile, dans l'état actuel de nos connaissances, basées avant tout sur l'archéologie, d'apporter une réponse tranchée et définitive aux diverses interrogations que soulèvent les modalités d'organisation et de contrôle des campagnes des Marges arides de la Syrie du Nord. Les structures agraires, tout comme les aménagements hydrauliques, démontrent la variété des situations : situations économiques, indéniablement, mais probablement aussi politiques, fiscales, administratives et démographiques. Les vestiges agraires et les installations hydrauliques témoignent de changements (notamment d'investissements économiques) et d'adaptations dans les stratégies d'exploitation des ressources, tant agricoles qu'hydrologiques. On ne peut dater précisément ces évolutions qui traduisent les efforts et les ambitions des agriculteurs pour rendre une terre productive et la bonifier, si difficile qu'ait pu paraître, de prime abord, la culture dans certains contextes. Car ces stratégies économiques s'inscrivent dans la longue durée, à partir du 3<sup>e</sup> siècle au plus tard<sup>124</sup> et jusqu'au milieu du 10<sup>e</sup> siècle, qui voit se confirmer, pour au moins deux siècles, le recul des sédentaires amorcé dès le 7<sup>e</sup> siècle<sup>125</sup>.

L'émergence de quelques grands pôles dans la steppe comme Andarīn, avec le réseau de galeries drainantes qui irrigue la grande *fayda* centrale, et Ithriyā, avec son vaste enclos de territoire – s'ils sont bien contemporains –, pour ne citer que ces deux-là, confirment la pertinence et le succès de ces stratégies. La spécialisation des orientations économiques en fonction des qualités intrinsèques des terroirs, qu'on devine au travers des aménagements agraires et hydrauliques, montre que les exploitants, paysans et éleveurs des Marges arides, ont atteint certains de leurs objectifs et sont parvenus à incorporer leurs productions au marché dynamique qui caractérise la fin de la période byzantine et vraisemblablement aussi le 7<sup>e</sup> siècle. Ces stratégies économiques impliquent aussi bien les populations de cultivateurs sédentaires que celles des

124 À noter que cette période coïncide également avec les premiers indices que nous avons d'une organisation du territoire dans le Massif calcaire (Georges Tchalenko, *Villages antiques de la Syrie du Nord: le massif du Bélus à l'époque romaine* (Paris: Geuthner, 1953–1958), 1:130–131, 3:6–11).

125 Geyer et Rousset, "Déterminants géoarchéologiques," 92.

éleveurs. À cette dernière catégorie appartiennent les éleveurs sédentaires, non itinérants, avec leurs troupeaux de moutons et de chèvres, mais aussi vraisemblablement les pasteurs nomades. Les citernes construites dans le secteur de Rasm al-Ja'ār démontrent une tentative de contrôle de ces populations et l'on peut raisonnablement supposer que ce contrôle précède et/ou implique une politique d'intégration, notamment économique.

L'évolution des stratégies d'économie agricole mises en évidence par l'analyse des traces matérielles s'effectue en parallèle avec l'évolution de la cité de Chalcis du Bélus / Qinnasrin<sup>126</sup> et c'est probablement elle qui contrôle cette *chôra* steppique. Cependant, d'autres formes de structures territoriales ont également pu exercer leur autorité sur ces zones de marges, territoires tribaux ou domaines impériaux<sup>127</sup>. Lyon, 2011.

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## The *Ghāzī* Movement

### *Performative Religious Identity on the Byzantine-Islamic Frontier*

*Jessica L. Ehinger*

This paper focuses on the role of Islamic religious identity in the broader question of emerging caliphal authority and its impact in rural settings – that is, how the rise of Islam and the emergence of the caliphate affected not just the nascent practice of Islam in rural communities, but what it meant to be a Muslim. Like many of the articles collected in this volume, it does so by focusing on one particular example, the *ghāzī*, a warrior-ascetic movement that developed on the frontier between the Byzantine empire and the caliphate in the late Umayyad and early Abbasid period (characterized here by the writings of Ibn al-Mubārak (d. 797) and Ibn Ishāq (d. ca. 802), as well as accounts of the life of Ibn Ādam (d. ca. 777)). Also like many of the other articles in this volume, both the subject and the setting play a key role in understanding the underlying textual themes – there was no one rural environment in the caliphate, and the various, diverse localities had their own challenges and needs based on their geography, environment, and the composition of the indigenous populations. The Byzantine-Islamic frontier was no different, and the rural and rugged environment itself figured centrally in much of the *ghāzī* literature.<sup>1</sup>

The *ghāzī* and their relationship to the indigenous population was similarly central – the *ghāzī* were predominately outsiders, many of them urban elite who had moved to the frontier in order to embrace an ascetic lifestyle. The local population were non-Muslims, but the *ghāzī* were crucially not missionaries – they understood the frontier to be hostile, and their purpose there was to subdue it, through military training and the purity of their own religious practices, not through conversion or outreach. In this way, there emerges in the Byzantine-Islamic frontier a distinct conception of religious identity in a rural setting, one in which many of the same contradictory themes that have been noted elsewhere in this volume come to light. The goal of the *ghāzī* was to sub-

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1 For an overview on the developing character of the Byzantine-Islamic frontier, see chapter 4 of this volume from James Howard-Johnston, “Authority and Control in Interior of Asia Minor”. See also A. Asa Eger, *The Islamic-Byzantine Frontier: Interaction and Exchange among Muslim and Christian Communities* (London: Tauris, 2015), 1–20.



due the frontier, for the sake of Islam as a faith and for the caliphate, but their identity hinged on it remaining a hostile and remote territory, accessible only to them.

In doing so, the intention of this paper is also to bring to the foreground the concept of Muslim religious identity, which, unfortunately, still remains something of an ‘unknown country’ for the study of Islamic history. Although modern scholars are obviously aware that Islam is a religious movement, much of the scholarship about early Islam has focused on Islam as a military, political or social movement. The religious claims which underpinned this society seem to receive comparatively little attention. This is largely because the nature of Islamic practice and doctrine, or the definition of Muslim identity – what it meant to *be* a Muslim – in the first centuries of the Islamic expansion are questions hindered by the lack of surviving source material from much of the conquered territories. As will be discussed in more detail below, this lack of source material which can be consistently dated to the seventh or eighth centuries by modern scholars has created, in the words of Fred Donner, a field ‘in a state of disarray,’<sup>2</sup> with various scholars claiming that the early community who followed Muhammad and who conquered the Near East and North Africa should best understood as Tritheist Christians, Jewish Messianists, or God-fearing Abrahamic monotheists, with no clear methodological path to reunite this disparate theories.<sup>3</sup>

The continued academic fascination with understanding the religious identity of the early community of Muslims, despite the limited source material, however, is understandable, as the question of what it meant to be a Muslim in the seventh, eighth, and ninth centuries is inexorably tied to the larger question of how the Christian Near East and North Africa, territories which had been the cradle of Christianity since the life of Jesus Christ, transformed into the Muslim lands of the Medieval and modern periods, with their own distinctly Islamic society and culture.

2 Fred Donner, “The Qur’an in Recent Scholarship: Challenges and Desiderata,” in *The Qur’an in its Historical Context*, ed. Gabriel Said Reynolds (London: Routledge, 2008), 29.

3 Tritheist Christians are the suggested identity of Günter Lüling (*Über den Ur-Qur’an: Ansätze zur Rekonstruktion vorislamischer christlicher Strophenlieder im Qur’an* (Erlangen: Verlagsbuchhdlg, 1974)); Jewish Messianists of Patricia Crone and Michael Cook (*Hagarism: The Making of the Islamic World* (Cambridge: Cambridge University Press, 1977)), and Abrahamic ‘Believers’ is the analysis of Fred Donner (*Muhammad and the Believers: At the Origins of Islam* (Cambridge: Harvard University Press, 2010)). For a useful analysis of how this variety of theses has impacted early Islamic and Quranic studies, see also Angelika Neuwirth and Nicolai Sinai, “Introduction,” in *The Qur’an in Context*, eds. Angelika Neuwirth, Nicolai Sinai and Michael Marx (Leiden: Brill, 2011), 1–24.

The *ghāzī* movement provides a useful outlet for discussing early Muslim religious identity for two reasons. On the one hand, the *ghāzī* provide a clear insight into one conception of how Muslims should live alongside the conquered communities of Christians and Jews, understanding Islam as superior to the other Abrahamic traditions, but without any emphasis on missionizing to the protected communities, using them instead as a religious Other, in order to define their own superiority.<sup>4</sup> On the other hand, however, the *ghāzī* movement also demonstrates considerable disdain for its Muslim co-religionists, elevating itself as a better form of Islam than that practiced elsewhere in the caliphate. In this way, it is possible to derive some information about what Islamic practice and Muslim identity may have looked like outside of the frontier, as well as how the particular character of the frontier affected that identity in the emergence of the *ghāzī* movement itself.

As has already mentioned, modern Islamic studies lacks a widely-accepted corpus of works for discussing the character of the early community of Muslims who first followed Muhammad and who made up the Muslim forces that expanded into the Near East in the early decades of the seventh century. Throughout much of the early twentieth century, scholars of Islamic history accepted the rough outlines of the Muslim tradition with regard to its early history; however, in the 1970s, several scholars pointed to the contemporary lack of any manuscript evidence for the Quran in the early seventh century and the claims within the Muslim tradition that much of Islamic thought was transmitted orally, in order to argue that there was not sufficient evidence to date Islam as a religion to the period of the lifetime of Muhammad or of the early expansion.<sup>5</sup> Two of the most important competing theories for re-dating the emergence of a distinctly Muslim religious identity were those of Crone and Cook and that of John Wansbrough. As Crone and Cook argued, “there is no hard evidence for the existence of the Koran in any form before the last decade of the

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4 For an overview on the role on the non-Muslim communities in this relationship, see David Harry Miller, “Frontier Societies and the Transition Between Late Antiquity and the Early Middle Ages,” in *Shifting Frontiers in Late Antiquity: Papers from the First Interdisciplinary Conference on Late Antiquity*, ed. Hagith S. Sivan (London: Aldershot, 1996), 158–171.

5 For an account of the development of the field of Islamic studies in the twentieth and early twenty-first century, see Gabriel Said Reynolds’ introduction in *New perspectives on the Qur’an* (London: Routledge, 2011). It is also worth noting that the recent discovery of a two-layer Quran, whose manuscript and lower layer date to the Uthmanic period, all but invalidates the issue of the lack of early source material for dating the work; see Behnam Sadeghi and Uwe Bergmann, “The Codex of a Companion of the Prophet and the Qur’an of the Prophet,” *Arabica* 57 (2010): 348–354; Behnam Sadeghi and M. Goudarzi, “Ṣan‘ā’ and the Origins of the Qur’an,” *Der Islam* 87, no. 1–2 (2012): 1–129.

seventh century, and the tradition which places this rather opaque revelation in its historical context is not attested before the middle of the eighth. The historicity of the Islamic tradition is thus to some degree problematic: while there are no cogent internal grounds for rejecting it, there are equally no cogent external grounds for accepting it.”<sup>6</sup>

Similarly, Wansbrough drew on the same lack of extant material evidence for a seventh-century Qurʾān, and focused instead on the development of the broader Islamic written tradition, in particular the biographies of the Prophet and the codification of Islamic jurisprudence, which were all codified in the Abbasid period. He thus argued for this period as a more fitting intellectual context for the development of Islamic thought, with the Qurʾān arising out of the developing Muslim state as a form of communal identity. For Wansbrough, the composition of the Qurʾān was essentially the culmination of Islamic identity formation, rather than its starting point, and, he argued, “logically, it seems to me quite impossible that canonization should have preceded, not succeeded, recognition of the authority of scripture within the Muslim community.”<sup>7</sup>

These arguments for dating the Quran itself to the Abbasid period have not been universally accepted by the field of Islamic studies. Indeed, many scholars have preferred to maintain a dating for the Quran which still roughly adheres to the Muslim tradition. In particular, Fred Donner has argued for the essentially problematic nature of Crone’s and Cook’s thesis and the later revisionist school, which he describes as the “skeptical approach” to Islamic historiography, that “it asks us to accept on faith – since there is no surviving evidence – that the true origins of Islam are different than what is portrayed by Islamic tradition – perhaps radically different.”<sup>8</sup>

Nevertheless, the underlying premise of these works, that the Qurʾān and other Muslim sources could be the product of a very different cultural milieu, in Wansbrough’s terms, than the one claimed by the Muslim tradition, remains a central problem for discussing the nature of early Muslim identity, and for understanding how, if at all, the early community who followed Muhammad understood themselves as a community distinct from the existing religious communities of the Near East.

Similarly frustrating for the modern scholar is any attempt to track the progress of the expansion of Islam as a religion outside the provincial capi-

6 Crone and Cook, *Hagarism*, 3.

7 John Wansbrough, *Qurʾānic Studies: Sources and Methods of Scriptural Interpretation* (Oxford: Oxford University Press, 1977), 202.

8 Fred M. Donner, *Narratives of Islamic Origins: The Beginnings of Islamic Historical Writings* (Princeton: Darwin, 1998), 26.

tals, as the role of rural communities during the period of the expansion itself is almost impossible to discern from the surviving sources. Unlike the rise of Christianity in the Near East, which took hold in the already-present Roman Empire, with much of the history of the first centuries of Christianity involving the blending of Christian thought with Graeco-Roman culture and political tradition,<sup>9</sup> the Islamic caliphate developed concurrently with the religion of Islam, and therefore it seems reasonable to presume that a blending of traditions took place not within the structure of the caliphate itself, but in the territories and indigenous traditions that Islam overtook in its expansion. To put it another way, Christianity integrated into an empire, through which it acquired territory; Islam integrated into territories, through which it formed an empire.

However, in both Christian and Muslim sources, Islam as both a political and religious community often appears to jump from city to city, with little discussion of the progress between major urban centers. Furthermore, both Christian and Muslim sources refer to the conquest, conversion or submission of entire cities. This submission is usually in the form of either siege and conquest, or capitulation – or, famously, in the case of Damascus, both – but once a city has capitulated and an Islamic authority has been put in place, the city is treated as part of the Islamic world. The implication is that the city itself has become Islamic. There is some evidence to suggest what this actually meant for the people of the city – in particular, the continued use and maintenance of churches suggests that Christian life in the Levant continued more or less unabated.<sup>10</sup>

However, with the exception of monastic communities, life in rural areas is almost invisible in these accounts, and there is almost no evidence for how the religion of Islam spread among rural communities in the earliest century of Islam. As one of the only available sources for rural religiosity during the period of the expansion, Christian monastic communities offer an interesting example of the Muslims' apparently passive approach to religious conversion. According to Muslim and Christian sources alike, the first caliph Abū Bakr (r.

9 The relationship between early Christianity and the Roman Empire is a subject to itself and far too vast to be considered here; *The Cambridge Ancient History* series remains one of the best general works on the subject, in particular Averil Cameron and Peter Garnsey, eds., *The Cambridge Ancient History*, vol. 13, *The Late Empire (AD 337–425)* (Cambridge: Cambridge University Press, 1998) and Averil Cameron, Bryan Ward-Perkins and Michael Whitby, eds., *The Cambridge Ancient History*, vol. 14, *Late Antiquity: Empire and Successors (AD 425–600)* (Cambridge: Cambridge University Press), 2001.

10 Nancy Khalek, *Damascus after the Muslim Conquest: Text and Image in Early Islam* (Oxford: Oxford University Press, 2011) and Hugh Kennedy, "The Melkite Church from the Islamic Conquest to the Crusades," *The 17th International Byzantine Congress, Washington D. C.* (1986), 325–343.

632–634) instituted an official policy of leniency for the conquered peoples, marking out monks, and in some versions, stylites, as noncombatants, whom the Muslim army should leave undisturbed, presuming the monks refrain from attacking the Muslims or inciting rebellion.<sup>11</sup> No comment is made about the monks' role as religious leaders or figureheads, nor about whether preaching, particularly to Muslims, constituted an act of rebellion.

Monastic sources provide some illustration of the day-to-day interactions between Muslims and rural Christian communities, as well. Anastasius of Sinai (d. ca. 700), writing from the monastic community at Mt. Sinai, composed three collections of edifying stories about his brothers at Sinai and the local rural communities in Palestine. The Muslims only appear in a handful of these stories, and the surviving evidence does little to expand on how Islamic rule played out in the provinces. Thus, for example, in one story, Anastasius tells of a man named Sartabias, living in the Syrian countryside, who was cured of demon possession when his demon leaves to serve alongside the Muslims in their naval campaign against Constantinople. According to the demon, the demons of the Near East were prioritizing their actions, being ordered to travel with the Muslims and attack Constantinople as presumably causing more evil than possessing individual Christians.<sup>12</sup> The story strongly implies that Sartabias was aware of the Islamic expansion, including that the Muslim forces were approaching Constantinople. However, the Muslims remain absent from his own area, where it is demons who accost him, not Muslims or Muslim rule.

11 For the caliphal injunction as preserved in Muslim texts, see Abu 'Abdullah Muḥammad b. 'Umar b Wāqidi al-Aslamī, *Futūḥ al-Shām*, trans Sulaymān al-Kindī as: *The Islāmic Conquest of Syria: A Translation of Futūḥushām* (London: Ta-Ha Publishing, 2005), 13, and as in Christian texts, see the reconstructed history of Dionysus of Tel Maḥrē in ed. and tr. Andrew Palmer, *The Seventh Century in the West-Syrian Chronicles* (Liverpool: University Press, 1993), 145. The version in Palmer preserves a reference to stylites, along with monks more generally. It is also worth noting that the pact only survives in later works, and so may not be relevant to discussions of the seventh century. See also Philip I. Ackerman-Lieberman, "The Muhammadan Stipulations: Dhimmī Versions of the Pact of 'Umar," in *Jews, Christians, and Muslims in Medieval and Early Modern Times: A Festschrift in Honor of Mark R. Cohen*, eds. Arnold Franklin, Roxani Magariti and Marina Rustow (Leiden: Brill, 2014), 197–206.

12 C1, Ms. Vaticanus gr. 2592 123<sup>v</sup>–124<sup>r</sup>. Unfortunately, there is no published edition or translation of the complete third, or "C" collection, in which this story features. It is preserved in a single manuscript, Ms. Vaticanus gr. 2592, fols. 123–135, and to date, summaries or translations of only three of the eleven stories have been published. However, an edition and French translation has been prepared by André Binggeli for his doctoral dissertation at the Sorbonne, a published version of which is forthcoming. See also Jessica L. Ehinger, "Revolutionizing the Status Quo: Appeals to Normalcy in the Writings of Anastasius of Sinai," *Studies in Late Antiquity* (2018), forthcoming.

Similarly, *The Book of Governors*, written by Thomas of Margā in the early eighth century, centers on the monastic life of the Nestorian community of Mesopotamia, in which the Muslims appear only a handful of times, as often as locals seeking aid from the monks as in the form of tyrannical rulers.<sup>13</sup> However, there is little sense of competing Islamic religious claims or missionary actions in his stories.<sup>14</sup> By comparison, Thomas regularly laments that his brothers have been seduced into other, competing Christian monasteries, in particular a Monophysite monastery in Apamea, which was, at least according to Thomas, run by a sorcerer. In this way, the focus of the history remains very clearly on the lives of Christians, orthodox and heterodox, while the Muslim authority quite literally sink into the background.

All in all, these stories produce an image of the rural communities as largely devoid of 'Islam' in any religious sense. Again, this system was obviously advantageous for the Muslim authority, as it allowed them to focus attention and manpower elsewhere, on the continued expansion of the empire, the development of urban centers, and the establishment and maintenance of the growing caliphal bureaucracy.<sup>15</sup> Even the continued focus of these monastic works on

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13 In the entire chronicle, there are four stories of the Muslims abusing monks, and four of Muslims seeking healing from the monks, or giving them a donation for healings they have performed. See E.A. Wallis Budge, ed. and trans., *The Book of Governors: The Historia Monastica of Thomas, Bishop of Margā A.D. 840* (London: Kegan Paul, Trench, Trübner and co., 1893), 1:153–155, 228–229, 238–244 and 329, for the cases of the Muslims abusing the monks, and volume 1:223–225, 287–289, 316–318, for healings.

14 Budge, *Historia Monastica*, 1:72. Although mass conversion of Christians to Islam remains a major fear of many Christian authors in the seventh and eighth centuries, and it is clear that conversion did eventually take place, there are limited sources from either Christians or Muslims of specific individuals or groups being forced to convert. One of the few examples are Christian martyrologies, which often focus on particular groups of outsiders who were forced to convert by the Muslim authority; for example, the story of sixty martyrs in Palestine, which survives in two versions, one of sixty soldiers in Gaza and the other of sixty pilgrims in Jerusalem. In both cases, the stories stress the martyrs outsider status (as prisoners of war) to explain why they were required to convert when the native Christian populations in the area were not. For more on the existing version of the sixty martyrs stories and their relationship to one another, see George L. Huxley, "The Sixty Martyrs of Jerusalem," *Greek, Roman and Byzantine Studies* 18 (1977): 369–374 and David Woods, "The 60 Martyrs of Gaza and the Martyrdom of Bishop Sophronius of Jerusalem," *Aram* 15 (2003): 129–150.

15 For more on how Muslim rule played out in the urban centers in Egypt, see Petra M. Sijpesteijn, "New Rule over Old Structures: Egypt after the Muslim Conquest," in *Regime Change in the Ancient Near East and Egypt: From Sargon of Agade to Saddam Hussein*, ed. Harriet Crawford (Oxford: Oxford University Press, 2007), 183–202, and for the Syrian and Mesopotamian areas, see Sidney Griffith, "From Polis to Madina: Urban Change in Late Antique and Early Islamic Syria," *Past and Present* 10, no. 6 (1985): 3–27 and Andrew

heretical Christians, if it represents an accurate historical circumstance, might have proved useful for the Muslim authority, as it does suggest an environment where Christians were more concerned with fighting each other than in resisting Muslim rule. Indeed, it appears that the Monophysites and Nestorians may have actually aided the Muslims, or at the very least, discouraged resistance among their communities, as they recognized that the arrival of the Muslims offered the opportunity to upset the balance of power which had previously left them persecuted by the Byzantines.<sup>16</sup> The Islamic sources from the seventh and early eighth centuries, for their part, appear to give no official policy for Islamic practice beyond the concept of allegiance, and any understanding of the religious obligations of Islam, the requirements for conversion, or the spiritual or soteriological benefits thereof, is distinctly lacking.<sup>17</sup>

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Palmer, "Messiah and Mahdi: History Presented as the Writing on the Wall," in *Polyphonia Byzantina: Studies in Honour of Willem J. Aerts*, eds. Hero Hokwerda, Edmé R. Smiths and Marinus M. Woesthuis (Groningen: Egbert Forsten, 1993), 45–84.

- 16 Perhaps the clearest example of the possible complacency of the Christian populations in the Muslim expansion comes from the letters of the Nestorian Patriarch Ishoyabh III, who writes to his priests and bishops, instructing them how to meet with and speak to the Muslim authority in order to gain favor and undercut the Monophysite population in the area; see Ishoyabh III, *Liber Epistularum*, ed. Rubens Duval (Louvain: Impr. Orientaliste, 1904–1905), 14C, 251. Jacob of Edessa, similarly, suggests leniency for Christians who have married a Muslim, arguing that they should be allowed back into the church without rebaptism and allowed to continue to participate in church services, including the Eucharist, even if the priest doubts the sincerity of their desire to return to the church. Unfortunately, this question and answer admittedly only appears in the Harvard 93 manuscript of the second collection of Jacob's *Replies to Addai*, but Robert Hoyland has argued persuasively for these and the other additional replies of this collection as genuine; Harvard Ms. 93, fols. 16<sup>b</sup>–18<sup>a</sup> as edited and translated in Robert G. Hoyland, *Seeing Islam as Others Saw It: A Survey and Evaluation of Christian, Jewish and Zoroastrian Writings on Early Islam* (Princeton: Darwin Press, 1997), 602–603. See also K.D. Jenner, "The Canons of Jacob of Edessa in the Perspective of the Christian Identity of his Day," in *Jacob of Edessa and the Syriac Culture of His Day*, ed. Bar ter Haar Romeny (Leiden: Brill, 2008), 101–112.
- 17 It is worth noting again that the lack of source material and agreed dating for what constitutes an early Muslim source does further complicate the issue of understanding how and why a concept of "conversion" to Islam came about. Nevertheless, the concept of cities or territories 'converting' as a whole through submission to Islamic rule can be seen in eighth and ninth century sources, suggesting that this had remained the concept of Islamic 'conversion' – see, for example, the conquest of Syria as preserved in al-Waqidi's, *Futūḥ ash-Shām*. See also Mahmoud Ayoub, "Religious Freedom and the Law of Apostasy in Islam," *Islamochristiana* 20 (1994): 75–91; Fred Halliday, "The Politics of the Umma: States and Community in Islamic Movements," *Mediterranean Politics* 7, no. 3 (2002), 20–41, and Richard W. Bulliet, *Conversion to Islam in the Medieval Period: An Essay on Quantitative History* (Cambridge: University Press, 1979).

It was apparently only in the later part of the Umayyad period that Muslim preachers begin to appear in the countryside. One example was the *ghāzī*, or warrior-saints, in the frontier territory between the Islamic and Byzantine Empires. From their own descriptions of their work, it appears these teachers were working outside of the official state, which continued to require only allegiance, and it is easy to read much of their work as acting as subversives against the rulings of the official state, as well – in particular, in their attempts to rewrite Muslim practice. However, the movement never gained mainstream authority. Indeed, as will be demonstrated in a moment, it appears that the *ghāzī* movement actively resisted mainstream adoption of their practices, as one major aspect of their identity was their understanding of their own version of Islam as essentially better than mainstream Islam, an identity which would have lost all meaning if their practices were adopted by Muslims universally.

It is, of course, always problematic to speculate about the reasons behind religious movements and their relative success or failure. Paradox is hardly unknown in religious doctrine – some communities manage wide-spread missionary success while maintaining a doctrine as the tiny remnant of God's faithful, some inspire fervor whilst preaching moderation, and still others decry worldliness, but embrace technological advances for mission and conversion. The relative success or failure of sects and schisms is a question with sociological, political, linguistics, racial and ethnic ramifications, as well as theological, soteriological and philosophical ones, and in many ways, the actual reasons behind a person's conversion or conviction remain largely subjective. However, consideration of the *ghāzī* conception of Islam offers an interesting opportunity to understand the evolving nature of Islamic theology, in particular in terms of the movement's relationship to the Byzantine frontier and its predominately Christian population.

The *ghāzī* movement reached its peak in the early Abbasid period, but had its philosophical roots in the Umayyad period and, at least according to its adherents, even in the period of Muḥammad and his Companions. Michael Bonner, in his work on the Byzantine-Islamic frontier, has identified three basic types of warrior-saints, each epitomized by an early Abbasid period figure: the eastern scholar turned frontiersman, characterized by the Iraqi jurist Abū Ishāq al-Fazārī (d. ca. 802); the model of piety, characterized by Ibn al-Mubārak (d. 797), and the extreme ascetic, characterized by monastic leader Ibn Ādam (d. ca. 777).<sup>18</sup> Although these types differ in the particular

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18 Michael Bonner, *Aristocratic Violence and Holy War: Studies in the Jihad and the Arab-Byzantine Frontier* (New Haven: American Oriental Society, 1996), ch. 4.



manner in which they practiced, they share a great deal in common, enough to create a rough picture of the *ghāzī* theology.

The first, and perhaps most important element, was the war itself – it is not without reason that the *ghāzī* movement was focused on the frontier territory between the Byzantine and Islamic empires. Indeed, as Bonner has noted, eastern scholars, like Abū Ishāq, who wished to practice the warrior lifestyle they wrote and legislated about, moved west.<sup>19</sup> This was not simply a frontier practice, and was not found in the frontier territories in North Africa or in Transoxania, but one particularly focused on the continued war with the Byzantines. In this model, the Byzantines served as the model for the ultimate enemy, but the frontier itself also took on a special significance, being kept in check by the continued presence of the *ghāzī*, without whom, presumably, it would fall back under Byzantine sway. In this formulation, the indigenous people of the frontier played a complicated, and at times paradoxical, role, being partly the potential new wealth of Muslims that the *ghāzī* could convert, but at the same time, also being remnants of the Byzantine world that the *ghāzī* sought to destroy.

Closely related to this idea of continual warfare was that of *jihād*. The Islamic doctrine of *jihād* was still developing at this stage, and the precise distinction between true *jihād* and general warfare (*ḥarb*) was still under debate.<sup>20</sup> In general, much of the debate regarding the distinction between *jihād* and *ḥarb* normally focused on the question of authority, in particular if the right to call for *jihād* rested solely with the caliph. Intriguingly, in the ‘Book of War’ (*Kitāb al-Siyar*) of Abū Ishāq, the question of authority is avoided altogether, with no explanation for who could, and could not, rightly call for *jihād*.<sup>21</sup> Similarly, in the piety model of Ibn al-Mubārak, the authority to declare the rightness of *jihād* appears to fall to Ibn al-Mubārak himself

19 Bonner, *Aristocratic Violence*, 108–109. See also Michael Bonner, “The Naming of the Frontier: ‘Awāsim, Thughūr, and the Arab Geographers,” *Bulletin of the School of Oriental and African Studies* 75 (1992): 5–31.

20 Michael Bonner, “Some Observations Concerning the Early Development of Jihad on the Arab-Byzantine Frontier,” *Studia Islamica* 75 (1992): 5–31; Fred Donner, “The Sources of Islamic Conceptions of War,” in *Just War and Jihad*, eds. John Kelsey and John Turner Johnson (New York: Greenwood Press, 1991), 31–70.

21 Abū Ishāq’s rules on *jihād* as preserved in Ibn Abī Shayba, *al-Muṣannaf*, ed. ‘Āmi al-‘Umarī al-A’zamī (Hyderabad: Matba’a al-‘Azīziyya, 1971), 6, 418–419, analysis of Abū Ishāq’s original material from Bonner, *Aristocratic Violence*, 115. For more on the transmission history, see Scott C. Lukas, “Where are the Legal Hadith? A Study of the *Muṣannaf* of Ibn Abī Shayba,” *Islamic Law and Society* 15, no. 3 (2008): 283–314.

and to his followers, as he argued for the superiority of the practice of *jihād* over that of the pilgrimage to Mecca (*ḥajj*).<sup>22</sup>

In the words of John Wansbrough, the *ghāzī* movement represents a shift in understanding of the progress of authority, seeing the authority of Muḥammad passing not to the caliphs, but to a “clerical elite,” by virtue of the association of their level of knowledge and piety.<sup>23</sup> The *ghāzī* movement was not one of outright rebellion, but rather one of legal and spiritual subversion, in which the role of the caliph is simply unnecessary, thanks to the continued vigilance and piety of the *ghāzī* themselves. In one particularly illustrative story, when the caliph Hārūn al-Rashīd (r. 786–809), who attempted to re-imagine himself as a *ghāzī*-caliph, came to al-Raqqā, the people of the town flocked instead to see Ibn al-Mubārak, who happened to be visiting, as well, leaving the caliph to comment “this man is king, and not Hārūn, whom the people do not praise [unless threatened with] the whip and the cudgel.”<sup>24</sup>

The final key element of the *ghāzī* theology is the asceticism of the movement. As well-observed by Bonner, the figure of Ibn Ādam serves as an extreme model – he was said to have survived for a year on only a single chick pea a night,<sup>25</sup> and remarked that his favorite food was clay, that “I could take no food but clay until I meet God, so it might be made clear to me what is the source of *ḥalāl*,”<sup>26</sup> and to have sought out manual labor and hard work wherever he traveled.<sup>27</sup> In general, his understanding of religious practice seems well-summarized in the words of his followers, that, “[true] abstinence is abstinence from that which is permitted.”<sup>28</sup> But while Ibn Ādam may mark the most extreme version of *ghāzī* asceticism, all of the *ghāzī* show some form of asceticism, first and foremost in their decision to live on the frontier.<sup>29</sup> They also

22 As preserved in Shams al-Dīn Muhammad b. Aḥmad al-Dhahabī, *Siyar a'lām al-nubalā'*, ed. Shu'ayb al-Arna'ūt (Beirut: Mu'assasat al-Risālah, 1981), 8, 364–365. For more on the development of Ibn al-Mubārak's doctrine of *jihād*, see Christopher Melchert, “Ibn al-Mubārak's Kitāb al-Jihād and Early Renunciant Literature,” in *Violence in Islamic Thought from the Qur'ān to the Mongols*, eds. Richard Gleave and Kristo-Nagy (Edinburgh: Edinburgh Press, 2015), 49–69.

23 John Wansbrough, *The Sectarian Milieu* (Oxford: Oxford University Press, 1978), 71–87.

24 Abū Bakr Ahmad b. 'Alī al-Khaṭīb al-Bagdādī, *Ta'rikh Baghdād* (Cairo: Maktabat al-Khānjī, 1931), 10, 156–157.

25 Abū Nu'aym al-Isfahānī, *Hilyat al-awliyā' wa-tabaqāt al-basha* (Cairo: Maktabat al-Khanji, 1967), 8:29.

26 al-Isfahānī, *Hilyat*, 7:372–373.

27 al-Isfahānī, 7:387.

28 A quotation attributed to Abū Yūsuf al-Ghasūlī from Bonner, *Aristocratic Violence*, 129.

29 Although not directly relevant to this discussion, it is also worth noting that the *ghāzī*

all show some degree of conservatism in terms of practice, echoing, to some degree, the Ibn Ādam concept of abstinence from the permitted.

All of these elements, the interest in continued warfare, the isolation of authority among the practitioners, and the reliance on asceticism, suggest a movement of a special elect – the elect among the elect, as it were. None of these doctrines contradict Islamic belief more generally, although the *ghāzī* conception of authority comes close at times, but instead offer a more religious alternative, a practice of Islam better – more rigorous, more pious, and altogether more strenuous – than the practice set down by the caliphs and the official authority. It was also a theology which never managed a significant challenge to that official authority, in terms of population, leadership or doctrine. Although the *ghāzī* movement would survive throughout the Abbasid period, it would remain a very distinctly fringe movement.<sup>30</sup>

Several problems with the *ghāzī* theology are readily apparent. Firstly, the movement's focus on asceticism, like asceticism in Islam more generally, was potentially contradictory to the Qur'ān, which moderates against extreme asceticism, saying, "O ye who believe! Forbid not the good things which Allah hath made lawful for you, and transgress not."<sup>31</sup> This idea of allowing the good things which God has provided does not forbid extreme asceticism, but it does at least imply that the practitioner of extreme asceticism gains nothing compared to the average Muslim, and seems to answer directly the claim of 'true abstinence' set up by Ibn Ādam's followers – there is no better abstinence obtained by abstaining from what God has permitted. However, asceticism in its myriad forms does survive in Islam, and its practitioners would even gain a certain level of authority from their practice.

The more important flaw in the *ghāzī* theology lies in its understanding of the frontier. The movement was underpinned by an understanding of the frontier as essentially hostile territory, in which it was the participants themselves

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movement was predominately, although not exclusively, made up of men, and that there is a strong tenor of overt masculinity undercutting their asceticism. For an interesting discussion of how gender and sexuality fit into *ghāzī* asceticism, see Christian Sahner, "The Monasticism of My Community is Jihad": A Debate on Asceticism, Sex, and Warfare in Early Islam," *Arabica* 64, no. 2 (2017): 149–183.

30 Robert A. Campbell, "Leadership Succession in Early Islam: Exploring the Nature and Role of Historical Precedents," *The Leadership Quarterly* 19, no. 4 (2008): 426–438; P. von Sivers, "Taxes and Trade in the 'Abbāsīd Thughūr, 750–962/133–351," *Journal of the Economic and Social History of the Orient* 25 (1982): 71–99.

31 Muhammad M. Pickthall, trans., *The Glorious Qur'an* (New York: Tahrike Tarsile Qur'an Inc., 2004), sura 5, verse 87.

who were keeping the frontier from regressing out of Islam entirely. This idea of the frontier communities of *ghāzī*, half-warrior guardians and half-ascetic practitioners, is really only viable in a hostile world. Thus, as already mentioned briefly, the indigenous population of the frontier plays a complicated role in the view of the *ghāzī*.

There are mentions of the *ghāzī* attempting to instruct them, in particular Abū Ishāq, but the continued focus on the *ghāzī* understanding of *sunna* (tradition), a view as conservative as possible, suggests that they were instructing the people in a manner that nearly guaranteed that they would not conform. Indeed, in one story, Abū Ishāq discovered innovation (*bid'ā*) being taught by one of his students (in the form of Mu'tazilism, it appears), and rather than correcting him, he banished him from the community.<sup>32</sup> Indeed, at least according to the biography by al-'Ijlī (d. ca. 210), Abū Ishāq was known for having taught correct behavior to the peoples of the frontier (*addaba ahl al-thughūr*), much of al-'Ijlī's discussion of his teaching style focuses on his exclusionism, banishing any preachers who appeared in the area from different schools and attempting to keep away anyone with government connections.<sup>33</sup>

In many ways, the *ghāzī* movement was not a missionary movement, but rather an attempt to recreate a particular Muslim lifestyle, which adherents understood as being inherited from Muḥammad and his earliest Companions, with the indigenous, rural communities of the frontier playing the part of the pre-converted Arabs, a role which was only effective so long as they remained unconverted. The continued struggle to integrate Islam into the existing social structure of the Near East continued to play out in the urban centers of the area, as illustrated by the Umayyad and Abbasid caliphs continued use of both raiding parties and political negotiations to attempt to maintain authority in the area.<sup>34</sup> Yet the image that develops from the *ghāzī* movement is one of both homogeneity and foreignness, with the frontier remaining both unconverted and uncultured, essentially a blank slate for the application of *ghāzī* teaching.

32 Bonner, *Aristocratic Violence*, 110.

33 al-Isfahānī, *Hilyat*, 7:254.

34 John Haldon and Hugh Kennedy, "The Arab-Byzantine Frontier in the Eighth and Ninth Centuries: Military Organisation and Society in the Borderlands," in *Arab-Byzantine Relations in Early Islamic Times*, ed. M. Bonner (Aldershot: Ashgate, 2004), 141–180 and Fred M. Donner, "Centralized Authority and Military Autonomy in the Early Islamic Conquests," in *The Byzantine and Early Islamic Near East*, vol. 3, *States, Resources and Armies*, eds. Averil Cameron and Lawrence I. Conrad (Princeton: Darwin Press, 1995), 337–360.

Undoubtedly part of the reason for the *ghāzī* movement remaining a fringe movement was because of the basic nature of their theology. Because the *ghāzī* defined themselves as a separate elite, there were contradictory pressures within the movement to spread the ideology, but also to preserve the general majority to which it compared itself. However, beyond the ideological limitations of *ghāzī* theology, there are practical reasons why the movement could not offer a significant challenge to the established authority of the caliphate, most importantly because they remained focused on the frontier with the Byzantine empire. As the theological significance of warfare with the Byzantines was pushed farther into an eschatological future, the underlying claims of the *ghāzī* movement became less pressing to the larger community of Muslims.

Intriguingly, however, some of the movement's methodology and theology would be revived in the post-Abbasid period, as many of the *ghāzī* writers were drawn upon as models in the period in which the direct, political authority of the caliphate was replaced with the implied, spiritual authority of the *‘ulamā’*.<sup>35</sup> Whereas the *ghāzī* preachers rejected innovation and attempted to maintain a strict definition of right practice, however, the model that emerged with the *‘ulamā’* was one of considerable variety, with the major schools preserving regional variation. Rather than serving as a practice of Islam better than that practiced by others, the same philosophical model was used to create a religio-legal system that accepted that some variation in practice was necessary, and set out instead to delineate the satisfactory range for that variation.

Indeed, the practice of Islam in rural areas continued to play a role in this on-going conversation about variation in practice, with the emerging schools of Islamic law developing regulations for when it was acceptable to postpone or omit practices due to limited resources, often calling on examples from rural life, such as the exceptions to the rules for fasting during long journeys, or the acceptable forms of ablution when no water was available, circumstances which easily conjure rural and frontier imagery.<sup>36</sup> That Islamic law would come to accept significant variation in practice in rural environments perhaps suggests that Islam itself came to accept that it lacked the infrastructure in rural areas effectively to require strict adherence to ritual practices, although sig-

35 Donner, "Centralized Authority," 337–360; Meir J. Kister, "Social and Religious Authority in Islam," *Jerusalem Studies in Arabic and Islam* 18 (1994): 84–127.

36 Richard Gauvain, "Ritual Rewards: A Consideration of Three Recent Approaches to Sunni Purity Law," *Islamic Law and Society* 12, no. 3 (2005): 333–393 and Marion Hohmes Katz, *Body of Text: the Emergence of the Sunni Law of Ritual Purity* (Albany: SUNY Press, 2002).

nificantly more research into how Islamic law was executed in the countryside would be needed, an examination of which is beyond the scope of this work.

In this way, both the *ghāzī* movement itself and its failure to find support in mainstream Islamic theology offer a small, but important, insight into how Islamic theology played out outside of the conquered urban centers of the Near East. In the *ghāzī* preachers' emphasis on performing more than was required for Muslims, outlines of the nascent Islamic ritual practices can be seen, particularly with regard to the requirements for fasting, pilgrimage, and the emerging conceptions of *jihād*. Their occupation of the frontier and emphasis on rural living as necessary for their practice similarly suggests that even as late as the Abbasid period, more mainstream forms of Islam had not significantly penetrated beyond the conquered urban centers of Syria, Palestine and Mesopotamia. This vision of the countryside as devoid of Islam coincides closely with the albeit limited source material from Christian authors, in which Islam and Muslim rule remain a city concern, appearing infrequently in the rural communities, if at all. Finally, although the *ghāzī* movement itself would never prove any kind of major threat to caliphal authority in Islam, their model of authority through spiritual devotion and intellectual superiority would prove successful in the emergence of the '*ulamā*' as the ultimate authority of Islamic theology and practice. However, whereas the *ghāzī* understood themselves as serving to exert the rule of Islam over the unconquered frontier, the image that would arise from the later codification of Islamic law was one of variation and adaptation, one in which '*ulamā*' appear ultimately to accept the essentially unconverted nature of the countryside.

Thus, both the *ghāzī* movement itself and the Byzantine-Islamic frontier in which it emerged provide important illustrations of many of the larger themes relevant to understanding the emergence of the caliphate in rural environments. First and foremost, the frontier itself played a crucial role in *ghāzī* theology, and the politicization of the frontier, and of the *ghāzī* themselves, hinged on it remaining a place of the "Other" – inhospitable and unconverted. Like many of the rural territories discussed in this volume, the Byzantine-Islamic frontier played a symbolic role for the *ghāzī*, but rather than serving as a symbolic extension of an existing urban institution – be it a tax district or an ecclesiastical See -, the frontier served as the symbolic lack of such institutions, acting as the "Other" to the caliphal authority and growing institutional establishment, an othering maintained by the *ghāzī* preachers' apparent uninterest in interacting with either the caliphal and the growing, urban '*ulamā*' authority.

The *ghāzī* preachers themselves also provide insight into how Muslim religious identity played out in rural settings. As has already been said, the develop-

ing schools of Islamic law provided considerable lenience to Islamic practice in rural settings, perhaps suggesting that the established, urban *ulamā'* authority did not see Islam as successfully taking hold in rural environments. The *ghāzī* rejected this idea, actively encouraging a kind of Islamic performance that was more than what was normally required – more fasting, more labor, more active military service – but their identity remained very much a performance, and the stories of their asceticism quickly plunge into absurdity. Moreover, their identity again stands outside the larger historical developments taking place in the Abbasid caliphate, and as much as the historical record suggest that individual *ghāzī* preachers were honoured as folk heroes, their religious movement found little widespread support. Here again, the *ghāzī* seem to be defined by what they are not – neither truly rural themselves (as most preachers were urban transplants who moved to the frontier to practice asceticism), nor tied back to any of the larger institutions developing with the caliphate.

In this way, the *ghāzī* movement provides an important insight into the ultimately impenetrable nature of the rural environments that became part of the Umayyad and Abbasid caliphates. Although functionally part of the caliphate, the Byzantine-Islamic frontier was as much defined by its Otherness as a part of the caliphate, and the preachers who were drawn there were similarly defined by their distinct role as apart from both the indigenous rural community and the urban institutions they were rejecting by their absence. Hence, they demonstrate the decentralization of the rural environment, a decentralization so engrained as to become part of the identity of the region itself.

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# The Coming of Islam to Balkh

*Arezou Azad and Hugh Kennedy*

## 1 Introduction

The coming of the Muslim armies to Central Asia from 650 onwards and the subsequent settlement of Arabs in and around the main urban centers had a profound and lasting effect on the urban topography of the area. The reconfigured city of Balkh extended beyond the city walls to the surrounding countryside, fulfilling a central role in commercial, religious, military and administrative activities. Urban institutions and structures thus served to establish Balkh's position in the region and ensure control of the surrounding populations which contributed to the city's role. There are four major urban centers in greater Khurāsān – Balkh, Bukhara, Merv, and Samarqand. Of these, Balkh, until recently, has been the least understood and the least researched.<sup>1</sup> The archaeological site of pre-modern Balkh is situated in northern Afghanistan. Much of the site remains unaffected by modern development and open for archaeological and historical investigation. The purpose of this joint paper is to set the developments at Balkh, in so far as we can determine them, in the wider context of the history of urbanism in Central Asia and to give some indication how further archaeological research might shed light on the evolution of the city in the early Islamic period.

## 2 The Sources

The sources we have at our disposal are both textual and archaeological. The textual material consists mainly of narratives that are useful to the topic of this chapter.<sup>2</sup> Bactrian documents discovered in the 1990s are an invaluable source

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1 Much headway has been made thanks to the Balkh Art and Cultural Heritage project (BACH) run out of the University of Oxford, 2011–2015. See [www.balkhheritage.org](http://www.balkhheritage.org) (accessed: 27 July 2016).

2 For previous studies on the history of the site, see Paul Schwarz, "Bemerkungen zu den arabischen Nachrichten über Balkh," in *Oriental Studies in Honour of Cursetji Erachji Pavry*, ed. Jal Dastur Cursetji Pavry (London: Oxford University Press, 1933), 434–443; Florian Schwartz,

for Kushano-Sasanian and early Islamic Bactria in a rural metropolis located 130 km to the SE of Balkh within the Tukhāristān region of which Bactra (Arabised to Balkh after the Islamic conquests) was the capital. They deal with an array of issues, including keeping the peace between feuding parties, the purchase of land or goods, slave manumission, gifts, leases, declarations of trust (or impost?), loan receipts, and marriage. However, they make all but a single tangential reference to the city of Balkh, and will, therefore, not feature in this chapter.<sup>3</sup> The narrative sources span various languages, including Persian, Arabic and Chinese. An early source is the Chinese pilgrim's account by Xuanzang who travelled to Bactra in the 630s only briefly before the first Muslim incursions into the city. He gives us a particularly detailed account of the city's main Buddhist temple (Sk. *stupa*), called Naw Bahār, and its monastery (Sk. *vihara*) and hundreds of domed shrines to the Buddhist saints (*arhats*). Ninth and tenth-century Muslim geographers give us critical details on Balkh's topography in the first centuries after the arrival of Islam to Balkh. They include al-Ya'qūbī (d. after 292/905), Ibn al-Faḳīh (d. after 292/905), al-Iṣṭakhri (ca. 338/950), al-Mas'ūdī (ca. 344–345/955–6), Ibn Ḥawqal (ca. 378/988), al-Muqaddasī (d. after 380/990), and al-Idrīsī (ca. 548/1154), as well as the anonymous Persian *Hudūd al-'ālam* (ca. 372/982).<sup>4</sup> Parallel data on Balkh can be found in chroni-

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*Balkh und die Landschaften am oberen Oxus: Hurasan III, Sylloge Numorum Arabicorum Tübingen* xivc (Tübingen: Wasmuth Verlag, 2002); Elhameh Meftah, *Jughrāfiyā-yi tārikh-i Balkh wa Jayhūn wa muzāfāt-i Balkh* (Tehran: Institute for the Humanities and Cultural Studies, 1367/1997).

- 3 What the silence on Balkh does signify, though, is the relative autonomy from Balkh of the rural metropolises in the wider region. The documents have been translated and published in Nicholas Sims-Williams, *Bactrian Documents from Northern Afghanistan, 1: Legal and Economic Documents*, revised edition, Studies in the Khalili Collection, vol. 3, Corpus Inscriptionum Iranicarum, part. 2, vol. 6. (Oxford: The Nour Foundation in association with Azimuth Editions and Oxford University Press, 2012); and Geoffrey Khan, *Arabic Documents from Early Islamic Khurasan*, Studies in the Khalili Collection, vol. 5 (London: Nour Foundation in association with Azimuth Editions, 2006). For a recent historical study of the documents, see Arezou Azad, "Living Happily Ever After: Fraternal Polyandry, Taxes and 'the House' in Early Islamic Bactria," *Bulletin of the School of Oriental and African Studies* 79, no. 1 (2016): 33–56.
- 4 Abū al-Abbās Aḥmad b. Abī Ya'qūb al-Ya'qūbī, *Kitāb al-Buldān*, ed. Michael Jan de Goeje (Leiden: Brill, 1892 (1860)); Ibn al-Faḳīh, *Kitāb al-Buldān*, ed. Michael Jan de Goeje (Leiden: Brill, 1967), and facs. ed. in Ibn al-Faḳīh, *Collections of Geographical Works by Ibn al-Faḳīh, Ibn Faḳlān, Abū Dulaf al-Khazrajī*, ed. Fuat Sezgin (Frankfurt am Main: Institute for the History of Arabic-Islamic Science, 1987); Abū Ishāq Ibrāhīm b. Muḥammad al-Iṣṭakhri, *Kitāb Masālik al-mamālik*, ed. Michael Jan de Goeje (Leiden: Brill, 1927); Abū al-Ḥasan 'Alī b. al-Ḥusayn al-Mas'ūdī, *Kitāb al-Tanbīh wa al-ishrāf*, 2nd ed., ed. Michael Jan de Goeje (Leiden: Brill, 1893–1894); Abū al-Qāsim b. 'Alī Ibn Ḥawqal, *Ṣūrat al-arḍ*, ed. Michael Jan de Goeje (Leiden: Brill, 1873), trans. Johannes Hendrik Kramers and Gaston Wiet as: *Configuration de la Terre*

cles, such as those of al-Balādhurī (d. 279/892), al-Ṭabarī (d. 310/923), Balʿamī (d. 363/974), Gardīzī (ca. 440–443/1049–1052) and Bayhaqī (470/1077).<sup>5</sup> A local historical source known as the *Faḍā'il-i Balkh* ('The Merits of Balkh') is particularly important because it is the earliest local history that survives, written in Arabic in 610/1214, and adapted into Persian in 676/1278.<sup>6</sup> Although it is mainly a prosopographical work about Islamic scholars, it nonetheless contains a few details on Balkh's medieval topography that cannot be found anywhere else.<sup>7</sup>

The archaeological evidence for Balkh is extensive – for much of the ancient site remains unbuilt on – but little researched and difficult to use. Much of the archaeological evidence has been collected since the 1920s by the Délégation Archéologique Française en Afghanistan (DAFA). Until 2011, DAFA was little concerned with the Islamic period of Balkh, while searching for Alexander the Great's city of Bactra. DAFA and other archaeologists published some impor-

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(Beirut: Commission Internationale pour la Traduction des Chefs-d'œuvre, 1964); Shams al-Dīn Abū 'Abd Allāh Muḥammad b. Aḥmad al-Muqaddasī, *Kitāb Aḥsan al-taqāsīm fi ma'rifat al-'aqlīm*, ed. Michael Jan de Goeje (Leiden: Brill, 1906), trans. Basil Collins et al. as: *The Best Divisions for Knowledge of the Regions* (Doha, Qatar and Reading: Centre for Muslim Contribution to Civilization, and Garnet, 1994); Anonymous, *Ḥudūd al-'ālam*, revised edition, ed. Maryam Mīr-Aḥmadī and Ghulām-Riḍā Warharām (Tehran: Chāpkhāna-yi Dānishgāh-i al-Zahrā', 1383/2004–2005); and Abū 'Abd Allāh Muḥammad b. Muḥammad al-Idrīsī, *Description de l'Afrique et de l'Espagne: texte arabe avec une tr., des notes et un glossaire par R. Dozy et M.J. de Goeje (Kitāb Nuzhat al-mushtāq fi ikhtirāq al-āfāq)* (Leiden: Brill, 1866). Also Guy Le Strange's synthesis of much of this material in his *Lands of the Eastern Caliphate* (Cambridge: University Press, 1905), 420–423.

- 5 Aḥmad b. Yahyā al-Balādhurī, *Futūḥ al-buldān*, ed. Michael Jan de Goeje (Leiden: Brill, 1866), trans. Francis C. Murgotten as: *The Origins of the Islamic State: Being a Translation from the Arabic, Accompanied with Annotations, Geographic and Historic Notes of the Kitāb Futūḥ Al-Buldān of Al-Imām Abū-l-'Abbās Aḥmad Ibn-Jābir Al-Balādhuri*, 2 vols. (New York: Columbia University Press, 1924); al-Ṭabarī, *Tārīkh al-rusul wa-l-mulūk*, 3 vols., ed. Michael Jan de Goeje et al. as: *Annales quos scripsit Abu Džafar Mohammed ibn Džarir at-Tabari*, 15 vols. (Leiden: Brill, 1879–1901); Abū 'Alī Muḥammad b. Muḥammad Balʿamī, *Tārīkh-i Balʿamī*, eds. Parvīn Gunābādī and Muḥammad Taqī Bahār (Tehran, Kitābforūshī-yi Zavvār, 1353/1974); Abū Sa'īd 'Abd al-Ḥayy b. al-Ḍaḥḥāk b. Maḥmūd Gardīzī, *Zayn al-akḥbār*, ed. 'Abd al-Ḥayy Ḥabībī (Tehran: Intishārāt-i Bunyād-i Farhang-i Irān, 1347/1968), trans. Edmund Bosworth as: *The Ornament of Histories: A History of the Eastern Islamic lands AD 650–1041: The Original Text of Abū Sa'īd 'Abd al-Ḥayy Gardīzī*, BIPS Persian Studies Series 10 (London: I.B. Tauris, 2011); Abū al-Faḍl Muḥammad b. Ḥusayn Bayhaqī, *Tārīkh-i Bayhaqī*, ed. 'Alī Akbar Fayyād (Tehran: Kitābkhānā-yi Millī-yi Irān, 1383/2004–2005), trans. Edmund Bosworth and Mohsen Ashtiany as: *The History of Beyhaqī: The History of Sultan Mas'ud of Ghazna, 1030–1041*, 3 vols. (Boston, MA: Ilex Foundation, 2011).
- 6 For details, see Arezou Azad, "The *Faḍā'il-i Balkh* and its Place in Islamic Historiography," *IRAN – Journal of the British Institute of Persian Studies* 50 (2012): 79–102.
- 7 Shaykh al-Islām al-Wā'iz, *Faḍā'il-i Balkh*, ed. 'Abd al-Ḥayy Ḥabībī (Tehran: Intishārāt-i Bunyād-i Farhang-i Irān, 1350/1971).

tant reports from the 1940s to the 1960s, notably those of Alfred Foucher in the 1940s, and Daniel Schlumberger, Rodney Young, Jean-Claude Gardin, and Marc Le Berre in the 1950s and '60s.<sup>8</sup> In another relevant source, Ludwig Adamec in the 1970s edited a declassified 1914 gazetteer of Afghanistan compiled by the British General Staff of the Army Headquarters in India. The volume on 'Mazār-i Sharīf and North-Central Afghanistan' provides topographical information on Balkh.<sup>9</sup> Warwick Ball compiled an archaeological gazetteer that includes maps and details of archaeological finds in Afghanistan's wider Balkh area.<sup>10</sup> DAFA's research was disrupted by the Soviet occupation of Afghanistan (1978–1987), the two civil wars (1989–1996) and Taliban rule (1996–2001) but it resumed archaeological excavations at Balkh in 2005. The findings from the digs since 2005 have not yet been systematically analyzed or published, but a summary is expected in a forthcoming volume.<sup>11</sup>

At the heart of the site lies a large circular area (known today as the Bālā Hiṣār) of approximately one kilometer in diameter, enclosed by a high mud-brick wall, with a raised citadel at the south end. Beyond that is a series of walls,

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- 8 Alfred Foucher, *La Vieille route de l'Inde de Bactres à Taxila*, vol. 1 (Paris: Les Éditions d'art et d'histoire, 1942–1947); Daniel Schlumberger, "La prospection archéologique de Bactres (printemps 1947)," *Syria* 26 (1949): 173–190; Rodney Young, "The South Wall of Balkh-Bactra," *American Journal of Archaeology* 59 (1955): 267–276; Jean-Claude Gardin, *Céramiques de Bactres: Mémoires de la Délégation Archéologique Française en Afghanistan* xv (Paris: Libr. C. Klincksieck, 1957); and Marc Le Berre and Daniel Schlumberger, "Troisième partie – Observations sur les remparts de Bactres," in *Monuments Préislamiques d'Afghanistan*, eds. Bruno Dagens, Marc Le Berre and Daniel Schlumberger (Paris: Librairie G. Klincksieck, 1964), 41–60. For a fuller listing of the various published archaeological reports up to 1982 on Balkh/Bactria, see Warwick Ball, *Archaeological Gazetteer of Afghanistan*, vol. 2 (Paris: Éditions recherche sur les civilisations, 1982), 47–49, plans 6, 7.1 and map 81 (a revised version is currently in progress).
- 9 Ludwig Adamec lists his sources 'collected by the British Indian Government and its agents since the early nineteenth century,' in *Historical and Political Gazetteer of Afghanistan: Mazar-i-Sharif and North-Central Afghanistan*, vol. 4 (Graz, Austria: Akademische Druck- u. Verlagsanstalt, 1979), xii, xiv–xvi.
- 10 Ball, *Archaeological Gazetteer*.
- 11 The volume, entitled *Balkh, 'Mother of Cities': Research into a Central Asian Urban Landscape of the Early Islamic Age* will be published by I.B. Tauris. Some reporting of preliminary findings have been published in the *Comptes rendus des séances / Académie des Inscriptions et Belles-Lettres*. See Roland Besenval, Paul Bernard and Jean-François Jarige, "Carnet de route en images d'un voyage sur les sites archéologiques de la Bactriane afghane (mai 2002)," *Comptes Rendus des Séances de l'Académie des Inscriptions et Belles-Lettres* 146, no. 4 (2002): 1385–428; Paul Bernard, Roland Besenval and Philippe Marquis, "Du « mirage bactrien » aux réalités archéologiques: nouvelles fouilles de la délégation archéologique française en Afghanistan (DAFA) à Bactres (2004–2005)," *Comptes Rendus des Séances de l'Académie des Inscriptions et Belles-Lettres* 150, no. 2 (2006): 1175–248.

some sub-rectangular, others winding and serpentine that enclose a larger area (*rabaḍ*). There are medieval accounts that a massive outer wall had enclosed the whole Balkh oasis, but only anecdotal archaeological evidence has been found for this. Al-Ya'qūbī notes, "A huge wall encloses the village farms (*diyā'*) and cultivated lands of Balkh ... and outside the wall there is no cultivation or farms or villages, only the sands."<sup>12</sup> In the suburban area there are a number of important mounds, including the site now thought to be the Buddhist *stupa* of Naw Bahār, and a site known as Tepe Zargarān ('Hill of the Goldsellers,' for this and other sites mentioned). DAFA has drawn up sketch maps of the site, with suggested sequences of the major structural elements.<sup>13</sup> According to Rodney Young, Marc Le Berre categorized old Balkh's sketch maps into 'Bactres I' which is vaguely determined as pre-Islamic Bactra and consists of the elevated Bālā Ḥiṣār (*lit.* "high fort"); 'Bactres IA' which is pre-Islamic and early Islamic Bactra and includes Bactres I and the southern extension in the lowland (the *rabaḍ*); 'Bactres II' which represents Islamic Balkh up to the Mongols and includes Bactres IA and an eastern extension of the *rabaḍ*, and 'Bactres III' as the post-Timurid city to the west of the *rabaḍ* (during which time 'Bactres II' was abandoned).<sup>14</sup>

The division of the city in the way that Le Berre did is problematic for two reasons. First, the evidence that survives comes from a very limited set of evidence taken from a small number of trenches, and it is therefore, impossible to extrapolate onto the entire city. Secondly, and most importantly, the divisions

12 al-Ya'qūbī, *Buldān*, 116.

13 Foucher drew up the first map which he divided into 'modern' and 'old,' basing himself on archaeological evidence from Balkh's Bālā Ḥiṣār mound and the stratigraphy of wall ramparts (Foucher, *Vieille route*, 73–75).

14 No major pre-Islamic city complex has been found to the dismay of the early French archaeologists, like Alfred Foucher, while major sites have been uncovered in adjacent provinces in the north. Ai Khanoum is the main Hellenistic site, dug up in Takhar province to the NE of Balkh. Surkh Kotal is a Kushan site in Baghlān province just to the south of Balkh. The main Buddhist site is at Bamiyān south of Baghlān. Paul Bernard et al., *Fouilles d'Ai Khānōm* (Paris, Klincksieck, 1973–); Gérard Fussman and Daniel Schlumberger, *Surkh Kotal en Bactriane* (Paris, Diffusion de Boccard, 1983–1990). Soviet explorations at Tilla Tepe in Dilbarjīn (in Jūzjān district, west of Balkh) by Viktor Sarianidi uncovered the gold hoards that have been touring the museums of the world over the past decade. See Viktor Sarianidi, *The Golden Hoard of Bactria* (New York: H.N. Abrams, 1985). Two important Buddhist sites on the Tajik side of Bactria and excavated by Soviet archaeologists are at Ajina Tepe, 12 kilometers east of Kurgan-Tiube; and Kalai Kafirnigan monastery. See Boris Litvinskij, *The Buddhist Monastery of Ajina Tepa* (Rome: ISIAO, 2004); and idem, "Kalai-Kafirnigan: Problems in the Religion and Art of Early Mediaeval Tokharistan," *East and West* 31 (1981): 35–66.

are limited to the intramural spaces of the city. Given that some of the city's most important pre-Islamic and early Islamic sites, such as, the Naw Bahār and the Nuh Gunbad (see below) are located outside of the city walls, Le Berre's model is incomplete and most probably incorrect.

The archaeology of Balkh reflects many of the problems involved in using the archaeological evidence of Central Asian cities for the reconstruction of urban topography.<sup>15</sup> Very little stone was employed in the buildings of the cities of Central Asia in this period. The main building materials used were mud-brick, either in brick form or in larger molded blocks. There was also extensive use of wood. Decoration was largely carried out in stucco plaster and the exterior tile-work so characteristic of the area in the post-Mongol period was virtually unknown before the end of the twelfth century. Fired brick was much less used and even when it was, it was usually robbed out for reuse.

The nature of the archaeological evidence seriously restricts the types of information that it can reveal. Typically we can see the outlines of citadels and of city walls giving an idea, *grosso modo*, of the area of settlement. Dating of these massive structures can sometimes be determined by excavation, especially if the excavation produces coins or diagnostic pottery in a clear archaeological context. It is much more difficult to recognize individual buildings and still more so to say anything about their architectural forms. It is only in the case of the few surviving structures made of fired brick that we can see anything of the architectural detail.

In Balkh, the Nuh Gunbad stands out as a fired brick structure that has recently been dated to as early as the eighth century. It is a nine-domed structure that is a common pre-Islamic Iranian building form. A *mīhrāb* found at the site seems to indicate that it was used as a mosque, making it possibly the earliest mosque in the Islamic east.<sup>16</sup> However, none of the Arab geographers mentions it, and the local history of Balkh, the *Faḡdā'il-i Balkh* written in the late twelfth century only mentions a *nuh gunbadān* in passing without specifying that it might be a mosque. Lisa Golombek identified the stucco carvings, a distinctive style with a vocabulary of motifs consisting of grape-leaves, vinescrolls, palmettes, and fir-cones, as being best represented in Samarra, the Iraqi city

15 For an overview of the development of Iranian cities in the early Islamic period, see Hugh Kennedy, "From Shahrīstān to Medina," *Studia Islamica* 102–103 (2006): 5–34.

16 Chariyar Adle, "Communication: la mosquée Hāji Piyādah/Noh Gonbadān à Balkh (Afghanistan), un chef d'œuvre de Fazl de Barmecide construit en 178–179/794–795?" *Comptes Rendus des Séances de l'Académie des Inscriptions et Belles-Lettres* 2001, no. 1 (2011): 565–625.



125 km north of Baghdad founded by the 'Abbāsid caliph al-Mu'tasim (r. 218–227/833–842). The question remains open whether the transmission of decorative style went from west to east, or vice versa.<sup>17</sup>

### 3 The Early History of Balkh to the End of the Umayyads

Balkh is located in northwestern Afghanistan, an oasis sandwiched between the Oxus River and Hindukush mountains and watered by the Balkhāb river and canals flowing from the mountains located in the south. Bactra was the capital of the pre-Islamic Bactria which at its height included the eastern Iranian lands, as well as, southern Tajikistan, the lands south of the Hindukush and northern India (modern-day Pakistan and the north-west frontier). Bactra and Bactria together became known in the Persian and Arabic sources as 'Balkh.'

The first surviving textual mention of ancient Bactria is found in the Vendidad section of the Zoroastrian holy book, the *Avesta*.<sup>18</sup> We have accounts of Bactria during the Median period (seventh to sixth century BCE), and documentary evidence of its relations with the Achaemenids (sixth to fourth century BCE) and the Hellenistic conquerors (fourth to first century BCE).<sup>19</sup> Amongst the various nomadic invaders, the Kushans achieved supremacy, bringing Buddhism to Bactra in the second century CE, and building the city's Naw Bahār shrine and monastery. Bactria was eventually integrated into the Sasanian realm. Ardashir I (r. 224–242) is said to have visited Balkh when establishing his rule<sup>20</sup> and Bahram Gur (r. 420–438) appointed his brother as governor of Khurāsān and assigned Balkh to him as his capital.<sup>21</sup> But the Kushans retained much of the governing powers in Bactra.<sup>22</sup> After a period of rule by

17 Lisa Golombek, "The Abbasid Mosque at Balkh," *Oriental Art* 15 (1969): 177. The 'Masjid-i Chahār Sutūn' at Tirmidh has the same nine-domed floorplan. Robert Hillenbrand, *Studies in Medieval Islamic Architecture* (London: Pindar Press, 2006), 2: fig. 19.

18 Fritz Wolff, ed., *Avesta: die heiligen Bücher der Parsen* (Strassburg: Karl J. Trübner, 1910, paras. 1.6–1.7), 317–318. The *Avesta* known to us today was written down under the Sasanians during the fourth century.

19 Ctesias of Cnidus, "Persica," in *Photius, Bibliothèque*, ed. René Henry (Paris: Les Belles Lettres, 1959–1991); Jan Stronk, *Ctesias' Persian History* (Düsseldorf: Wellem, 2010); Joseph Naveh and Shaul Shaked, eds. and trans., *Aramaic Documents from Ancient Bactria: (Fourth Century B.C.E.): From the Khalili Collections* (London: Khalili Family Trust Publication, 2012).

20 al-Ṭabarī, *Ta'rikh*, 2:819.

21 al-Ṭabarī, 866.

22 Nicholas Sims-Williams, *New Light on Ancient Afghanistan: The Decipherment of Bactrian*,

the 'White Huns' (Kidarites, Chionites and Hephthalites) in the fifth century, Bactra was formally back in Sasanian hands until the Muslim conquests.

The first Muslim "crossing of the [Oxus] river" was achieved in 22/642–643 during the time of the caliph 'Umar (r. 13–23/634–44) by al-Aḥnaf b. Qays, according to the author of the *Faḍā'il-i Balkh* (FB). Al-Ṭabarī adds that al-Aḥnaf appointed his nephew to rule, and he is said to have received *mihragān* gifts from the notables of the city, much to his surprise.<sup>23</sup> As so often in the conquests of Central Asia, the process had to be repeated several times. FB states that Balkh was besieged in 32/652–653 by Sa'īd, the son of the fourth caliph Uthmān. Al-Ya'qūbi, by contrast says that the city was taken by 'Abd al-Raḥmān b. Samura (fl. 43/663) in the reign of Mu'āwiya I (r. 41–60/661–680),<sup>24</sup> and al-Balādhurī attributes the conquest to the Khurāsān governor Qays b. al-Haytham al-Sulamī (fl. 41/661) "who destroyed its Naw Bahār."<sup>25</sup> Al-Ya'qūbī describes Balkh as the biggest city of Khurāsān at the time of the conquests and says that a certain "Ṭarkhān, the king (*malik*) of Khurāsān" had settled there.<sup>26</sup> The Arab conquerors are said to have come from the city of Kūfa, and Balkh was "one of the conquests of the Kūfans" with 400,000 dirhams being agreed upon as tribute.<sup>27</sup> Whatever the reality of the original "conquest," the inhabitants soon rejected Muslim rule, and in 51/671 we find al-Rābi' b. Ziyād al-Ḥārithī conquering the city peacefully, that is coming to an agreement with the inhabitants "since they had locked (the city) after al-Aḥnaf b. Qays had made peace with them."<sup>28</sup>

It is not clear when permanent Muslim settlement began in Balkh. The presence of an *ispahbadh* (pre-Islamic army chief) in the city in 90/708–709 and again in 91/709–710 implies that there were still Iranian, non-Muslim officials

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*An Inaugural Lecture Delivered on 1 February 1996* (London: School of Oriental and African Studies, University of London, 1997), 5.

23 Sims-Williams, 2903; Shaykh al-Islam al-Wā'iz, *Faḍā'il-i Balkh*, 31–32. Mihragān is an ancient Iranian festival dedicated to Mithra/Mihr. Jean Calmard, "Mihragān," in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill), [http://dx.doi.org/10.1163/1573-3912\\_islam\\_COM\\_0734](http://dx.doi.org/10.1163/1573-3912_islam_COM_0734). This may imply that there was an important Zoroastrian community in the city but it might be that these were Buddhists who nonetheless participated in traditional Iranian festivals.

24 al-Ya'qūbī, *Buldān*, 116.

25 al-Balādhurī, *Futūḥ*, 409.

26 al-Ya'qūbī, *Buldān*, 287. Ṭarkhān is, in fact, a title not a name. It is not clear to which historical figure Ya'qūbī is referring here. Peter Golden, "Ṭarkhān," in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill), [http://dx.doi.org/10.1163/1573-3912\\_islam\\_SIM\\_7417](http://dx.doi.org/10.1163/1573-3912_islam_SIM_7417).

27 al-Ṭabarī, *Ta'riḥ*, 1:2690, 2891, 2903.

28 al-Ṭabarī, 2:156. The Arabic *aghlaquha* literally translates as locked, but means they rejected Muslim authority.

in the city who wielded considerable power.<sup>29</sup> In 86/705 Qutayba b. Muslim (d. 96/715) was met by the *ispahbadh* of Balkh and some local dignitaries, and in 90/708–709 the *ispahbadh* of Balkh is said to have been one of the local rulers to whom Nizak Ṭarkhān wrote when he was trying to unite the local aristocracy of Tukhāristān in resistance to the advances of Qutayba b. Muslim. The *barmak* (keeper of the Naw Bahār) appears to have been one of the leaders of this revolt as well, and his wife was taken prisoner.<sup>30</sup> In response Qutayba sent a garrison of 20,000 men to winter at al-Barūqān, near Balkh, presumably to prevent the rebels using the city as a base for operations against the Muslims.

As elsewhere in Tukhāristān, Nizak's defeat led to the imposition of more direct Muslim rule. The *ispahbadh* is heard of no more and the district was entrusted to Qutayba's brother 'Amr. It seems to have become something of a stronghold of the Qutayba family and 'Amr continued in charge even after his brother's defeat and disgrace in 96/715. In 106/724 'Amr defended the city and its fortress against the troops of Naṣr b. Sayyār (d. 131/748) in one of the increasingly fierce tribal conflicts which dominated the last decades of Umayyad rule.<sup>31</sup> The fact that there was now faction fighting between Yaman and Qays/Muḍar in the Balkh, like in the rest of the empire in that period, suggests that there was a significant Arab population.

According to al-Ṭabarī, the next year a new governor, Asad b. 'Abd Allāh al-Qasrī (governor of Khurāsān, 106–109/724–7 and 117–120/735–738) decided to move the Arab settlers from Barūqān to the *madīna* (city) of Balkh, and began the rebuilding of the city, ordering the *barmak* to take charge of the operations. The *madīna* at this stage probably refers to the Bālā Ḥiṣār. Asad used it as the base for his military operations in 108/726–727, and he is said to have preached from the *minbar* in Balkh, implying that there was a *masjid al-jāmi'* in the city by this stage.<sup>32</sup> The *Faḍā'il Balkh* places the move of the Arab settlers into the city in 118/736–737, and credits Asad with building a congregational mosque in the same year.<sup>33</sup>

The location of this mosque is problematic and the question is closely bound up with the role of Bālā Ḥiṣār in the early Islamic period. We know from

29 Although Muslims are described with pre-Islamic titles and titlature in the papyri after the conquest of Egypt, in this context the *ispahbād* must be Persian official given that we can find no example of a Muslim having this title in the Persianate world.

30 al-Ṭabarī, *Ta'rikh*, 2:1181, 1206–1207, 1219; Shaykh al-Islam al-Wā'iz, *Faḍā'il-i Balkh*, 34.

31 Shaykh al-Islam al-Wā'iz, 2:1472–1477.

32 al-Ṭabarī, *Ta'rikh*, 2:1500–1501.

33 Shaykh al-Islam al-Wā'iz, *Faḍā'il-i Balkh*, 33–35.

epigraphic and documentary evidence<sup>34</sup> that the city was the center of an Achaemenid satrapy and it is possible to surmise, by analogy with the more securely dated example at Merv, that the *arg* and the Bālā Ḥiṣār date, at least in their general layout from the Achaemenid period. Was the Bālā Ḥiṣār in fact the setting of the mosque and the *sūqs* which surrounded it? The *madīna* was described by al-Iṣṭakhri in the tenth century as being half a *farsakh* by half a *farsakh* (ca. three by three kilometres), though it is not clear whether a round or rectangular space is meant, and surrounded by walls made of *mud-brick*. He also records that the *masjid al-jāmi'* was in the middle of the city (*madīna*) not in the *rabaḍ* and was surrounded by the *sūqs*.<sup>35</sup> This suggests that the site of the mosque was in the middle of the Bālā Ḥiṣār. This identification is supported by the comment of al-Muqaddasī that one went down into the mosque on steps (*yanzalu ilayhi bi-darajīn*) from the street level.<sup>36</sup> This could make sense if the mosque was in the raised Bālā Ḥiṣār, since if it were on the flat plain it would be beneath the water table. It may suggest, like the Mogaki Attari in Bukhara, to which one also descends, that it may have occupied the site of an existing, pre-Muslim religious building. On the other hand, the Bālā Ḥiṣār is only about one kilometer in diameter, significantly smaller than the half *farsakh* (ca. three kilometers) mentioned by al-Iṣṭakhri. Elsewhere, however, al-Muqaddasī describes streams running along the streets, which cannot be in Bālā Ḥiṣār. Ibn Baṭṭūṭa, who found the city effectively deserted, saw the ruins of a mosque which was about the size of the (huge) mosque of Rabat (Morocco) "but more beautiful."<sup>37</sup> The archaeological explorations of the 1950s and especially Gardin's survey of the ceramics, came to the conclusion that the Bālā Ḥiṣār may have suffered "une longue période d'abandon"<sup>38</sup> from the time of the Muslim conquest, if not before, down to the Timurid period (1370–1507) when the old walls were reused to form the foundations of the new Timurid ramparts. However, the latest reports note laconically "céramique, verres, mon-

34 Besenval and Marquis reported the finding of Achaemenid ceramic material in the Bālā Ḥiṣār, in "Les travaux de la délégation archéologique française en Afghanistan (DAFA): résultats des campagnes de l'automne 2007-printemps 2008 en Bactriane et à Kaboul," (note d'information)," *Comptes Rendus des Séances de l'Académie des Inscriptions et Belles-Lettres* 152, no. 3 (2008): 980.

35 al-Iṣṭakhri, *Masālik*, 278.

36 al-Muqaddasī, *Aḥsan al-taqāsīm*, 302.

37 Ibn Baṭṭūṭa, *Rihla*, trans. Charles-François Defrémery and Adrian D.H. Bivar as: *The Travels of Ibn Baṭṭūṭa, A.D. 1325–1354* (Cambridge: Published for the Hakluyt Society at the University Press, 1958–2000), 3:572.

38 Le Berre and Schlumberger, "Troisième partie – Observations," 75.

naies ... attestant d'une forte densité d'occupation du site du IX au XII siècle."<sup>39</sup> The investigation, and hopefully the resolution of this question is fundamental to our understanding of the historical topography of the city.

In 118/736 Asad, governor for the second time, decided to move the administrative capital of all Khurāsān from Merv to Balkh, transferring the *dīwāns* to the city and building strongholds (*ikhtakha al-maṣānī*).<sup>40</sup> A castle (*qal'a*) is mentioned in the Umayyad-period city, as are slave markets.<sup>41</sup> The castle is called a *qaṣr* in the *Faḍā'il-i Balkh* and *quhandiz* in al-Ya'qūbī's account of the wars (involving who?) during the governorate of Naṣr b. Sayyār, immediately before the Abbasid revolution, when Naṣr imprisoned one of his enemies in it.<sup>42</sup> We also hear of 2,000 troops raised from the people of Balkh in 118/736.<sup>43</sup> If, as seems likely, these were Muslims it would imply a Muslim population of the city of at least 10,000 by this time.

In the light of this admittedly fragmentary data it is possible to suggest a history of the first Muslim settlement in Balkh. Despite the repeated "conquests" of the city in the Rāshidūn and Umayyad period, there is no evidence of the establishment of a Muslim garrison in the city. Authority in the city remained in the hands of the *ispahbadhs* in some sort of partnership with the *barmak* of the Naw Bahar Buddhist temple and monastery. This position changed in the aftermath of the defeat of Nīzak's rebellion in 90/708–709 when the *ispahbadh* disappears and Muslim troops were settled, not, it would seem in the old city center of Balkh, but at Barūqān, possibly a Muslim new settlement. Probably in 107/725–726 Asad b. 'Abd Allāh transferred the Arab settlers from Barūqān to the old site of Balkh and this may have represented the first Muslim settlement on the site which was followed by the construction of the mosque in the center of the town. The *Faḍā'il-i Balkh* states, however, that this was not the first mosque of Balkh, having been preceded by an 'old mosque' (*maṣjid-i 'atiq*) constructed seven years earlier.<sup>44</sup> Muslim settlement may also have been estab-

39 Besenval and Marquis, "Les travaux," 982.

40 al-Ṭabarī, *Ta'rikh*, 2:1591. *Maṣna'* can mean a fortress, a synonym for *qaṣr* but it can also be an open cistern for water. See Edward W. Lane, *Arabic-English Lexicon* (London: Williams and Norgate, 1863–1893), sv. *ṣn'*.

41 al-Ṭabarī, *Ta'rikh*, 2:1589, 1599; also for use of *qal'a* in Ghaznawid period in the forthcoming *Balkh, 'Mother of Cities'*.

42 Shaykh al-Islam al-Wā'iz, *Faḍā'il-i Balkh*, 36 ("[Ja'far b. Muḥammad b. al-Ash'ath, n/d] built a castle [in Balkh], and ordered a prison to be demolished, and next to it he ordered the building of a college"). The text also refers to "many castles and forts" in the outlying areas of Balkh (p. 50); al-Ya'qūbī, *Buldān*, 302.

43 al-Ṭabarī, *Ta'rikh*, 2:1590.

44 Shaykh al-Islam al-Wā'iz, *Faḍā'il-i Balkh*, 35.

lished outside the Bālā Ḥiṣār in the area enclosed by the walls described by the archaeologists as ‘Bactres 1A.’ In 118/736 the Islamicization of the city continued when Asad b. ‘Abd Allāh made Balkh the capital of the whole of Khurāsān and we can suggest that there was by this time a Muslim population of some 10,000. It seems as if the Muslim settlement was, as in Bukhara, inside the *madīna/shahristān*, possibly at the expense of those inhabitants who chose not to adopt the new faith.<sup>45</sup> What remains unclear is when the various sections of the *rabaḍ* were constructed, but Ya‘qūbī’s account makes it clear that the *rabaḍ* was enclosed by a wall in his time (late ninth century) and that the Naw Bahār, here described as the residences (*manāzil*) of the Barmakids – the dynasty that descended from the *barmaks* of Naw Bahār and wielded great power in the ‘Abbāsīd court of Hārūn al-Rashīd (r. 170–193/786–809) – was to be found there.<sup>46</sup>

#### 4 Balkh and the Muslim Settlement of Khurāsān and Transoxania

How does Balkh fit into the general pattern of urban development in Khurāsān and Transoxania in the three centuries which followed the Muslim conquests? As is well known, the cities of Central Asia usually had a bipartite or tripartite form. There was usually a fortified citadel (*arg/erk*), generally circular or oval in form which is either adjacent to, or separate from, a walled inner city (*madīna/shahristān*). Beyond the inner city lay the suburb (*rabaḍ*) which was often walled as well. Finally some oases (Balkh, Bukhara) are known to have had very long walls which enclosed the whole cultivated area of the oasis and its villages. Such outer walls, which in Balkh was up to 72 kilometers in length, can hardly have been defensive but used rather to prevent blowing sand and dust from encroaching on the cultivated area and to prevent the flocks of the nomad peoples of the desert from invading the farmed area.

Although many similar forms can be found in different cities, the dating and distribution of these elements seems to have varied greatly. In the best known of the cities, Merv, the round citadel, Erk Kala, seems to date back to the Achaemenid occupation from the fifth century BCE onwards. While the rectangular wall of the city dates back to Seleucid times and was maintained and

45 Hugh Kennedy, “The Coming of Islam to Bukhara,” in *Living Islamic History: Studies in Honour of Professor Carole Hillenbrand*, ed. Yasir Suleiman (Edinburgh: Edinburgh University Press, 2010), 77–91.

46 al-Ya‘qūbī, *Buldān*, 117.

rebuilt throughout the Sasanian period, the ancient citadel lies on one wall of the *shahristān*, effectively allowing direct access to the city, along the south side, and to the oasis on the other.<sup>47</sup> In Samarqand, the citadel lay at the north edge of the fortified city, separated from the rest of the *shahristān* by deep ditches.<sup>48</sup> By contrast it seems that the citadel in Bukhara, much smaller than the one at Merv, only dated from the first centuries of the common era. Here the *shahristān*, again with sub-rectangular walls, was separated from the citadel by an open area which was only built up in the early Islamic period.<sup>49</sup> In Balkh we seem to have an *arg* which lay on the southern wall of the *shahristān*.<sup>50</sup> Gardin notes<sup>51</sup> that the, limited, ceramic evidence makes it clear that the origins of the Bālā Ḥiṣār pre-date the Kushan period and this leads Le Berre and Schlumberger to argue for a Hellenistic origin.<sup>52</sup> However, the surviving Hellenistic city walls of the region, at Ai Khanum (North-East of Qunduz) and Merv, are clearly rectangular or sub-rectangular in plan while the oval citadel at Merv is firmly dated to the Achaemenid period. By analogy with these more clearly dated sites, it would be possible to argue that the straight south wall of the [rectangular] *rabaḍ* ('Bactres 1A' in Le Berre, et al.) date from the Hellenistic period and there is nothing in the archaeological record to contradict this.

The coming of Muslim rule and Arab settlement in Central Asia occurred in different ways. We are best informed about Merv, from archaeological and textual evidence, and Bukhara, because of the survival of Narshakhī's history of the city, which is extremely interested in topographical information. Narshakhī presented his *Tārīkh-i Bukhāra* in Arabic in 943–944 to the Sāmānid governor Nuḥ b. Naṣr, and it is the Persian adaptations of the text by Abu Naṣr Aḥmad Qubawī in 1128–1129 and Muḥammad b. Zufar b. 'Umar in 1178–1179 that have

47 For the fortifications in Merv, see Vladimir A. Zavyalov, "Fortifications of the City of Gyaur Kala, Merv," in *After Alexander: Central Asia before Islam*, eds. Joe Cribb and Georgina Herрман (Oxford and New York: Oxford University Press, 2007), 313–329.

48 Frantz Grenet and Claude Rapin, "De la Samarkand antique à la Samarkand islamique: continuités et ruptures," in *Colloque International d'Archéologie islamique, IFAO, Le Caire, 3–7 février 1993*, ed. Roland-Pierre Gayraud (Cairo: Institut français d'archéologie orientale, 1998), 387–402.

49 See the discussion in Anette Gangler, Heinz Gaube and Attilio Petruccioli, *Bukhara: The Eastern Dome of Islam* (Stuttgart: Edition Axel Manges, 2004), 18–22, 30–42.

50 For the best discussion of the walls of Balkh and their dating, see Le Berre and Schlumberger, "Troisième partie – Observations."

51 Gardin, *Ceramiques de Bactres*, 107.

52 On the grounds that Polybius implies that there was a strong fortress on the site when Antiochus III besieged the king Euthydemus at Balkh. Le Berre and Schlumberger, "Troisième partie – Observations," 87–88.

survived.<sup>53</sup> In Merv, the early Muslim settlement was concentrated outside the old *shahristān*, along the banks of the Majan canal. Until the eleventh century, this new Muslim settlement seems to have been unfortified. By contrast the ancient citadel was in ruins (*kharāb*) by the mid-eighth century, if not before, and the old *shahristān* was the center of industrial activity, notably steel making. The first mosque may have been established in middle of the *shahristān* but later the main mosque, as well as the *dār al-imāra* of Abū Muslim, were to be found in the unfortified Muslim new town.<sup>54</sup> The explanation for the abandonment of the huge ancient fortifications of Merv may be perhaps that there were no more attacks expected. It may also have been a consequence of the financial and material difficulty of keeping up and indeed providing a fortification that does not have natural resources.

In Samarqand, by contrast, the new centers of Muslim power, mosques and the *dār al-imāra* were established on the site of the ancient citadel, appropriating the ancient centers of power.<sup>55</sup> The explanation for these differences may lie in the nature of the conquests. Merv seems to have been taken more or less peacefully, meaning that the existing inhabitants were allowed to retain their houses and places of worship in the *shahristān*. The Muslims were therefore obliged to create a new settlement for themselves. Samarqand was conquered as the result of a violent struggle and, at least for a time, the inhabitants were driven out of the city and forbidden to re-enter it on pain of death. It is likely, therefore, that the citadel and fortified city became a largely Muslim environment from an early stage. There is no evidence at Samarqand of an extensive *rabaḍ* or Muslim new town before the Mongol conquests of the thirteenth century. In Bukhara, the *arg* remained in the residence of the local rulers of Bukhara, the Bukhār Khudāts at least until the early Abbasid period.<sup>56</sup> The Arab settlers and the Muslim governors established themselves in the *shahristān*.

53 Narshakhī, *Tārīkh-i Bukhārā*, ed. Mudarris Raḍawī ([Tehran]: Intishārāt-i Bunyād-i Farhang-i Irān, 1351/1971), trans. Richard Frye as: *The History of Bukhara* (Cambridge, MA: Mediaeval Academy of America, 1954).

54 See Hugh Kennedy, "Medieval Merv: An Historical Overview," in *Monuments of Merv*, ed. Georgina Herrmann (London: Society of Antiquaries of London, 1999), 25–44.

55 See Grenet and Rapin, "De la Samarkand antique."

56 Kennedy, "The Coming of Islam," 77–91. At the time of the first Arab raids on Bukhara in 54/674, the local ruler was the widow of the Bukhār Khudār Bidūn. She ruled as regent for her infant son, Ṭughshāda. The Bukhār Khudāt appears again in al-Ṭabarī's account of Qutayba's conquest of Bukhārā in 91/710, after which Qutayba installed the same Ṭughshāda as the princely ruler of Bukhārā. Vasily V. Barthold and Richard Nelson Frye, "Bukhara," in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill), [http://dx.doi.org/10.1163/1573-3912\\_islam\\_SIM\\_1508](http://dx.doi.org/10.1163/1573-3912_islam_SIM_1508).



The first mosque seems to have been built in the citadel shortly after the conquest, but in the early Abbasid period a new mosque was constructed in the developing area between citadel and the *shahristān* where the Kalyon mosque is today. Bukhara also provides the only clear evidence we have for the conversion of a pre-Muslim, either Zoroastrian or, less likely, Buddhist place of worship into a small mosque, the so-called Mogaki-Attari.<sup>57</sup>

How then does Balkh fit into this matrix? It seems likely that there was a continuity of indigenous élite settlement in the fortified area of the Bālā Ḥiṣār but until more extensive archaeological mapping and survey work has been carried out in the area this cannot be proved. The function, and indeed the continuing existence of the *quhandiz*, cannot be proved beyond the end of the Umayyad period. Did it, like the citadel at Samarqand remain the center of power for the new Muslim rulers, was it like the *arg* at Merv, abandoned and *kharāb*, or was it where the local rulers remained like in Bukhara? As for the *rabaḍ*, it is clear that it, or at least parts of it, were enclosed by fortifications before the Muslim conquest and that these fortifications may date back, as the Merv ones do, to the Seleucid period. What remains quite unclear is whether the *rabaḍ* area expanded in the aftermath of the Muslim conquest? Did the population expand, as it clearly did in Merv and Bukhara? All these questions remain to be investigated: only after further research in the textual resources and above all the archaeological material, will we be able to understand early Islamic Balkh in the way we can, or think we can, in the other great ancient cities of the region.

## 5 Three Sites in the *rabaḍ*

Three features within the *rabaḍ* of Balkh deserve further elaboration, the Naw Bahār, Tepe Zargarān and Nuh Gunbad. The Naw Bahār is probably best described by Ibn al-Faqīh (d. after 292/905). The Naw Bahār was more than a temple and monastery: it was a vast estate. Thus, writes Ibn al-Faqīh (fl. 289/902), the Naw Bahār [estate] comprised an area of 8-by-4 *farsakhs* (48 by 24 kilometres) [in the more detailed Mashhad manuscript the area is given as 7 *farsakhs* in diameter, which is perhaps seven square *farsakhs*, so 42 by 42 kilometres]. This would mean that the Naw Bahār territory covered at least two-thirds of the Bactran oasis, if not all of it.<sup>58</sup> Flags were flown on top of the cupola

57 Narshakhī, *The History of Bukhara*, 21, where the mosque is called the mosque of Mākh.

58 Ibn al-Faqīh, *Buldān*, 322–324; and the facs. ed. of the Mashhad ms contained in *Collec-*

of its central building, which in some languages (i.e. other than Arabic) was known as *'al-ustūn.*' Ibn al-Faqīh's description, probably unbeknownst to him, provides clues that make the Buddhist use of Naw Bahār unquestionable. The flying of flags on the cupola is a common feature in Buddhist temples, and *'al-ustūn'* is orthographically similar to *al-ustūp*, the Arabicised rendering of the Sanskrit *stupa*. Round arches and three hundred-sixty prayer cells surrounded the site in which devotees carried out their (monastic) services and slept. The cupola measured one hundred cubits in circumference (i.e. 45.72 meters), and one hundred cubits (45.72 meters) in height.<sup>59</sup> Ibn al-Faqīh's account complements the observations made by the Buddhist pilgrim Xuanzang (fl. 630–640s AD). The Chinese visitor would have known a Buddhist site if he had seen one.<sup>60</sup> Judging from Xuanzang's account, Bactra's landscape was dotted with Buddhist convents that totaled one hundred, and three thousand monks were lodged in them; Naw Bahār was by far the largest. Probably the very *stupa* mounds inventoried by Warwick Ball in 1982 throughout the Balkh region are the remains of what must have been a comely sight of glistening cupolas dotting the landscape.<sup>61</sup> A mud-brick site known today as Tepe Rustam outside the southern wall of Balkh appears to be the Naw Bahār cupola. It is conceivable that the Naw Bahār functioned as a semi-autonomous Buddhist administrative entity with a remit that extended into the secular domain. By the account of Ibn al-Faqīh, the Naw Bahār territory covered two-thirds of the Bactran oasis, which begs the question of whether it functioned as a city within a city.<sup>62</sup>

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*tions of Geographical Works*, 321–324. Xuanzang who travelled in Balkh in the 630s A.D. had estimated the cupola to stand about 200 feet (60 metres) high. Xuanzang, *Si-Yu-Ki: Buddhist Records of the Western World*, trans. Samuel Beal (London: Trübner & Co., 1906), 1:46.

59 Xuanzang, 1:46.

60 Xuanzang, 46. Xuanzang noted that the monks of Naw Bahār studied the religious teaching of the Shravakayāna, which he refers to by the pejorative name Hinayāna ('lesser vehicle'). This is a reference to early forms of Buddhism. Richard Gombrich, Étienne Lamotte and Lal Mani Joshi, "Buddhism in Ancient India," in *The World of Buddhism*, eds. Heinz Bechert and Richard Gombrich (London: Thames and Hudson, 1984), 77–89.

61 Ball records *stupa* sites in the eastern Balkh area called Charkh-i Falak, Āsyā-yi Qunak and Chihil-dukhtarān sites. The Charkh-i Falak is located five kilometers east of old Balkh on the old route to Mazār-i Sharīf. It consists of the remains of a mud-brick *stupa* – a cylindrical drum on a square base, and there are many more ruins southwards of the site. The Āsyā-yi Qunak 5 km southeast of old Balkh has a very high narrow circular mound of mud eighteen meters high and resembles a *stupa*. There are many ruins in its vicinity. The Chihil-dukhtarān site, three kilometers southeast of old Balkh and near the Āsiyā-yi Qunak, is a large irregular mud-brick structure that may be a *stupa* as well. See Ball, *Archaeological Gazetteer*, no. 191, 72.

62 For more details, see Étienne de la Vaissière, "De Bactres à Balkh, par le Nowbahar,"

We do not know how long the temple site served as a place of worship after the Islamic conquest. While al-Balādhurī has Naw Bahār's Buddhist *stupa-vihara* complex destroyed during the campaigns under the caliph Mu'āwiya (r. 41–60/661–680),<sup>63</sup> al-Ṭabarī reports that Nizak Tarkhān went to pray there during his rebellion against Qutayba b. Muslim in 90/709.<sup>64</sup> The anonymous *Hudūd al-'ālam* describes the royal buildings (*bināhā-yi khusrawān*) and the remaining Naw Bahār's decorations, including painted images (*naqsha*) and wonderful works (*kārkard*).<sup>65</sup> These are presumably secco or fresco murals and carvings on the temple's plastered walls that had survived into the author's time. The *Faḍā'il-i Balkh* does not mention a Buddhist function, which would indicate that at the latest by the twelfth century the Buddhist meaning of Naw Bahār had been lost. This 'devilish' house only occupied the realms of a rude past, not the cityscape of the present.<sup>66</sup> Thus, two-thirds of Balkh had been effectively managed by the *barmak* at least until the time of the Muslim conquest. No king or local ruler is mentioned otherwise, which can only add further evidence to the observation that most of Balkh was in fact Naw Bahār.<sup>67</sup>

Naymark and Kennedy have observed in the early Islamic period the merging of smaller urban settlements or principalities into wide unfortified agglomerations covering the former rural territory.<sup>68</sup> In Balkh, too, Naw Bahār is no longer mentioned as an administrative entity. Al-Ya'qūbī's account implies the 'demotion' of Naw Bahār from a *de facto* temple-city to a mere section in Balkh's *rabaḍ*.<sup>69</sup> Naw Bahār had been merged into the wider Balkh city or 'metropolis'

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*Journal Asiatique* 298, no. 2 (2010): 517–533; Arezou Azad, *Sacred Landscape in Medieval Afghanistan: Revisiting the Faḍā'il-i Balkh* (Oxford: Oxford University Press, 2013), 68–110.

63 al-Balādhurī, *Futūh*, 409. Al-Ṭabarī does not raise any tensions regarding the Naw Bahār or Balkh for this period, contending that al-Rābi' b. Ziyād al-Ḥārithī was the governor of Khurāsān and "conquered Balkh peacefully, they had closed it after Aḥnaf b. Qays made peace with them." See al-Ṭabarī, *Ta'rikh*, 2:156.

64 al-Ṭabarī, 1205.

65 Anonymous, *Hudūd al'ālam*, 311.

66 Shaykh al-Islam al-Wā'iz, *Faḍā'il-i Balkh*, 46: "It is attributed to Ibn Shawdhab that the devil (*iblis*) has his temple (*khāna*) in Khurāsān and they call it Naw Bahār. Every year he makes a pilgrimage to that temple."

67 Reference to a king or other ruler (besides the *barmāk*) are also not found in Turkic sources. See: De la Vaissière, "De Bactres à Balkh."

68 Aleksandr Naymark, "The Size of Samanid Bukhara: A Note on Settlement Patterns in Early Islamic Mawarannahr," in *Bukhara: The Myth and the Architecture*, ed. Attilio Petruccioli (Cambridge, MA: Aga Khan Program for Islamic Architecture at Harvard University and the Massachusetts Institute of Technology, 1999), 45–46; and Kennedy, "From Shahrīstan," 30–33.

69 al-Ya'qūbī, *Buldān*, 117: "wa fi l-rabaḍ al-Naw Bahār."

(Ar. *miṣr*), to borrow a term used by al-Muqaddasī, which can be considered synonymous with the medieval Persian *shahr*.<sup>70</sup>

The second feature of the *rabaḍ* is a surviving freestanding building which has been attributed to the early Islamic period, possibly even to the Umayyads, known as the Nuh Gunbad (known locally as “Ḥajjī Piyāda”).<sup>71</sup> The remains of the nine-domed structure with beautifully carved columns stand three kilometers outside the southern wall of Balkh.<sup>72</sup> Its *extra muros* location supports the argument for a newly fashioned city spread over a wider urban settlement. Various scholars have written about the site, contending that it was a mosque. However, none of the Arab geographers mention it, and the *Faḍā'il-i Balkh* only mentions the ‘Nuh Gunbadān’ in passing without specifying that it might be a *masjid*.<sup>73</sup> The *Faḍā'il-i Balkh* is usually meticulous about identifying the

70 Al-Muqaddasī defines the specialized vocabulary of his science specifically for jurists who would need to take into account jurisdictional boundaries. At the highest level, the head of the province (*iqlīm*, pl. *aqālim*) is the *miṣr*, or ‘metropolis.’ It administers over districts (*kawra*), themselves containing several main towns (*madīna*, pl. *mudun*) around a capital (*qaṣaba*). Exceptions occur *inter alia* in *al-mashriq*, which has two metropolises divided by the Oxus (Abū Zayd al-Balkhī had divided the region into three – Khurāsān, Sistān and Māwarā' al-Nahr). A *miṣr* can be a capital of its district, but a capital is not necessarily a *miṣr*; and a *miṣr* gives its name to a district. Balkh is the name of the capital (*qaṣaba*) of Balkh district (*kawr*). See al-Muqaddasī, *Aḥsan al-taqāsīm*, 47, 260, 295–296; trans. Collins, *Best Divisions*, 51, 236, 261; also André Miquel, “al-Muqaddasī,” in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill), [http://dx.doi.org/10.1163/1573-3912\\_islam\\_SIM\\_5451](http://dx.doi.org/10.1163/1573-3912_islam_SIM_5451). Regarding the Persian terms, Aubin points out that the Persian use of *shahr* such as in *shahr-i Kirmān* in mediaeval texts, which does not distinguish between the vast territory it encompasses and the principal locality, has skewed some of the scholarship. Thus, *shahr* can refer to a city and the canton (*nāhiyat*) which surrounds it, while also being the “chef-lieu de la province.” *Shahr* and the Arabic *miṣr*, therefore, have the same meaning. See Jean Aubin, “Éléments pour l'étude des agglomérations urbaines dans l'Iran médiéval,” in *The Islamic City: A Colloquium*, eds. Albert Hourani and Samuel Miklos Stern (Oxford: Bruno Cassirer, 1970), 68–69. The Persian equivalents appear in the *Faḍā'il-i Balkh* as well.

71 For the first art-historical reports on the site, see Golombek, “The Abbasid Mosque,” 173–189, and Galina Pugachenkova, “Nuh Gumbéd v Balkhe,” *Sovetskaia Archeologiya* 3 (1970): 241–250. They superseded the article by Asadollah Melikian-Chirvani, “La plus ancienne mosquée de Balkh,” *Arts and the Islamic World* 20 (1969): 3–20.

72 The floor plan was provided by Pugachenkova in “Nuh Gumbéd,” 241–250; and has been reproduced by various scholars. Golombek identified the stucco carvings, a distinctive style with a vocabulary of motifs consisting of grape-leaves, vine scrolls, palmettes and fir-cones, as being best represented in Samarra, the Iraqi city 125 km north of Baghdad founded by the Abbasid caliph al-Mu'tasim (r. 218–227/833–842). See Golombek, “The Abbasid Mosque,” 177. See also the Masjid-i Chahār Sutūn at Tirmidh. It has the same nine-domed floor plan.

73 A *nuh gunbadān* is mentioned in the *Faḍā'il-i Balkh* as the site adjacent to which stood the shrine of the Shaykh al-Islām al-Nuṣayrī/al-Naṣīrī (no. 53, d. 411/1020), states the author of

mosques of Balkh as *masjid*, and it would be odd to leave out such a beautifully decorated one from the extensive list of mosques mentioned.<sup>74</sup>

Why then would it not do so in relation to the Nuh Gunbad/Ḥajjī Piyāda site? The answer seems to lie in the negative literary and archaeological evidence: there is no evidence that the Nuh Gunbad was a mosque in the eighth century. Recent excavations have unearthed a *miḥrāb*, however, the date of the *miḥrāb* is still not determined with any certainty (and it may well post-date the *Faḍā'il-i Balkh*).<sup>75</sup> Scholars have found that the architectural model based on four columns at the axes of a central square, surrounded by an outer wall, thus forming nine roofing elements covered in domes, has pre-Islamic precedents. On the other hand, the architectural style is found in early Iranian mosques, such as at Kerman as well. Perhaps the style had survived not only in the form of a mosque but as part of a palatial building type as well.

What remains relevant for our analysis is the tentative dating of the structure to the eighth–ninth centuries, and the use of pre-Islamic models for Islamic-period buildings – whether for religious or ceremonial purposes – within a program of developing the wider city (Per. *shahr*) of Balkh.

The Nuh Gunbad is by no means the only freestanding medieval structure in the Balkh area. Galina Pugachenkova in the 1960s inventoried and photographed a number of eleventh-century commemorative tomb structures outside the walls of Balkh.<sup>76</sup> The eleventh-century Bābā Ḥātim shrine structure forty kilometers west of the medieval Balkh site attracted the attention of Asadollah Melikian-Chirvani, Janine Sourdel-Thomine and Adrian D.H. Bivar in the late 1960s and 1970s. An impressive Kufic dedicatory border inscription around the shrine's doorway references the patron, a certain Sālār Khalīl, as well as his female ancestors. The language is Arabic, albeit in Persianised grammar.<sup>77</sup>

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the *Kitāb al-bahja* cited in the *Faḍā'il-i Balkh*. The site was located at a place called *panj rish* ('five beards'). See Shaykh al-Islam al-Wā'iz, *Faḍā'il-i Balkh*, 320. Today there is a small cemetery shaded by willow trees across from the Nuh Gunbad.

74 Shaykh al-Islam al-Wā'iz, *Faḍā'il-i Balkh*, 207. For a fuller list, see Azad, *Sacred Landscape*, 88–89.

75 Adle, "Communication," 589 ff.

76 Galina Pugachenkova, "Little Known Monuments of the Balkh Area," *Art and Archaeology Research Papers* 13 (1968): 31–40.

77 Asadollah Melikian-Chirvani, "Remarques préliminaires sur un mausolée Ghaznévide," *Arts Asiatiques* 17 (1968): 59–92; Janine Sourdel-Thomine, "Le mausolée dit de Baba Hatim en Afghanistan," *Revue des études islamiques* 39 (1971): 293–320; Adrian D.H. Bivar, "The Inscription of Sālār Khalīl in Afghanistan," *Journal of the Royal Asiatic Society* 2 (1977): 145–149. The inscription reads: *bi'smi 'llāhi 'l-rahmāni 'l-rahīm hādhā (al-)mashhad Sālār Khalīl-i Sayyid sana'ahu li-ummi ummih [barra] da 'llāhu maḍja'ahumā wa-nawwara ḥafa-*

The third feature of the *rabad* is the mound (*tall*) of Tepe Zargarān (non-contiguous part of ‘Bactres I’ and ‘Bactres IA’) on the eastern limit. Today it stands as a limestone mound (900 metres by 300 metres), smaller than the Bālā Ḥiṣār, and extending horizontally over several dozen meters. It is located to the east of a serpentine wall. Excavated remains, such as pre-Islamic column bases and pillars depicting bovine creatures, date back to the Kūshān and Sāsānian periods.<sup>78</sup> Schlumberger found ceramic sherds in Tepe Zargarān bearing Sogdian and Kharoshti inscriptions, as well as Kūshān and Sasanian coins.<sup>79</sup> Gardin identified glazed polychrome ceramics dating to the ninth to the twelfth centuries here.<sup>80</sup> More recent excavations have unearthed coins and ceramic pots from the Islamic period which Balkh Art and Cultural Heritage (BACH) numismatists have concluded indicate that the occupation of this part of the city might have continued to the tenth century. They found, with one exception, no coins that relate to the final period before the Mongol destruction.<sup>81</sup>

What was the function of Tepe Zargarān? Might it have served as a cult or pilgrimage site? Its location away from the center of town begs the question whether it was an isolated site, or whether it was embedded within a settled suburb. Linking the literary evidence to this *tall* is far from straightforward. An important mound is known as Tall-i Gushtāsp/Vishtāsp (‘Mound of Gush-tāsp/Vishtaspa’) to the *Faḍā’il-i Balkh*. It served as a sacred place and the burial site of several prominent figures, including the prophet Job, the mythical king Gushtāsp, and a number of the saints of Balkh.<sup>82</sup>

After the arrival of Islam, it is possible that Tepe Zargarān provided the eastern limit for an extended inner city (i.e. beyond the serpentine wall), while it may also have served as a non-contiguous religious site. We have accounts that

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*ratahumā* (“In the name of God, the Merciful, the Compassionate. This mausoleum, the Commander Khalīl the Sayyid designed it for the mother of his mother. May God cool the resting-place of both of them, and illuminate their sepulchre.”) The site was subsequently restored – see Régis de Valence, *La Restauration du mausolée de Baba Hatim en Afghanistan* (Paris: Editions Recherche sur les civilisations, 1982).

78 Ball, *Archaeological Gazetteer*, 1:47–49; Roland Besenval, *Rapport d’activités* (Kabul, La Délégation archéologique française en Afghanistan, 2007). The pillars and capitals were viewed by the author in Balkh on 23 July 2009 both at the Tepe Zargarān site and in the offices of the Balkh Province’s Culture and Information Department in Mazār-i Sharīf.

79 Schlumberger, “Prospection archéologique,” 181–184, and figs. 12 and 13.

80 Gardin, *Céramiques de Bactres*, 87–97, 23–28, 42–43, 53, 89 (fig. 32), 119–120 (coins), plate XXIV.

81 Stefan Heidemann and Matthias Naue, “Coin Finds in Relation to Local History,” unpublished report for the *Balkh Art and Cultural Heritage Project* (2013), 31. A detailed chapter on this will appear in the BACH volume, *Balkh, Mother of Cities*.

82 Further details, see Azad, *Sacred Landscape*, 72–75, 96–97.

the top of a conspicuous mound (*sar-i tall*) was used as a burial ground for ninth and tenth-century Islamic legal scholars, and it is plausible that the reference is to Tepe Zargarān. If this is the case then we have an example of how the Muslims appropriated sacred spaces of the conquered peoples, and converted them into Islamic spaces.

## 6 Conclusion

The history of the coming of Islam to Balkh remains much less well understood than that of other major Central Asian cities like Marv, Samarqand and Bukhara. This is partly because of the paucity of early literary sources, partially compensated by the thirteenth century *Faḍā'il-i Balkh* but more significantly by the lack of sustained archaeological investigation of the Islamic city of the sort that was done in Soviet and post-Soviet times in the other great cities. Nonetheless, certain features and developments can be made out. The central role of the pre-Islamic Bala Hisar which incorporated the citadel seems to have been the main centre of the city, the *shahristān*, until at least the twelfth century and may have been the site of the lost great mosque, admired by the Arab geographers. However, there is no evidence that the citadel played a major part in urban life. We can suggest that in early Islamic times the city spread with the construction of the *rabaḍ* outside the walls of the Bala Hisar at a lower elevation, and again outside the walls of the *rabaḍ*. This swallowed up the great stupa of the Nawbahar and was the site of the only important surviving early Islamic building of Balkh, the controversial Nuh Gunbad. The development of the extra-mural *rabad* in this period suggests a pattern of urban development in Balkh broadly similar to that in Marv, Bukhara and Paykent which all acquired *rabaḍ*s during this period, *rabaḍ*s which in Marv and Bukhara, were the location of the main religious buildings and the main commercial quarters. Only with more sustained archaeological work, will we be able to improve on these tentative conclusions.

While the main focus of this study lies with the city of Balkh, connections with the surrounding countryside are obvious and significant. The town's hinterland formed a source of supplies for the city with agricultural grounds providing staple foods as well as seasonal fruits and vegetables. Pastoral grounds extending into more remote areas were at least as important for the mobile nomads who provided the city with food stuffs and other supplies such as hides, but who could also be called upon as a military force through temporary and more constant alliances. The city's income consisted of taxes and tolls or fees they could

raise on the services and transactions thus taking place: commercial, agricultural and military. To maintain such material and personnel services, the city aimed to extend its influence over the surrounding lands by different means. Defense works and the soldiers housed in them were an obvious means by which the city imposed control over its hinterland – this would have helped especially the collection of taxes and other impositions as well as reduce the chance of rebellions and other acts of disobedience. It also points to the other important way through which the city maintained its dominance, namely by offering the surrounding population protection from attacks and opportunities to sell their products. The city's commercial function with an Arab soldier population who could dispense of a spendable salary and the administrative activities as well as the expanding urban population all offered opportunities for agricultural and household manufacture trade as well as long-distance commercial activities. In other words the city attached the inhabitants of the surrounding lands by offering services that were beneficial to them. Also through institutions, legal and religious, did the city play an increasingly central role in the life of the people around. This offered indirect ways of controlling the people and lands around the city.

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**PART 3**

*Land Use and Resources*





## Contrôle et exploitation des campagnes en Sicile

*Le rôle du grand domaine et son évolution du VI<sup>e</sup> siècle au XI<sup>e</sup> siècle*

*Annliese Nef et Vivien Prigent*

L'évolution du grand domaine en Sicile entre les périodes byzantine et islamique (la conquête islamique débute en 827 et l'émirat insulaire se maintient jusqu'au milieu du XI<sup>e</sup> siècle) a, dans un premier temps, donné naissance à l'invention d'un modèle qui s'appuie sur des éléments historiques pour le moins lacunaires<sup>1</sup> et des sources juridiques théoriques, souvent tardives par rapport aux situations qu'elles sont censées documenter et élaborées dans des contextes très différents de celui de la Sicile. Par la suite, le silence est retombé sur cette question et l'on a hésité entre l'idée que rien ne peut être avancé sur ce sujet<sup>2</sup> et la conviction que la domination islamique en Sicile a eu un impact « certain » et a connu une évolution « type ».

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- 1 Cf. Michele Amari, *Storia dei Musulmani di Sicilia* (Florence: Le Monnier, 2002–2003) qui demeure aujourd'hui la référence obligée sur le sujet. Sur les problèmes que pose ce point particulier dans son œuvre: Annliese Nef, "Michele Amari ou l'histoire inventée de la Sicile islamique: réflexions sur la *Storia dei Musulmani di Sicilia*," dans *Maghreb-Italie: des passeurs médiévaux à l'orientalisme moderne (XIII<sup>e</sup>–milieu XIX<sup>e</sup> siècle)*, éd. Benoît Grévin (Rome: École française de Rome, 2010), 301–303. Pour la période byzantine, on se contente souvent de reporter ce que l'on croit acquis du modèle tardoantique, voir notamment Lellia Cracco Ruggini, "La Sicilia fra Roma e Bisanzio," dans *Storia della Sicilia*, vol. 3, éd. Rosario Romeo (Naples: Storia di Napoli e della Sicilia, 1980), 1–96.
  - 2 Pour la fin de l'antiquité, voire la mise au point Peter Sarris, "Rehabilitating the Great Estate: Aristocratic Property and Economic Growth in the Late Antique East," dans *Recent Research on the Late Antique Countryside*, vol. 2, éd. Bowden William, Lavan Luke et Machado Carlos (Leiden/Boston: Late Antique Archaeology, 2004), 55–72 et les intéressantes réflexions de Domenico Vera, "Forme del lavoro rurale: aspetti della trasformazione dell'Europa romana fra tarda antichità e alto medioevo," *Morfologie sociali e culturali in Europa fra tarda antichità e alto medioevo*, Settimane di Studi del Centro Italiano di Studi sull'Alto Medioevo 45 (Spoleto: Centro Italiano di Studi sull'Alto Medioevo, 1998): 293–342, sur une transition d'un système d'exploitation statique à un système dynamique. Pour la Sicile byzantine, Vivien Prigent, "Le grand domaine sicilien à l'aube du Moyen Âge," dans *L'héritage byzantin en Italie (VII<sup>e</sup>–XI<sup>e</sup> siècle)*, vol. 4, *Habitat et structures agraires*, éd. Jean-Marie Martin, Annick Custot-Peters et Vivien Prigent (Rome: École française de Rome, 2013), 207–236. La question de l'évolution des structures agraires est éventuellement abordée par les spécialistes de périodes plus tardives qui ne peuvent manquer de s'interroger sur les effets de la période islamique:



Il est néanmoins des éléments et des indices, à réinterpréter ou venus au jour grâce aux progrès de recherches en cours, qui permettent de reposer un certain nombre de problèmes. Une des principales difficultés concerne, comme toujours, les sources disponibles : entre le registre épistolaire abondant du pape Grégoire le Grand (v. 540–604) et les diplômes de la dynastie normande des Hauteville qui conquiert l'île à partir du milieu du XI<sup>e</sup> siècle, les informations paraissent minces. Elles ne sont toutefois pas inexistantes et il est possible de renouveler leur apport en appliquant une méthode régressive à des documents plus récents, même s'il convient de procéder avec prudence. En outre, de manière générale, comme nous l'avons souligné ailleurs<sup>3</sup>, l'histoire de la Sicile entre VI<sup>e</sup> et X<sup>e</sup> siècle a tout à gagner à être mise en perspective avec celle des autres provinces de l'empire byzantin puis de l'empire islamique, ne serait-ce, d'ailleurs, que pour s'en démarquer éventuellement.

Enfin, de nouvelles sources peuvent être mises à profit. Elles résultent de la mise en œuvre d'études archéologiques et techniques (sigillographie, numismatique ...), dont les apports ont déjà amené à revoir de nombreux points tenus pour assurés, et se développent également rapidement grâce à la publication d'actes grecs de la toute première période normande documentant la Calabre et la Sicile.

Il n'est pas possible ici de revenir en détail sur un contexte politique et économique en constante évolution pour les siècles qui nous occupent et l'on se contentera de quelques grandes lignes, les plus utiles à la démonstration. Au cours des VI<sup>e</sup>–VIII<sup>e</sup> siècles, la Sicile suit une trajectoire unique parmi les provinces relevant de Byzance<sup>4</sup>, en ce que sa prospérité relative s'ac-

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cf. Vincenzo D'Alessandro, "Dalla 'massa' alla 'masseria,'" prem. éd. 1980, rééd. dans Id., *Terra, nobili e borghesi nella Sicilia medievale* (Palerme : Sellerio, 1994), 63–72 et l'introduction à la thèse d'Henri Bresc intitulée "La genèse du latifondo," dans *Un monde méditerranéen : économie et société en Sicile 1300–1450* (Rome/Palerme : École française de Rome-Accademia di Scienze, Lettere e Arti di Palermo, 1986), 7–21. Ce n'est que dernièrement que le thème a suscité à nouveau l'intérêt des islamisants : cf. Adalgisa De Simone, "Ancora sui 'villani' di Sicilia: alcune osservazioni lessicali," *Mélanges de l'École française de Rome : Moyen Âge* 116, no. 1 (2004) : 471–500 ; mais il a surtout été renouvelé récemment depuis l'archéologie : cf. Alessandra Molinari, "Paesaggi rurali e formazioni sociali nella Sicilia islamica, normanna e sveva (secoli X–XIII)," *Archeologia medievale* 37 (2010) : 229–245 ; Lucia Arcifa, Alessandra Bagnera et Annliese Nef, "Archeologia della Sicilia islamica: nuove proposte di riflessione," dans *Villa 4 : histoire et archéologie de l'Occident musulman (VII<sup>e</sup>–XV<sup>e</sup> siècle)*, éd. Philippe Sénac (Toulouse : éditions Méridiennes, 2012), 241–274.

3 Annliese Nef et Vivien Prigent, "Per una nuova storia dell'alto medioevo siciliano," *Storica* 12 (2006) [publié en 2007] : 9–64.

4 Pour un aperçu de l'évolution générale de l'empire, on se reportera commodément à Jean-Claude Cheynet, éd., *Le monde byzantin*, vol. 2, *L'Empire byzantin, 641–1204* (Paris : Presses

croît<sup>5</sup>, tandis que l'empire traverse partout ailleurs une crise dont la sévérité n'a pas besoin d'être soulignée<sup>6</sup>. Ce n'est qu'après 750 qu'une conjonction de facteurs contribue à la marginalisation économique et politique de l'île, laquelle provoqua une série de troubles civils qui accélérèrent la conquête musulmane. On soulignera toutefois qu'à la veille de l'attaque, la Sicile demeure assez puissante pour qu'un usurpateur ait pu sérieusement penser en faire le tremplin d'une conquête du pouvoir à Constantinople<sup>7</sup>. Cette richesse longtemps maintenue tient au caractère insulaire de la province qui non seulement la met pour l'essentiel à l'abri des attaques, mais favorise la démographie et la concentration de capitaux en offrant un refuge aux populations fuyant les zones de guerre. La province bénéficie en outre d'une relation privilégiée avec la capitale, entérinée par un système administratif unique<sup>8</sup>. Riche et très étroitement contrôlée, elle joua un rôle essentiel dans la survie de l'empire. L'un des indices les plus clairs, tant de cette prospérité que de la faveur impériale, est constitué par l'activité constante de l'atelier de frappe qui assura la vitalité unique, en province, de son économie monétaire<sup>9</sup>. Celle-ci était indispensable au bon

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- universitaires de France, 2006). Pour le cas sicilien, Vivien Prigent, "La Sicile byzantine (VI<sup>e</sup>–X<sup>e</sup> siècle)" (Thèse de doctorat inédite de l'Université Paris-Sorbonne, 2006).
- 5 L'un des aspects principaux de cette affirmation du rôle économique de la Sicile dans l'empire byzantin est lié à ses responsabilités annonaires, voir, Vivien Prigent, "Le rôle des provinces d'Occident dans l'approvisionnement de Constantinople (618–717) : témoignages numismatiques et sigillographiques," *Mélanges de l'École française de Rome: Moyen Âge* 118, no. 2 (2006): 269–299.
  - 6 Voir notamment sur cette question la belle synthèse de John Haldon, *Byzantium in the VII<sup>th</sup> Century: The Transformation of a Culture* (Cambridge: Cambridge University Press, 1997).
  - 7 Sur le contexte politique de l'invasion, Paul J. Alexander, "Les débuts des conquêtes arabes en Sicile et la tradition apocalyptique byzantino-slave," *Bollettino del Centro di Studi filologici e linguistici siciliani* 12 (1973): 5–35, repris dans Paul J. Alexander, *Religious and Political History and Thought in the Byzantine Empire*, Collected Studies 71 (Londres: Variorum, 1978), xiv; Vivien Prigent, "La carrière du tourmarque Euphémios, Basileus des Romains," dans *Histoire et culture dans l'Italie byzantine*, éd. André Jacob, Jean-Marie Martin et Ghislaine Noyé (Rome: École française de Rome, 2006), 279–317.
  - 8 Dernière mise au point, Vivien Prigent, "La Sicile byzantine, entre papes et empereurs (6<sup>ème</sup>–8<sup>ème</sup> siècle)," dans *Zwischen Ideal und Wirklichkeit: Herrschaft auf Sizilien von der Antike bis zur Frühen Neuzeit*, éd. David Engels, Michael Kleu et Lioba Geis (Wiesbaden: Franz Steiner Verlag, 2010), 201–230; voir également Constantin Zuckerman, "Learning from the Enemy and More: Studies in "Dark Centuries" Byzantium," *Millenium* 1 (2006): 79–135; pour la période mésobyzantine, Michael Nihanian et Vivien Prigent, "Les stratégies de Sicile: de la naissance du thème au règne de Léon v," *Revue Études Byzantines* 61 (2003): 97–142.
  - 9 Voir Cécile Morrisson, "La Sicile byzantine: une lueur dans les siècles obscurs," *Quaderni ticinesi di numismatica e antichità classiche* 27 (1998): 307–334; et Cécile Morrisson et Vivien Prigent, "La monetazione in Sicilia nell'età bizantina," dans *Le zecche italiane fino all'Unità*, éd. Lucia Travaini (Rome: Libreria dello Stato, 2011), 427–434; Vivien Prigent, "La circulation

fonctionnement d'une économie tournée vers l'exportation, notamment du blé, et largement aux mains de propriétaires étrangers à l'île: les Églises italiennes, essentiellement – mais pas uniquement – Rome et Ravenne, et l'État impérial. Les grandes familles sénatoriales de Rome y étaient également possessionnées, mais se replient sur ces domaines siciliens au cours du VI<sup>e</sup> siècle, avant d'être supplantées au siècle suivant par une nouvelle aristocratie, au sein de laquelle se mêlent locaux et descendants de réfugiés (italiens, orientaux, balkaniques et africains), dont on ne peut malheureusement étudier la fortune avec précision<sup>10</sup>.

La situation de la seconde moitié du VII<sup>e</sup> et du début du IX<sup>e</sup> siècle n'apparaît pas très clairement, ce qui peut être en soi un indice de l'existence de difficultés internes. L'intégration progressive de l'île à l'espace islamique, à partir de la première intervention ifrîqiyenne de 827, est caractérisée par un paradoxe: la lenteur de la conquête, achevée en 976<sup>11</sup>, contraste avec l'existence de liens anciens entre la Sicile et le Nord de l'Afrique et avec une intégration précoce au monde de l'Islam au moins de la partie occidentale de l'île<sup>12</sup>. Il convient d'insister sur ce point car on a eu trop tendance jusqu'ici à considérer que la seconde moitié du X<sup>e</sup> siècle, sous la dynastie kalbide, marquait le moment véritable de l'islamisation insulaire, une conception sur laquelle on revient peu à peu. On ne peut en effet déduire que la conquête de la Sicile en cours n'aurait eu aucune incidence au IX<sup>e</sup> siècle de la seule absence de sources

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monétaire en Sicile (VI<sup>e</sup>-VII<sup>e</sup> siècle)," dans *The Insular System in the Byzantine Mediterranean* (Nicosie 2007), éd. Demetrios Michaelides, Philippe Pergola et Enrico Zanini, British Archeological Reports, International Series 2523 (Oxford: Archaeopress, 2007), 139–160.

- 10 Domenico Vera, "Aristocrazia romana ed economie provinciali nell'Italia tardoantica: il caso siciliano," *Quaderni catanesi di studi classici e medievali* 10 (1988): 114–172. Il n'existe pas de synthèse sur l'aristocratie sicilienne mésobyzantine mis à part le chapitre dédié à la question par l'un d'entre nous dans le cadre de son doctorat, Prigent, "La Sicile byzantine, entre papes et empereurs," 312–341.
- 11 Vivien Prigent, "La politique sicilienne de Romain 1<sup>er</sup> Lécapène," dans *Guerre et Société au Moyen Âge: Byzance-Occident (VIII<sup>e</sup>-XIII<sup>e</sup> siècle)*, éd. Dominique Barthélémy et Jean-Claude Cheynet (Paris: ACHCByz, 2010), 63–84; Annliese Nef, "Le statut des *dhimmi*-s dans la Sicile aghlabide (827–910)," dans *The Legal Status of Dhimmi-s in the Islamic West (second/eighth-ninth/fifteenth centuries)*, éd. Maribel Fierro et John Tolan (Turnhout: Brepols, 2013), 112–128.
- 12 Pour une lecture différenciée de l'évolution régionale au VIII<sup>e</sup> siècle et son impact possible sur la rapidité de la conquête islamique (plus rapide dans la Sicile occidentale plus affectée par la crise du VII<sup>e</sup> siècle; plus lente dans la partie orientale, moins affectée), voir Lucia Arcifa, "Romaioi e Saraceni introno all'827: Riflessioni sul tema della frontiera," dans *La Sicilia del IX secolo tra Bizantini e Musulmani (Atti del IX Convegno di Studi)*, éd. Marina Congiu, Simona Modeo et Massimo Arnone (Caltanissetta: Salvatore Sciascia Editore, 2013), 161–182.

écrites en documentant les effets, une situation que l'on retrouve ailleurs aux premiers temps la domination islamique. En outre, une révision de la chronologie des données archéologiques relatives à l'époque islamique, attestant une évolution de la production céramique dès la fin du IX<sup>e</sup> siècle à Palerme, est en cours et ses incidences sont notables<sup>13</sup>. En effet, on a souvent mis en avant une croissance des établissements ruraux à partir du X<sup>e</sup> siècle dont attesterait la présence de céramique glaçurée vert et brun. Or, il n'est plus possible de dater cette dernière uniformément du « X<sup>e</sup> siècle », sur des bases peu solides et circulaires (notamment en s'appuyant sur les *bacini* de Pise)<sup>14</sup>. Une telle relecture n'est pas indifférente puisqu'elle permettra de mieux dater, et probablement de rehausser chronologiquement, la multiplication des sites habités dans les campagnes siciliennes.

Laissant ici de côté l'archéologie, nous essaierons de voir si les sources textuelles permettent de dégager des pistes de réflexion concernant l'impact de la conquête lancée depuis l'Ifrīqiya et de la mise en place d'un État émiral insulaire sur l'organisation agraire et la fiscalité rurale. On a longtemps avancé en effet qu'elles avaient abouti à une redistribution foncière et à une diminution de la taille des unités exploitées, ainsi qu'à une évolution de la fiscalité, en reprenant les assertions de Michele Amari<sup>15</sup>. Il convient néanmoins de revenir sur ces différents points qui paraissent mal étayés.

Pour en terminer avec ces prémisses, il est nécessaire d'insister sur le fait que, comme probablement dans de nombreuses autres régions du monde méditerranéen entre le VI<sup>e</sup> et le X<sup>e</sup> siècle, les réalités siciliennes qui seront traitées ici connaissent une déclinaison micro-régionale forte et qu'il est donc très difficile de dégager les grandes lignes d'un modèle d'évolution qui serait généralisable à l'ensemble de l'île.

13 On verra les contributions de Lucia Arcifa, Fabiola Ardizzzone, Alessandra Bagnera, Elena Pezzini et Viva Sacco dans: Annliese Nef et Fabiola Ardizzzone, éd.s., *Les dynamiques de l'islamisation en Méditerranée centrale et en Sicile: nouvelles propositions et découvertes récentes* (Rome-Bari: Edipuglia-École française de Rome, 2014).

14 Alessandra Bagnera et Annliese Nef, "Histoire et archéologie du domaine fatimide: la Sicile et Palerme (début du X<sup>e</sup> siècle-milieu du XI<sup>e</sup> siècle)," dans *Şabra Mansūriyya*, éd.s. Patrice Cressier et Mourad Rammah (Rome: Ecole française de Rome, à paraître); Arcifa, Bagnera et Nef, "Archeologia della Sicilia islamica".

15 Nef, "Michele Amari," et Annliese Nef, "La fiscalité islamique en Sicile sous la domination islamique," dans *La Sicile de Byzance à l'Islam*, éd.s. Annliese Nef et Vivien Prigent (Paris: De Boccard, 2010), 131-156.

## 1 Forme et extension du grand domaine

### 1.1 *Les massae de l'époque byzantine*

L'importance du grand domaine en Sicile sous la domination byzantine reflète largement l'orientation de l'économie de l'île vers l'exportation. Elle se constate évidemment dès l'époque républicaine, mais, après plusieurs siècles d'apathie, elle est relancée aux IV<sup>e</sup>–V<sup>e</sup> siècle par de puissants investissements sénatoriaux destinés à assurer l'approvisionnement de Rome après le détournement de l'annone vers Constantinople qui priva Rome d'une source de ravitaillement indispensable<sup>16</sup>. Cette reprise en main amena à la constitution de vastes unités d'exploitation, nommées *massae*, terme qui apparaît dans la liste des donations constantiniennes du *Liber pontificalis* de Rome<sup>17</sup>. C'est leur évolution aux VI<sup>e</sup>–VIII<sup>e</sup> siècles qui nous retiendra ici. Les sources disponibles limitent toutefois l'enquête puisque seule la grande propriété ecclésiastique est bien documentée, en particulier par les quelques 200 lettres que Grégoire le Grand adressa en Sicile<sup>18</sup>. Toutefois, l'Église de Rome apparaît essentiellement comme l'héritière des fortunes sénatoriales<sup>19</sup> et la bénéficiaire des largesses

16 Sur ce point, fondamental, voir Vera, "Aristocrazia romana."

17 De nouveau, l'étude de base est due à Domenico Vera, "*Massa fundorum*: forme della grande proprietà e poteri della città in Italia fra Costantino e Gregorio Magno," *Mélanges de l'École française de Rome: Antiquité* 111, no. 2 (1999): 991–1025, dont les analyses reposent largement sur le témoignage du *Liber pontificalis*: *Liber Pontificalis*, éd. Louis Duchesne (Paris: E. Thorin et E. De Boccard, 1886–1892) (dorénavant cité *Liber pontificalis*). L'article de 1999, bien que paru avant Domenico Vera, "Sulla (ri)organizzazione agraria dell'Italia meridionale in età imperiale: origine, forme e funzioni della *massa fundorum*," dans *Terre, proprietari e contadini dell'impero romano dall'affitto agrario al colonato tardoantico*, éd. Elio Lo Cascio (Rome: La Nuova Italia Scientifica, 1997), 613–633, en constitue une forme plus développée et aboutie. Pour éviter les références redondantes, on se contentera ici de renvoyer au premier. La documentation sur les revenus des domaines avait déjà été rassemblée dans Lellia Ruggini, *Economia e società nell'Italia annonaria: rapporti fra l'agricoltura e commercio dal IV al VI secolo* (Bari: Edipuglia, 1995), 558–563.

18 La bibliographie sur Grégoire le Grand et sa correspondance est extrêmement développée. On se contentera de citer ici l'édition de référence: Grégoire le Grand, *Registrum Epistularum sancti Gregorii Magni*, éd. Dag Norberg, Corpus Christianorum, Series Latina 140 et 140A (Turnhout: Brepols, 1982) (dorénavant cité *Registrum*), ainsi qu'une importante étude spécialement dédiée à l'exploitation du domaine pontifical, Vincenzo Recchia, *Gregorio Magno e la società agricola* (Rome: Studium, 1978).

19 De nouveau, on peut citer le cas de Grégoire le Grand lui-même qui fonda plusieurs monastères en Sicile sur ses biens familiaux, *Vita sancti Gregorii Magni*, éd. Sabina Tuzzo, Centro di cultura medievale 11 (Pise: Scuola normale superiore, 2002), 5, 66, ou la présence parmi les biens gérés par le recteur pontifical des fondations des Valerii (*Registrum*, IX, 67; Eva Margareta Steinby, éd., *Lexicon Topographicum Urbis Romae* (Rome: Quasar, 1993–

impériales<sup>20</sup>. On ne perçoit aucune spécificité structurelle dans ses modes de gestion. Par ailleurs, le mouvement peut s'inverser tout aussi facilement : la saisie des biens de Rome au cours du VIII<sup>e</sup> siècle entraîne le passage de cette fortune dans le giron de l'État<sup>21</sup>, voire dans celui de l'aristocratie lorsque l'empereur procède à des donations. Cette circulation permet d'envisager de substantielles parentés dans le mode de gestion des biens.

La région s'étendant entre Sofiana et Enna présente sans doute un cas d'école : on y repère les biens des *Nicomachi*, l'une des plus importantes familles sénatoriales de Rome<sup>22</sup> puis de l'Église de Rome<sup>23</sup>, principale héritière des biens de cette *gens* liée aux *Anicii*, avant que, au lendemain de la saisie des patrimoines pontificaux, au début des années 740<sup>24</sup>, l'État impérial n'y installe des troupes selon une stratégie également observable en Calabre<sup>25</sup>. La saisie ne semble pas entraîner de rupture dans la gestion. Le même terme de

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2000), 5:217) et des Anicii (*Registrum*, IX, 8 et *Liber pontificalis*, 98, 81, p. 25 ; voir de façon générale, Eva Margareta Steinby, *Lexicon Topographicum*, 5:214–216).

20 Malgré les difficultés d'interprétation que présente cette source, ce fait n'apparaît nulle part plus clairement que dans le *Liber pontificalis* qui liste les donations de Constantin à l'Église de Rome. Voir notamment Domenico Vera, "Osservazioni economiche sulla vita Sylvestri nel Liber pontificalis," dans *Consuetudinis Amor: fragments d'histoire romaine (II<sup>e</sup>–VI<sup>e</sup> siècles) offerts à Jean-Pierre Callu*, éd. François Chausson et Étienne Wolff (Rome : L'Erma di Breitschneider, 2003), 419–430 ; Daniel Moreau, "Les patrimoines de l'Église romaine jusqu'à la mort de Grégoire le Grand : dépouillement et réflexions préliminaires à une étude sur le rôle temporel des évêques de Rome durant l'Antiquité la plus tardive," *Antiquité tardive* 14 (2006) : 79–93.

21 Voir Vivien Prigent, "Les empereurs isauriens et la confiscation des patrimoines pontificaux d'Italie du Sud," *Mélanges de l'École française de Rome: Moyen Âge* 116, no. 2 (2004) : 557–594.

22 À l'occasion d'un séjour sicilien, sans doute en liaison avec l'invasion d'Alaric, Virius Nicomachus Flavianus annota deux de ses manuscrits de Tite-Live signalant *emendabam apud Hennam (Titi Livii ab Urbe condita*, Tomus 1: Libri 1–IV, éd. R.M. Ogilvie (London : Clarendon Press–Oxford University Press, 1974), XII). Sur le personnage, Arnold H.M. Jones, *The Prosopography of the Later Roman Empire*, vol. 1, AD 260–395 (Cambridge : Cambridge University Press, 1971), 260–395, Virius Nicomachus Flavianus, 345–346.

23 Voir sur le proche site de Sofiana, Albrecht Berger, ed. et trad., *La Vie de Grégoire d'Agri-gente : Leontios presbyteros von Rom, das Leben des Heiligen Gregorios von Agrigent* (Berlin : Akademie Verlag, 1994), § 61, 219, l. 23 et § 67, 225, l. 18. En dernier lieu, sur ce site qui jouait un rôle essentiel dans l'articulation du patrimoine dès la fin du VI<sup>e</sup> siècle, Giovanni Francesco La Torre, "Gela sive Philosophianis" (*It. Antonini*, 88,2) : contributo per la storia di un centro interno della Sicilia romana," *Quaderni dell'Istituto di Archeologia dell'Università di Messina* 9 (1994) : 99–139.

24 Prigent "Les empereurs isauriens."

25 Un sceau encore inédit y mentionne un topotérète de cité, institution sur laquelle voir Vivien Prigent, "Topotérètes de Sicile et de Calabre aux VIII<sup>e</sup>–IX<sup>e</sup> siècles," *Studies in Byzantine Sigillography* 9 (2006) : 145–158.

*massa* désigne toujours les grands domaines impériaux en Italie<sup>26</sup> et les fonctionnaires qui se voient confier la gestion des biens saisis adoptent d'emblée les titres auparavant en usage dans l'administration pontificale<sup>27</sup>. Ces indices de permanence sont infimes, mais ce sont les seuls dont nous disposons. On reviendra plus avant sur l'évolution du rapport de la *massa* au système fiscal.

Le terme *massa* est une version abrégée de l'expression *massa fundorum*. Celle-ci ne se rencontre qu'en Italie et les *massae* sont repérables essentiellement dans le sud et le centre de la péninsule, c'est-à-dire dans les zones de concentration des patrimoines sénatoriaux<sup>28</sup>. Le terme renvoie à un agglomérat de biens d'origines et de tailles diverses, les *fundi*. La *massa fundorum* naît donc d'un processus de concentration, remontant au II<sup>e</sup> siècle en Italie, de biens-fonds divers<sup>29</sup>, mais qui, au moins à l'origine, demeurent bien distincts au sein de cette superstructure<sup>30</sup>. La *massa* constitue donc essentiellement le cadre de l'enregistrement des biens d'un propriétaire et de la gestion des archives y afférant, au sein d'un ressort civique particulier, puisque les *massae* ne sont jamais à cheval sur les territoires de cités distinctes<sup>31</sup>. C'est également à cet échelon que le grand propriétaire nomme un gestionnaire, le *conductor* qui opère à partir d'un centre domanial appelé, vers 600, *conduma*<sup>32</sup>. Toutefois, la *massa*, si elle est circonscrite à un territoire civique, ne regroupe pas forcément tous les biens d'un même propriétaire dans ce ressort. Un même *possesseur* peut en effet avoir plusieurs *massae* dans une même cité<sup>33</sup>. C'est un point qui

26 Voir, par exemple, dans la région de Rome, les *massae* de Ninfa et Norma, *Liber pontificalis*, 1:433 et Federico I. Marazzi, "Patrimonia Sanctae Romanae Ecclesiae" nel Lazio (secoli IV-X): struttura amministrativa e prassi gestionali (Rome: Istituto Storico per il Medio Evo, 1998), 274-275.

27 Voir l'interprétation pionnière des sceaux des recteurs de Calabre par Vitalien Laurent, *Documents de sigillographie byzantine: la collection Orghidan*, Bibliothèque Byzantine, Documents 1 (Paris: P. U. F., 1952), commentaire au no. 81, 54.

28 Vera, "Aristocrazia romana."

29 Vera, *Massa fundorum*, 991, 1013. Le fonctionnement que l'on attribue généralement au *patrimonium* a été résumé au mieux par Lellia Cracco Ruggini, "Sicilia, III/IV secolo: il volto della non-città," *Kokalos* 28-29 (1982-1983), 490-492: "Le *massae* si articolavano in innumerevoli *fundi*, i quali in sostanza riproducevano e perpetuevano nel connettivo del latifondo le strutture produttive frazionate delle unità parcellari medio-piccole che questo era andato inghiottendo."

30 Vera, *Massa fundorum*, 1004.

31 Vera, *Massa fundorum*. Cette remarque importante permet notamment d'abandonner la vision proposée par Cracco Ruggini ("La Sicilia," 72, n. 76) de *massae* "che si estendevano da nord-ovest a est per tutta la larghezza dell'isola."

32 Vera, *Massa fundorum*, 997, 1004. Nous revenons plus avant sur cette réalité.

33 Ainsi, dans le territoire de Palerme, l'Église de Rome a des droits plus ou moins exclusifs sur trois *massae*: Getina (*Registrum*, IX, 119), Leucas (*Registrum*, IX, 23) et Taurana (*Liber*

distinguerait la *massa* de l'*oikos* égyptien, lequel paraît rassembler l'ensemble des biens d'un individu sur un même territoire<sup>34</sup>. À l'inverse, une même *massa* peut avoir plusieurs propriétaires, l'indivis (qui peut associer laïcs et ecclésiastiques) assurant la survie de la cohésion domaniale<sup>35</sup>.

Le système présente toutefois un visage particulier en Sicile puisque les *massae* y sont nettement plus grandes qu'ailleurs en Italie, avec des revenus moyens d'environ 800 *solidi* (maximum 1640), à peu près 2,5 fois supérieurs à ceux des *massae* continentales<sup>36</sup>. Se reflète ici en bonne partie la faiblesse du réseau urbain insulaire : les territoires des principales cités sont extrêmement étendus par rapport à ceux de l'Italie péninsulaire<sup>37</sup>. Mais surtout, le processus de concentration foncière s'accéléra tardivement, au IV<sup>e</sup> siècle, à la suite de la fondation de Constantinople et du détournement de l'annone vers la nouvelle capitale<sup>38</sup>. Il est donc probable que les *massae* siciliennes naquirent par coalescence de biens déjà importants. De fait, la disparité de taille que l'on constate entre *massae* insulaires et continentales se retrouve bien à l'échelle de leurs éléments constitutifs, les *fundi*<sup>39</sup>.

Le choix de se pencher sur les *massae* pour étudier les instruments de contrôle des zones rurales de la Sicile est en partie dicté par la nature du réseau urbain sicilien, déjà évoquée. Celui-ci en effet est essentiellement côtier, si l'on s'en rapporte à l'image qu'en donne Georges de Chypre, une spécificité que confirme le croisement des listes d'évêchés médiévaux avec les données pro-

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*Pontificalis*, 1, 33, 37). La différence peut toutefois être illusoire, les *massae* que l'on voit au sein des biens de l'Église de Rome recouvraient peut-être auparavant l'ensemble des biens d'un *possessor* laïc qui ne feraient ultérieurement que conserver leur identité au sein du patrimoine plus vaste de l'église de Rome. Ce serait donc une évolution en deux temps qui créerait cette différence.

34 Sur l'organisation de l'*oikos* égyptien, le travail fondateur demeure Jean Gasco, "Les grands domaines, la cité et l'État en Égypte byzantine," *Travaux et Mémoires du Centre d'histoire et de civilisation de Byzance* 9 (1985) : 1–90, repris dans Jean Gasco, *Fiscalité et société en Égypte byzantine*, Bilans de Recherche 4 (Paris : ACHCByz, 2008), vi, avec des réflexions nouvelles sur l'impact des concepts mis en avant dans l'article d'origine.

35 Ainsi, pour rester dans le Palermitain, la *massa* Leucas, cité n. 33, était partagée entre Rome et une dénommée Praeicta, sur laquelle voir Charles Pietri et Luce Pietri, eds., *Prosopographie Chrétienne du Bas-Empire* : 2, *Prosopographie de l'Italie chrétienne (313–604)*, vol. 1 (Rome : École française de Rome, 1999).

36 Vera, *Massa fundorum*, 1001.

37 Au VI<sup>e</sup> siècle, l'île compte quatorze cités – voir la liste de Georges de Chypre publiée dans *Le Synekdèmos d'Hiérokès et l'opuscule géographique de Georges de Chypre*, éd. Ernest Honigmann (Bruxelles : Institut de philologie et d'histoire orientales et slaves, 1939) –, soit, avec un territoire de 25700 km<sup>2</sup>, un territoire civique moyen de 1835 km<sup>2</sup>.

38 Voir Vera, "Aristocrazia romana."

39 Chiffres réunis dans Vera, *Massa fundorum*, 1000.



sopographiques relatives aux titulaires des sièges mentionnés<sup>40</sup>. Il semble donc que ce soient les grands domaines qui aient assuré l'encadrement d'une bonne partie de l'arrière-pays des cités, de concert avec certains gros bourgs, équivalant aux *megalai komai* orientales, qui peuvent d'ailleurs avoir été à l'origine partie intégrante des domaines<sup>41</sup>. Le phénomène est bien entendu ancien et les itinéraires romains, comme les études de toponomastique, ont mis en valeur la fréquence des toponymes «prediali» en *-anum*, renvoyant généralement aux possessions de grandes familles sénatoriales<sup>42</sup>. Toutefois, le mouvement de concentration de l'habitat que l'on constate à la fin de l'antiquité a certainement renforcé ce rôle traditionnel<sup>43</sup>. On tentera plus bas de préciser logique et modalités de ce processus.

On ne peut malheureusement évaluer avec précision le poids de la grande propriété. Non seulement les sources manquent, mais la structure des biens est extrêmement complexe puisque, pour n'évoquer qu'un phénomène, les

40 Voir Prigent, "La Sicile byzantine (vie-xe siècle)," 15-148.

41 Prigent, 148-166. De façon générale, sur ces agglomérations demeure essentiel, Gilbert Dagron, "Entre village et cité: la bourgade rurale des IV<sup>e</sup>-VII<sup>e</sup> siècles en Orient," *Koikonia* 3 (1979): 29-52, repris dans Gilbert Dagron, *La romanité chrétienne en Orient: héritages et mutations* (Londres: Variorum Reprints, 1984), VII.

42 Antonino Facella, "Note di toponomastica latina nella Sicilia Orientale: toponimi prediali in *-anum*, *-ana*," dans *Atti delle Quarte Giornate Internazionale di Studi sull'Area Elima (Erice, 1-4 décembre 2000)*, éd. Alessandro Corretti (Pise: Scuola normale superiore di Pisa, 2003), 437-465.

43 On citera, parmi une foisonnante bibliographie, Alessandra Molinari, "Le campagne siciliane tra il periodo bizantino e quello arabo," dans *Acculturazione e mutamenti: prospettive nell'archeologia medievale del Mediterraneo, VI Ciclo di Lezioni sulla ricerca applicata in archeologia (Certosa di Pontignano (Si) - Museo di Montelupo (Fi), 1-5 mars 1993)*, éds. Enrica Boldrini et Riccardo Francovich (Florence: All'Insegna del Giglio, 1995), 224; Alessandra Molinari, "Il popolamento rurale in Sicilia tra V e XIII secolo: alcuni spunti di riflessione," dans *La Storia dell'alto medioevo italiano (VI-X secolo) alla luce dell'Archeologia Medievale (Sienne, 1994)*, éds. Riccardo Francovich et Ghislaine Noyé, Biblioteca di Archeologia Medievale 11 (Florence: All'Insegna del Giglio, 1994), 367; Oscar Belvedere, "Organizzazione fondiaria e insediamenti nella Sicilia di età imperiale," *Corso di cultura sull'Arte Ravennate e Bizantina* 43 (1997): 38-39, qui insiste sur la superficie importante de bon nombre des sites repérés. Ghislaine Noyé, "Économie et société dans la Calabre byzantine," *Journal des savants* 2 (2000): 238-239, souligne à la même époque une tendance à la concentration de l'habitat et (page 254) le développement des villages. Ce phénomène concerne l'ensemble du monde byzantin, Cécile Morrisson et Jean-Pierre Sodini, "The Sixth-Century Economy," dans *Economic History of Byzantium from the Seventh through the Fifteenth Century*, vol. 1, éd. Angeliki Laiou, *Dumbarton Oaks Studies* 39 (Washington D.C.: Dumbarton Oaks Research Library and Collection, 2002), 178-179. Pour des études de cas, Jacques Lefort, Cécile Morrisson et Jean-Pierre Sodini, éds., *Les villages dans l'Empire byzantin, Réalités Byzantines* 11 (Paris: ACHCByz, 2005).

*possessores* possèdent des monastères qui à leur tour possèdent des biens<sup>44</sup>. Toutefois, les biens d'État étaient si importants qu'ils légitimèrent en 537 l'instauration d'un système administratif spécial rattachant à l'empereur cette île, considérée en quelque sorte «comme son pécule»<sup>45</sup>. La situation devait donc au moins être équivalente à celle de la proche Proconsulaire, aux structures agraires assez similaires et où les biens de l'empereur atteignaient 15 % des terres<sup>46</sup>. Les biens cumulés de Rome et Ravenne peuvent quant à eux être estimés aux alentours de 10 % de la surface agricole utile<sup>47</sup>. Le patrimoine de

44 On se contentera ici d'un exemple. Le monastère Saint-Hermès, fondation palermitaine de Grégoire le Grand destinée à entrer dans le patrimoine de Rome (*Registrum*, v, 4, l. 9: *Urbicus monasterii mei praepositus; Italia Pontificia. X. Calabria-Insulae*, éd. Paul Fridolin Kehr (Berlin: Weidmann, 1975) (*Regesta pontificium Romanorum*), 236–238), était apparemment propriétaire d'une autre fondation, le monastère du *Lucuscanum* (*Italia pontificia*, x, 238–239), dont l'abbé est nommé par celui de Saint-Hermès (*Registrum*, ix, 20). Le même abbé de Saint-Hermès est également dépositaire de capitaux appartenant au *Lucuscanum* et responsable de l'entretien des moines de cette maison pieuse sur les revenus de celle-ci (*Registrum*, ix, 21). Or, deux autres lettres témoignent de l'importance des propriétés foncières du *Lucuscanum*. En novembre-décembre 598, Grégoire le Grand règle le conflit qui l'oppose au *xenodochium* romain des *Valerii* au sujet des *possessions Faiana, Nasoniana et Libiniana*, sises sur le territoire de Palerme (*Registrum*, ix, 67 et 83). La *possessio* apparaît comme une forme intermédiaire, du point de vue de la taille, entre les *massae* et les *fundi* avec des revenus en moyenne 2,5 fois supérieurs à ces derniers (Vera, *Massa fundorum*, 1000). Les revenus revendiqués par le monastère représenteraient donc *a priori* plusieurs centaines de *solidi*, mais bien que doté d'un patrimoine foncier considérable, le *Lucuscanum* semble n'avoir été juridiquement qu'un élément du patrimoine de Saint-Hermès, lui-même intégré au *patrimonium* de Rome.

45 Voir Ninno Tamassia, "La novella giustiniana *De Praetore Siciliae*": Studio storico e giuridico," dans *Scritti per il Centenario della nascita di Michele Amari* (Palerme: Società siciliana di Storia Patria, 1910), 1:304–331 et Prigent, "La Sicile byzantine, entre papes et empereurs," 202–207.

46 Voir l'analyse approfondie par Claude Lepelley de *CTh*, xi, 28 13 dans Claude Lepelley, "Déclin ou stabilité de l'agriculture africaine au Bas-Empire? À propos d'une loi d'Honorius," *Antiquités Africaines* 1 (1967): 135–144, repris dans *Aspects de l'Afrique romaine: les cités, la vie rurale, le christianisme*, Studi storica sulla tarda antichità (Bari: Edipuglia, 2001), 217–232. Les conclusions de cet auteur ont été remises en cause par Federico De Romanis, "Per una storia del tributo granario africano all'annona della Roma imperiale," dans *Nourrir les cités de Méditerranée: Antiquités-Temps modernes*, eds. Brigitte Marin et Catherine Virlouvet (Paris-Aix-en-Provence/Madrid: Maisonneuve-et-Larose, MMSH, Universidad de Educacion a Distancia, 2004), 709–718, mais ses arguments ne me semblent pas devoir emporter l'adhésion.

47 Cette estimation ressort du total des impôts payés par ces deux *possessores*, environ 40.000 *nomismata* lorsqu'on le rapporte au modèle théorique de l'exploitation byzantine et du rapport entre prélèvement, revenus de la terre et productivité des exploitations. Pour une étude de détail, Prigent, "La Sicile byzantine (vie–xe siècle)," 397–408. Sur ces mêmes bases, on ne saurait accepter les 800.000 hectares couramment reconnus au patrimoine

Rome était en outre relativement resserré sur le territoire de certaines cités<sup>48</sup>, où il devait représenter une part tout à fait significative du sol. Vers 600, le patrimoine de saint Pierre comptait ainsi 400 domaines, dont on pourrait estimer, d'après leur revenu, la taille moyenne à environ 200 hectares de terre de moyenne qualité, avec bien entendu de très importantes fluctuations<sup>49</sup>. En outre, il s'agit là d'un modèle abstrait, le poids respectif des pâturages, vignes, terres irriguées variant évidemment d'un domaine à l'autre. Quoi qu'il en soit de ces dernières estimations, on peut admettre que l'on atteint avec ces seuls trois propriétaires environ un quart du terroir, ce qui est tout à fait extraordinaire.

Une mise en garde cependant: le centre domanial demeure toujours le relais du pouvoir des cités. Les domaines ecclésiastiques identifiés appartiennent aux Églises cathédrales ou à des monastères qui, pour peu qu'on les connaisse, semblent essentiellement urbains. La focalisation exclusive des hagiographies sur la fonction épiscopale jusqu'au IX<sup>e</sup> siècle reflète d'ailleurs bien ce primat des cités<sup>50</sup>. Les domaines de l'État sont gérés depuis les administrations sises à Catane et Syracuse<sup>51</sup>. Enfin, l'aristocratie sicilienne conserve un caractère

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romain à la suite de Lellia Cracco Ruggini ("La Sicilia," 13), qui place en outre cent mille familles (un demi million de personnes?) dans la dépendance du pontife. Plus récemment, Constantin Zuckerman, "Learning from the Enemy," 124, propose un chiffre proche (un tiers de la superficie de l'île) sur la base d'une interprétation que nous croyons erronée de la réforme fiscale de Léon III au début des années 730. Voir aussi Vivien Prigent, "Un confesseur de mauvaise foi: Théophane et la politique fiscale sicilienne de Léon III," dans *Cahiers de recherches médiévales et humanistes* 28 (2014): 279-304.

48 Pour l'essentiel, Palerme à l'ouest et à l'est Syracuse, Catane, Agrigente.

49 Il s'agit bien évidemment d'une estimation très grossière basée sur la superficie de terre nécessaire à l'imposition d'obligations fiscales d'un montant de 25.000 *nomismata* (*Theophanis Chronographia*, éd. Karl De Boor (Leipzig: Teubner, 1883), 1:410) et d'une division de cette superficie par le nombre de domaines que possède le pape en Sicile vers 600 (*Registrum*, 11, 50; Recchia, *Gregorio Magno*, 16). Bien évidemment, de nombreux paramètres demeurent flous et l'on ne doit prendre ces valeurs que comme des ordres de grandeur.

50 Pour l'hagiographie sicilienne, on se reportera à Daniela Motta, *Percorsi dell'agiografia: società e cultura nella Sicilia tardoantica e bizantina*, Testi e studi di storia antica 4 (Catane: Edizione del Prisma, 2003) et Mario Re, "Italo-Greek hagiography," dans *The Ashgate Research Companion to Byzantine Hagiography*, éd. Stephanos Efthymiadis (Farnham: Ashgate, 2011), 227-258.

51 De façon générale, sur l'administration sicilienne, voir Prigent. "La Sicile byzantine, entre papes et empereurs." Si l'on s'en rapporte à la localisation de l'atelier monétaire, le transfert de la capitale à Syracuse n'advint sans doute pas avant le règne de Justinien II et la fondation du thème, voir les brèves notices dédiées aux ateliers de Catane et de Syracuse par Vivien Prigent dans Lucia Travaini, éd., *Le zecche italiane fino all'Unità* (Rome: Libreria dello Stato, 2011), respectivement 594-596 et 1152-1154. Pour la création du thème, Nico-

urbain marqué, peut-être lié en partie à son caractère exogène, les migrations des VI<sup>e</sup> et VII<sup>e</sup> siècles l'ayant renouvelée profondément<sup>52</sup>. Elle n'a pas *a priori* de liens forts avec les campagnes. Le maintien tardif de titulatures issues des magistratures urbaines, comme celle de *pater poléôs* (début VIII<sup>e</sup> siècle)<sup>53</sup>, reflète également cette vitalité maintenue de villes qui demeurent prospères jusqu'aux ravages de la conquête islamique, qui frappa de façon particulièrement rude les grandes villes de la côte orientale<sup>54</sup>.

### 1.2 *L'impact de la domination islamique: le raḥāl et l'amélioration de la condition paysanne*

On peut donc se demander quel fut l'impact de la conquête arabo-musulmane dans un cadre affecté au VIII<sup>e</sup> siècle par des évolutions mal connues dans le détail, mais que l'on peut résumer rapidement: extension des biens de l'État byzantin au détriment de l'Église de Rome, relatives décroissances économique et démographique et déclassement politique de l'île. On peut penser que le premier de ces facteurs favorisa un transfert massif de propriété au bénéfice du nouvel État islamique qui pouvait d'autant plus facilement redistribuer. Quel fut, dès lors, le destin de ces biens: furent-ils allotés entre les conquérants, devinrent-ils propriété de l'État aghlabide puis fatimide? Les grandes unités foncières de l'époque précédente conservèrent-elles leur cohérence ou furent-elles dépecées? Le grand domaine demeura-t-il subordonné à l'autorité des cités ou s'émancipa-t-il de cette tutelle? S'il n'est pas possible de répondre à toutes ces questions, il est nécessaire de les conserver à l'esprit et quelques éléments peuvent être avancés.

Les sources permettant de répondre à ces questions sont au nombre de trois et seules deux datent de la période islamique.

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las Oikonomidès, "Une liste arabe des stratèges byzantins du VII<sup>e</sup> siècle et les origines du thème de Sicile," *Rivista di studi bizantini e neoellenici* n.s. 1 (1964): 121–130.

52 Dernièrement, Roberta Rizzo, *Papa Gregorio Magno e la nobiltà in Sicilia*, Biblioteca dell'Officina di Studi Medievali 8 (Palerme: Officina di Studi medievali, 2008) et Prigent, "La Sicile byzantine (VI<sup>e</sup>–X<sup>e</sup> siècle)," 209–312.

53 Vitalien Laurent, "Une source peu étudiée de l'histoire de la Sicile au haut Moyen-Âge: La sigillographie byzantine," dans *Byzantino-Sicula*, Quaderni dell'Istituto Siciliano di Studi Bizantini e Neoellenici 2 (Palerme: Istituto Siciliano di Studi Bizantini e Neoellenici, 1966), 35.

54 Les sources numismatiques offrent un observatoire privilégié de l'effondrement de l'économie sicilienne, voir Vivien Prigent, "Monnaie et circulation monétaire en Sicile du début du VIII<sup>e</sup> siècle à l'avènement de la domination musulmane," dans *L'héritage byzantin en Italie VII<sup>e</sup>–XI<sup>e</sup> siècle*, vol. 2, *Les cadres juridiques et sociaux et les institutions publiques*, eds. Jean-Marie Martin, Annick Peters-Custot et Vivien Prigent (Rome: École française de Rome, 2012), 455–482.

- 1) Tout d'abord, on a retrouvé au cours de fouilles menées dans la commune de Milena<sup>55</sup> une trentaine de sceaux datés d'entre 863 et 893, portant le nom des émirs aghlabides successifs<sup>56</sup>. Leur nature n'est guère claire même si une partie des spécialistes ne croit plus aujourd'hui qu'il s'agit de sceaux attestant le versement de la *jizya* comme le soutient leur éditrice<sup>57</sup>. En revanche, l'existence et la conservation de ces documents dans le cadre d'un établissement rural, qui bien que proche d'un axe important (la route Palerme-Agrigente) est relativement éloigné de la côte et du réseau urbain (une quarantaine de kilomètres d'Agrigente), suggère que cette localité était intégrée à un cadre administratif et probablement fiscal dès une période haute. Or, à cette date, la conquête est loin d'être achevée et l'autorité islamique s'exerce surtout sur la Sicile occidentale jusqu'à une date relativement tardive, les localités situées dans le reste de l'espace insulaire étant régulièrement soumises et reperdues<sup>58</sup>. Il est donc notable que, y compris dans ce contexte, l'arrière-pays d'Agrigente – une zone où était possessionnée l'Église de Rome, puis, par voie de saisie, l'État impérial –, ait connu une transition rapide d'une autorité à une autre. On a vu plus haut l'importance des biens d'État en Sicile après le milieu du VIII<sup>e</sup> siècle et l'on peut donc émettre l'hypothèse que cette évolution, spécifique à la Sicile<sup>59</sup>, n'y fut pas limitée à l'Agrigentain.
- 2) Le *Kitāb al-amwāl*, texte juridique d'al-Dawūdi (m. entre 402/1010–1011 et 411/1020–1021) qui date du XI<sup>e</sup> siècle mais décrit probablement une situa-

55 Lucia Arcifa, "Dinamiche insediative tra tardo antico e altomedioevo in Sicilia. Il caso di Milocca," dans *Paesaggi e insediamenti rurali in Italia meridionale fra Tardo antico e Altomedioevo: Atti del I Seminario sul Tardo Antico e l'altomedioevo in Italia Meridionale, Foggia, 2004*, éd. Giuliano Volpe et Maria Turchiano (Bari: Edipuglia, 2005), 651–665.

56 Maria Amalia De Luca, "Reperti inediti con iscrizioni in arabo rinvenuti nel sito archeologico di Milena: i sigilli e le monete," dans *Studi in onore di Umberto Scerrato per il suo settantacinquesimo compleanno*, vol. 1, éd. Maria Vittoria Fontana et Bruno Genito (Naples: Università degli studi di Napoli "L'Orientale" et Istituto italiano per l'Africa e l'Oriente, 2003), 231–258 et "Sicilia aghlabita: nuove testimonianze numismatiche," dans *The Third Simone Assemani Symposium on Islamic Coins (Rome, 2011)*, éd. Bruno Callegher et Ariana D'Ottone (Trieste: EUT, 2012), 288–309 et, pour une lecture différente, Arcifa, Bagnera et Nef, "Archeologia della Sicilia islamica."

57 Chase F. Robinson, "Neck-Sealing in Early Islam," *Journal of the Economic and Social History of the Orient* 48, no. 3 (2005): 401–441.

58 On peut également penser que l'intention n'était pas de les soumettre définitivement, ni même durablement: cf. Nef, "Le statut des *dhimmī*-s."

59 La spécificité ne tient pas ici à la transition rapide [il n'est que de lire les articles de Petra Sijpesteijn sur l'Égypte et en particulier son "The Arab Conquest of Egypt and the Beginning of Muslim Rule," dans *Egypt in the Byzantine World 300–700*, éd. Roger S. Bagnall

tion datant du x<sup>e</sup> siècle<sup>60</sup>, au-delà des problèmes qu'il soulève, atteste clairement à la fois une circulation des hommes et des unités foncières. Il relate en effet des conflits entre générations de "colons" qui sont réglés par le pouvoir central ou ses représentants au niveau local, tandis que des déplacements de groupes d'individus sont favorisés par l'autorité émirale afin de mettre en valeur des espaces agricoles (notamment près de Syracuse). La plus grande partie des cas mentionnés intéresse à nouveau au premier chef l'arrière-pays d'Agrigente.

- 3) Néanmoins, l'essentiel des informations proviennent des diplômes, et en particulier de ceux émis par le *dīwān* et partiellement en arabe<sup>61</sup>, qui datent de la période normande (XI<sup>e</sup>–XII<sup>e</sup> siècle). Une démarche régressive maîtrisée permet de tirer quelques conclusions de leur analyse :
- Tout d'abord, le réseau épiscopal semble avoir disparu au cours de la domination islamique et tous les évêchés sont redessinés à partir de la fin du XI<sup>e</sup> siècle sur la base d'unités administratives islamiques<sup>62</sup>. La chronologie de la disparition du réseau byzantin peut sans doute être encore précisée<sup>63</sup>, mais quoi qu'il en soit, cette évolution a dû se solder

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(Cambridge : Cambridge University Press, 2007), 437–459, pour s'en convaincre] mais à ses voies puisque le cadre en est probablement public.

- 60 Hasan H. Abdul Wahab et Fehrat Dachraoui, "Le régime foncier en Sicile au Moyen Âge (IX<sup>e</sup> et X<sup>e</sup> siècle)," dans *Études d'orientalisme dédiées à la mémoire de E. Levi-Provençal* (Paris : G.P. Maisonneuve et Larose, 1962), 401–444. Pour une biographie de l'auteur, on verra Allaoua Amara, "Texte méconnu sur deux groupes hérétiques du Maghreb médiéval," *Arabica* 52, no. 3 (2005) : 348–372, spéc. 349–350. Il existe plusieurs éditions de ce texte. L'une s'appuie sur le manuscrit de l'Escorial : Aḥmad b. Naṣr al-Dāwūdī, *Kitāb al-amwāl*, éd. et trad. Abul Muhsin Muhammad Sharfuddin (New Delhi : Kitab Bhavan 1998), tandis qu'une autre suit celui de Rabat : Aḥmad b. Naṣr al-Dāwūdī, *Kitāb al-amwāl*, éd. Riḍā Muḥammad Sālim Shahāda (Beyrouth : Dār al-kutub al-ʿilmiyya, 2008). Selon Pedro Chalmeta, sur la base du manuscrit de l'Escorial, il conviendrait de modifier le titre en *Kitāb fiʿat al-amwāl* (*Traité sur les catégories de biens [imposables]*) : Pedro Chalmeta, "Una obra de "materia economica" : el *Kitāb fiʿat al-amwāl* de al-Dāwūdī," dans *Actas del IV Coloquio Hispano-tunecino (Palma de Mallorca, 1979)*, éd. Manuela Marin (Madrid : Instituto hispano-arabe de cultura, 1983), 62–78.
- 61 Sur les documents émis par le *dīwān* sicilien partiellement en arabe, aux XI<sup>e</sup>–XII<sup>e</sup> siècles, cf. Jeremy Johns, *Arabic Administration in Norman Sicily: The Royal Dīwān* (Cambridge : Cambridge University Press, 2002).
- 62 Annliese Nef, "Géographie religieuse et continuité temporelle dans la Sicile normande (XI<sup>e</sup>–XII<sup>e</sup> siècles) : le cas des évêchés," dans *À la recherche de légitimités chrétiennes : représentations de l'espace et du temps dans l'Espagne médiévale (IX<sup>e</sup>–XIII<sup>e</sup> siècle)* (Madrid, 26–27 avr. 2001), éd. Patrick Henriet (Lyon/Madrid : ENS-Casa de Velazquez, 2003), 177–194.
- 63 On verra Vivien Prigent, "L'évolution du réseau épiscopal sicilien (VIII<sup>e</sup>–X<sup>e</sup> siècle)," dans *Les dynamiques de l'islamisation en Méditerranée centrale et en Sicile : nouvelles propositions et découvertes récentes*, éd. Annliese Nef et Fabiola Ardizzone (Rome/Bari : Edipuglia-École française de Rome, 2014), 89–102.

par une émancipation relative des zones rurales par rapport aux cités. Dans le même temps, on pense aujourd'hui qu'un certain nombre de monastères se sont maintenus. Souvent de petite taille et ruraux, ils ont donc probablement aussi préservé une assise foncière : c'est le cas dans la partie occidentale de l'île (val de Mazzara)<sup>64</sup>, et ponctuellement dans le val Demone<sup>65</sup>. Il n'y a donc pas dans ce domaine d'évolution univoque ni généralisable à l'ensemble de l'espace insulaire, mais on ne peut nier que des transformations ont affecté le contrôle des zones rurales, à défaut de leur structuration, et que le rôle des évêchés a décliné.

- Les grandes unités que constituaient les *massae* ne paraissent pas se maintenir en tant que telles et ne deviennent le plus souvent que des références toponymiques. Le diplôme le plus détaillé dont on dispose concernant l'organisation d'une vaste zone rurale date de 1182 et est bilingue arabe-latin. Il décrit le Monréalais (arrière-pays de Palerme) dont il vise à renforcer le contrôle par l'archevêché de Monreale, nouvellement créé sous l'impulsion de Guillaume II. Sans entrer dans les détails, ce type de documents présente probablement de fortes continuités avec ceux de la période islamique. Les unités de base qui sont délimitées en 1182, les *rahals*, sont des circonscriptions de nature fiscale et administrative ; y évoluent des individus de statuts différents mais majoritairement propriétaires et soumis à l'impôt<sup>66</sup>. Le diplôme ne documente donc pas l'existence de grands domaines fonciers, même

64 Fabiola Ardizzone, Rossella Giglio et Elena Pezzini, "Insediamento monastico a Marittimo in contrada 'Case Romane': nuovi dati," dans *Atti del XV Convegno Internazionale di Archeologia cristiana* (Toledo 2008) (Cité du Vatican: Pontificio Istituto di Archeologia Cristiana, 1254–1261) et, pour S. Gregorio d'Agrigente, Fabiola Ardizzone, "Le produzioni medievali di Agrigento alla luce delle recenti indagini nella Valle dei Templi," dans *Fornaci: tecnologie e produzione della ceramica in età medievale e moderna: Atti del XLII Convegno internazionale della ceramica Albisola* (Savona 29–10 maggio) (Albisola: Centro Ligure per la Storia della Ceramica, 2009), 277.

65 Un certain nombre de monastères sont attestés durant la période islamique dans les hagiographies et leur diplôme de « fondation » à la fin du XI<sup>e</sup> siècle précise qu'ils se sont maintenus, ainsi de S. Filippo de Fragalà: Salvatore Pricoco, "Un esempio di agiografia regionale: la Sicilia," dans *Santi e demoni nell'Altomedioevo occidentale (secoli V–XI)* (XXXVI Settimana di Studio del Centro italiano di Studi sull'Alto Medioevo, Spoleto 7–13 aprile 1988) (Spolète: Centro italiano di Studi sull'Alto Medioevo, 1989), 319–380 et John Philip Thomas et Angela Constantinides Hero, éd.s., *Byzantine Monastic Foundation Documents: A complete Translation of the Surviving Founders' Typika and Testaments*, *Dumbarton Oaks Studies* 35 (Washington: Dumbarton Oaks Research Library and Collection, 2000), 621–636.

66 Sur la nature de ces divisions: cf. Annliese Nef, *Conquérir et gouverner la Sicile islamique aux XI<sup>e</sup> et XII<sup>e</sup> siècles* (Rome: École française de Rome, 2011), 408 et sq et 492 et sq.

si ces entités sont également territoriales et dessinent le cadre d'une mise en valeur agricole qui correspond le plus souvent au terroir d'une ou plusieurs localités. La superficie d'un certain nombre de *raħals* et la répartition de leurs terres en grandes catégories d'exploitation sont précisées. Quelles sont donc ces données<sup>67</sup> ?

1.2.1 Superficies autour de 100–250 salmes<sup>68</sup>

Casale Helkcilei : 40 salmes et autant *pascue*, p. 186<sup>69</sup>

Casale Rahaluta : 240 salmes, p. 187

Hendulcini : 250 salmes et un morceau de *foresta*, p. 187

Terres du *dīwān* : 600 salmes, dont 200 *pascue*, p. 187

Casale Benbark : 120 salmes, p. 187

Rahalgidit : 150 salmes et de la *foresta*, l'arabe ajoute 50 salmes de pâturages, p. 188

Rahalamrun : 52 *pariccla*, dont 10 *non valent ad laborandum*, p. 188

Divisa inter casale Maraus et casale Buchinene : 50 salmes pour les Corléonais, p. 190

Casale Balat : 250 salmes, p. 190

Rahalmud : 200 salmes, p. 190 ; pas en arabe

Sykeki : 300 salmes, p. 190

S. Nicolaus de Churchuro : 4 *pariccla*, *scilicet ad seminaturam 120 salmarum* dans le *tenimentum* de Iato, p. 194

Hospitalis Sancte Agnes : 80 salmes, p. 198 ; pas en arabe

1.2.2 Superficies entre 500 et 1000 salmes cultivables

Maganuga : 1000 salmes, dont 970 cultivables, p. 181–182 ; 40 salmes relèvent de Cumeyt = 70 vilains

Beluyn : 1260 salmes, dont 300 non cultivables, p. 183

Une *divisa magna* dont fait partie Rahalmia (*wa-huwa jinān Bin Kināna*) : 5700 salmes, dont 500 pour Corleone, 200 pour Cefalà, 3000 pour Rahalmia et 2000 pour Bufurera, p. 184

Magagi : 1260 salmes, dont 300 *pascue*, p. 184

Summini : 7000 salmes, dont 800 cultivées et 200 *pascue*, p. 184

67 On donnera ici les références à la seule version latine, en mentionnant éventuellement les différences significatives avec la version arabe.

68 1 mudd = 1 salme = env. 1,75 ha.

69 Toutes les références de ce paragraphe et du suivant renvoient à Salvatore Cusa, *I diplomati greci ed arabi di Sicilia pubblicati nel testo originale: tradotti ed illustrati da Salvatore Cusa* (Palerme: Stabilimento tipografico Lao, 1868–1882).



- Malvitum : 5000 salmes, dont 600 cultivables, p. 185  
 Corubnis Inférieur : 1000 salmes, p. 186  
 Corubnis Supérieur : 900 salmes, p. 186  
 Menzelsarcun : 900 salmes et terres *pertinentes ad homines Permenini*, p. 187  
 Lacamucka : 1000 salmes, dont 40 *pascue*, 20 aux hommes de la *duana*; *Lacamucka habet apud Desisium et apud Mut terras octoginta trium salmarum* (p. 217) : 83 (*al-jumla alf wa-thalātha wa-'ishrīn mudd*, p. 188)  
 Martu : 897 salmes, dont 273 salmes de bois et pâturages ; dont 15 pour les hommes de Partinico, p. 190

Les mentions portées par le document suggèrent qu'elles servaient au calcul de l'impôt, même si les catégories de terre ne sont pas toujours mentionnées et si la vigne n'apparaît pas. La distinction est faite entre *incultum*, pâturages et terres céréalicoles. Du point de vue de la superficie, ce qui frappe ici c'est à la fois l'hétérogénéité des situations et le fait que se détachent deux grands groupes en fonction de la taille des unités, même si nombre d'entre elles ne sont pas mesurées et si la répartition entre terres cultivables et *incultum* est loin d'être systématique, ce qui empêche de tirer des conclusions définitives. Un premier se concentre autour de 100–250 salmes, soit une superficie moyenne de 400 hectares environ ; le second compte souvent autour de 1000 salmes cultivables et est en moyenne cinq fois plus étendu que les unités précédentes (env. 2260 hectares). La différence ne semble pas toujours liée à une proportion différente d'*incultum*, puisque même dans la seconde catégorie, les terres cultivables peuvent atteindre 97% de la surface du domaine (il est vrai dans un seul cas, celui de Maganuga). On a donc l'impression que ces unités ont été découpées afin de fournir un rendement fiscal donné et globalement équivalent, ce qui explique leur superficie variable mais située à l'intérieur d'une fourchette pour chacun des deux groupes. Toute la question est de savoir si elles prolongent l'existence de grands et de moins grands domaines de la période byzantine.

*A priori*, ces chiffres indiqueraient donc pour la période islamique des concentrations foncières bien plus importantes qu'à l'époque précédente, puisque même la première catégorie regroupe des entités dont la taille moyenne double de celle que l'on peut envisager pour les domaines pontificaux<sup>70</sup>. Même en tenant compte du fait que l'estimation des surfaces proposées pour les domaines pontificaux repose sur une conversion entre revenus et superficies, toujours hasardeuse, et qu'elle suppose une qualité constante de la terre, les

70 Voir ci-dessus n. 47.

unités de la région de Monreale en 1182 semblent bien plus considérables, même si l'on ignore en partie la proportion d'*incultum*. Deux éléments sont donc apparemment contradictoires: la taille des *rahals* d'une part et le statut de la majorité de leurs habitants qui versent l'impôt. Ceci suggère une réorganisation due à une évolution démographique, déclinante, à même de retourner le rapport de force en faveur des paysans.

L'étendue de ces unités évoque un mode d'exploitation nettement plus lâche qu'à l'époque byzantine. Dans un système d'exploitation fiscale semblable à celui de Byzance, elles auraient en effet rapporté environ 10000 *nomismata*, voire davantage là où les droits de propriété s'additionnaient au prélèvement fiscal. Or, on sait que le revenu total des impôts de la Sicile islamique et du tribut levé sur la proche Calabre, atteignait tout juste le double de cette somme au x<sup>e</sup> siècle<sup>71</sup>: il est donc clair que le niveau de la pression fiscale à superficie égale est sans commune mesure entre les deux époques: elle a baissé à l'époque islamique. On va voir que ce constat s'accorde avec ce que l'on sait du mode d'enregistrement et des modalités d'exploitation des terres des dépendants de ces domaines à l'époque byzantine ainsi que de l'évolution de ces deux données que l'on devine à partir de la fin du viii<sup>e</sup> siècle. Il est probable en effet que cette situation reflète un déclin démographique plutôt qu'un processus de concentration foncière, même si celui-ci en découle. S'y ajoute probablement une sorte de fossilisation de l'impôt, ajusté à la marge (cf. *infra*)<sup>72</sup>.

Cette moindre pression fiscale et cette relative amélioration de la condition paysanne semblent converger avec les informations livrées par des diplômes en faveur de S. Nicolas de Churchuro. S'il figure dans la liste ci-dessus au titre de 4 *pariccla*, soit 120 salmes, le monastère est connu par différents diplômes royaux<sup>73</sup> datés des années 1140, lesquels rapportent la concession de chaque *zawj/paricclum* à un foyer d'exploitants, soit si les équivalences sont justes, environ 50 ha par famille; le revenu fiscal tiré de ces hommes étant concédé à cette nouvelle fondation. Or, le *zawj* est, on le verra, l'unité fiscale de référence depuis l'époque islamique. On a donc l'impression que si la situation générale de la production agricole n'est probablement pas excellente en 1182

71 Jeremy Johns, "Una nuova fonte per la geografia e la storia della Sicilia nell'XI secolo: il *Kitāb Ġarā'ib al-funūn wa-mulaḥ al-'uyūn*," *Mélanges de l'École française de Rome: Moyen Âge* 116, no. 1 (2004): 430 et 435. L'auteur anonyme reprend des passages entiers d'Ibn Ḥawqal, mais il comble une lacune du texte de ce dernier en donnant le chiffre du montant total de l'impôt sicilien et du tribut calabrais, soit 20 000 dinars.

72 Sur ce point, cf. Prigent, "Monnaie et circulation monétaire."

73 Cusa, *I diplomi greci ed arabi*, 28-30 (1149) et 34-36 (1154); sur ces documents cf. Jeremy Johns et Alex Metcalfe, "The Mystery at Chūrchuro: Conspiracy or Incompetence in the Twelfth-Century Sicily," *Bulletin of the School of Oriental and African Studies* 62 (1999): 226-259.

dans le Monréalais, la condition paysanne n'est pas nécessairement mauvaise. La question serait de savoir si, entre la période islamique et la fin de la période normande, la situation a connu une transformation radicale. Or, rien ne semble le suggérer. Il est toutefois vrai que les tensions et les persécutions des musulmans provoquent en général un départ vers le Monréalais, considéré comme le "refuge" musulman sicilien, et que cette relative bonne tenue ne caractérise probablement pas l'ensemble de l'île à la même période.

En outre, une caractéristique intrigante des documents d'époque normande a été récemment réexaminée à la lumière de ce que l'on sait de l'Italie péninsulaire méridionale y compris pour des périodes plus tardives<sup>74</sup>. On se demandait jusqu'ici en effet pourquoi les lopins de terres des hommes inscrits sur les listes fiscales n'étaient mesurés que de manière exceptionnelle et jamais localisés (insistons sur le fait qu'il n'y a pas d'exception en Sicile jusqu'à la fin du XI<sup>e</sup> siècle à ces deux traits pour les documents que nous connaissons). On avait émis l'hypothèse d'un système fiscal à la fois simple et souple (cf. *infra*) et de la libre installation des hommes sur une partie des terres, une pratique attestée encore à la fin de la période normande<sup>75</sup>. Sandro Carocci permet de replacer cette spécificité dans le cadre de l'organisation agricole de l'Italie méridionale<sup>76</sup> : il avance en effet que du Moyen Âge à l'époque moderne, dans le sud de l'Italie, sur les terres céréalicoles l'impôt dû était proportionnel à la force de

74 Cette absence de limites et de superficies qui caractérise aussi la Syrie-Palestine à l'époque des Etats latins d'Orient a donné lieu à une controverse qui a opposé J. Prawer à C. Cahen. Ce dernier l'interprétait comme la preuve de l'existence de pratiques culturelles collectives, tandis que le premier y voyait le reflet d'une fiscalité reposant sur la responsabilité collective de la communauté rurale et utilisant comme unité de calcul la "charruée", qui équivalait alors au manse. Nous pencherions en faveur de l'hypothèse de J. Prawer, ce qui n'exclut pas, par ailleurs, que des pratiques agricoles collectives se soient développées en Orient ; cf. Claude Cahen, "La communauté rurale dans le monde musulman médiéval," dans *Les communautés rurales*, vol. 3, *Asie et Islam*, Recueils de la Société Jean Bodin XLII (Paris : Dessain et Tolra, 1982), 23 et Joshua Prawer, "Palestinian Agriculture and the Crusader Rural System," dans *Crusader Institutions*, éd. Joshua Prawer (Oxford : Oxford University Press, 1980), 201–217.

75 Annliese Nef, "Conquêtes et reconquêtes médiévales : la Sicile normande est-elle une terre de réduction en servitude généralisée ?" dans *Les formes de la servitude : esclavages et servages de la fin de l'Antiquité au monde moderne (Actes de la table ronde de Nanterre, 12 et 13 décembre 1997)*, *Mélanges de l'École française de Rome : Moyen Âge* 112, no. 2 (2000) : 579–607.

76 Sandro Carocci, "Metodo regressivo' e possessi collettivi: i 'demani' del Mezzogiorno (sec. XII–XVIII)," dans *Écritures de l'espace social : Mélanges d'histoire médiévale offerts à Monique Bourin*, éd. Didier Boisseuil, Pierre Chastang, Laurent Feller et Joseph Morsel (Paris : Publications de la Sorbonne, 2010), 541–556.

travail mobilisée (pas de bêtes, une bête, etc.) et non à la superficie cultivée qui n'est pas mentionnée parce que nombreuses étaient les terres sans exploitant stable.

On étendra volontiers cette pratique et son interprétation à la Sicile islamique et normande. Dans le document évoqué plus haut, le lopin (*zawj, paricclum*) confié aux paysans n'est ni localisé précisément, ni mesuré. Il est probable que l'évaluation de ce que devait chacun se faisait localement en fonction de l'étendue des terres non cultivées qu'il décidait d'exploiter. Ainsi, on a vu que dans le Monréalais la part de l'*incultum* était importante, une situation qui se prête à ce type de pratiques. On pourrait toutefois arguer que cette modalité d'exploitation peut être due à un recul de la population rurale datant de la période normande et non islamique ou plus exactement tardo-byzantine, mais si la documentation écrite ne permet pas d'écarter définitivement cette éventualité (sans qu'elle la conforte non plus), tous les indices archéologiques disponibles aujourd'hui s'opposent à une telle hypothèse<sup>77</sup>.

L'extension à la Sicile de cette hypothèse d'un accès relativement ouvert à certaines terres dont la gestion (mais non la culture) est collective n'est pas incompatible avec l'hypothèse fiscale sur laquelle nous reviendrons plus bas, toutefois il convient d'en souligner toutes les conséquences. Cette situation, même si elle était minoritaire en Sicile, ce qui est impossible à établir, s'accompagne nécessairement de plusieurs éléments : elle suppose un monde relativement « vide en hommes, » ou du moins, pas complètement plein ; elle suppose que la continuité de la concession fiscale et donc des bénéficiaires de concessions n'est pas toujours assurée (et de ce point de vue les conquêtes arabo-musulmane, puis normande durent aller dans cette direction) et un État intéressé aux rentrées fiscales, mais plus soucieux d'efficacité que de respect des normes (cf. *infra*) ; elle suppose des communautés rurales fortes qui organisent la répartition des terres et des taxes (leur rôle dans la délimitation des terroirs et l'existence de structures collectives, telles que des greniers collectifs vont dans ce sens)<sup>78</sup> ; elle suppose, enfin, une « seigneurialisation » limitée de l'exploitation des terres rurales, confirmée par ailleurs pour la période normande, et dont on imagine mal qu'elle soit le fruit d'une « libération des paysans » promue par le nouveaux maîtres de l'île : elle doit donc remonter à une période antérieure.

77 On verra les articles de Salvina Fiorilla, Alessandra Molinari et Ilaria Neri, Alessandro Corretti *et alii* qui proposent des synthèses régionales dans *La Sicile à l'époque islamique, Mélanges de l'École française de Rome : Moyen Âge* 116, no. 1 (2004).

78 Arcifa, Bagnera et Nef, "Archeologia della Sicilia islamica."

Cette forte autonomie locale est encadrée par un réseau de localités, que l'on peut qualifier de bourgs, et qui sont des sièges administratifs d'*iqlîms* : ce maillage sert de relais aux centres urbains les plus importants. Rien dans les documents de la période normande ne suggère l'existence d'un centre domanial ni d'une "réserve,"<sup>79</sup> qui serait le cœur de l'exploitation. Il s'agit là d'une modification profonde par rapport à la période byzantine<sup>80</sup> et dont on ne peut penser qu'elle a été introduite au XII<sup>e</sup> siècle.

Il serait dangereux de généraliser à outrance ce qui ne concerne qu'une région limitée et quelques cas précis, mais dans le Monréalais, proche de la capitale émirate, les caractéristiques de la période normande vont dans le sens de continuités avec l'époque islamique, laquelle y aurait introduit des modifications dans la gestion de la terre. Des indices suggèrent en effet le prolongement à la période normande d'une pratique antérieure proche de la concession fiscale existant en Islam, l'*iqṭā'*<sup>81</sup>, une situation que semble confirmer, au-delà du Monréalais, la définition du "fief première manière" en Sicile, identifié à juste titre à un "alleu en terre fiscale," combinant la jouissance large du bénéficiaire et l'intervention possible de l'État à tout moment<sup>82</sup>. Il est désigné en arabe par le terme de "*raḥal*" qui renvoie moins à un type d'habitat, comme on l'a longtemps cru, qu'à un type de concession<sup>83</sup>.

Toute la question, à laquelle il n'est pas aujourd'hui possible de répondre, est de savoir si ces transformations débutent dès la fin du VIII<sup>e</sup>—début du IX<sup>e</sup> siècle, reflétant à la fois les conséquences de la confiscation des biens de l'Église et un recul du contrôle de l'État dans le cadre de la Sicile byzantine, ou si elles ne commencent qu'avec la domination islamique. Il est difficile de répondre à l'heure actuelle, mais les effets des troubles internes répétés ont dû se combiner avec l'incapacité de l'État à maintenir un système devenu trop complexe et nécessitant de régulières révisions de l'assiette fiscale des différents foyers.

Il est encore une fois impossible de généraliser les exemples connus à l'ensemble des régions siciliennes et ce qui précède doit donc être entendu comme

79 Guiseppe Petralia, "La 'signoria' nella Sicilia normanna e sveva : verso nuovo scenari?" dans *La signoria rurale in Italia nel medioevo: Atti del II Convegno di studi, Pise, 6-7 novembre 1998*, éds. Cinzio Violante, Maria Luisa et Ceccarelli Lemut (Pise : ETS, 2004), 217-254.

80 Sur le rôle de la *conduma*, cf. *infra*.

81 Nef, *Conquérir et gouverner*, 411-412.

82 Henri Bresc, "Le fief en Sicile : du don gratuit à la structuration de l'État," dans *Fiefs et féodalité dans l'Europe méridionale (Italie, France du Midi, Péninsule ibérique) du Xe au XIIIe siècle : Toulouse et Conques, les 6-8 juillet 1998*, éd. Pierre Bonnassie (Toulouse : CNRS - Université Toulouse-le Mirail, 2002), 75-92.

83 Voir p. 15 et Nef, *Conquérir et gouverner*, 492 et sq.

un des cas de figure possibles, mais l'extension de certaines similitudes à l'ensemble de l'île (non description des lopins, absence de mention du montant des taxes, etc., cf. *infra*) suggèrent que le Monréalais n'était pas exceptionnel.

## 2 Grand domaine et fiscalité

### 2.1 *La fiscalité dans le cadre de la massa*

Au-delà de son poids dans le paysage rural, la *massa* s'impose peu à peu comme le principal relais de l'autorité du propriétaire dans les campagnes en s'affirmant comme un cadre essentiel du processus fiscal. On peut distinguer de ce point de vue une évolution en deux temps : tout d'abord, la *massa* s'impose comme cadre de l'enregistrement fiscal, puis elle devient le théâtre d'une activité de perception autopracte.

Comme on l'a dit plus haut, la *massa* est à l'origine un agrégat de *fundi*. Avec les réformes fiscales tétrarchiques et constantiniennes, ceux-ci s'affirment non seulement comme des unités d'exploitation, mais également comme des rouages essentiels du système fiscal, puisque c'est à ce niveau qu'intervient l'enregistrement fiscal des individus. Selon Domenico Vera, le *fundus*, et non la *massa*, disposerait donc d'une « personnalité fiscale » à même de définir l'*origo* de ceux qui y résident<sup>84</sup>. Or, ce point, loin d'être acquis pour l'époque byzantine, va même à l'encontre du témoignage du *registrum* de Grégoire le Grand. Régulant divers aspects de la gestion des patrimoines de Rome, ce dernier indique clairement qu'un colon doit se marier au centre « domanial » de la *massa*, la *conduma*<sup>85</sup>. La raison en est explicitement donnée à propos de l'accession à l'office de *defensor* d'un certain Pierre, *oriundus* de la *massa Iutelas*. Sa promotion ne libère nullement ses fils de leur obligation de résidence et de mariage sur le domaine, explicitement identifié ici à la *massa Iutelas*, auquel ils sont liés *ex condicione*<sup>86</sup>. L'*origo* les rattache donc non au *fundus* mais à l'unité supérieure, la *massa*. Il ressort clairement de ces deux passages que c'est bien au niveau de la *massa*, et non plus du *fundus*, que s'opère vers 600

84 Vera, "Massa fundorum," 1011, sans méconnaître évidemment le témoignage du *Registrum*, met l'accent sur "La dominanza fiscale e catastale del fundus sulla massa." L'implication de la *massa* dans le processus fiscal résulterait uniquement du fait qu'elle rassemble des *fundi* qui constituent le véritable rouage du système fiscal.

85 *Registrum*, I, 42.

86 *Registrum*, IX, 129. Le pape rappelle au *rector Romanus* que l'accession à l'office de *defensor* de Pierre, *oriundus* de la *massa Iutelas* ne libère nullement ses fils de leur obligation de résidence et de mariage sur le domaine auquel ils sont liés.

l'enregistrement domiciliaire et que s'exprime le lien à la terre. Une évolution a donc clairement eu lieu. Or, on l'a dit, ce lien a une origine et des conséquences fiscales. La *massa* a donc acquis, à un moment malheureusement impossible à préciser, une personnalité fiscale puisqu'elle est à même de déterminer une *origo*. Cette évolution a toute les chances d'être advenue lors de la réforme de l'administration fiscale décrétée en 537 qui, en ôtant aux cités leurs responsabilités fiscales, au profit de l'office du comte du patrimoine d'Occident, donna l'occasion de remettre en cause les cadres de l'enregistrement fiscal<sup>87</sup>. Malheureusement, on ne peut le démontrer. La logique de cette évolution qui conduit l'*origo* à dépendre non plus du *fundus*, mais de la *massa* semble essentiellement lié à une modification des modes d'exploitation foncière, on reviendra plus avant sur ce point dont l'importance ne saurait être surévaluée.

Contrairement à ce qui est souvent postulé dans la littérature moderne, il n'y a pas trace pour les premiers temps de la domination byzantine en Sicile d'un système d'autopragie, c'est-à-dire de dévolution au propriétaire des grands domaines d'une responsabilité directe en matière de perception fiscale<sup>88</sup> et, comme on va le voir, le registre de Grégoire le Grand indique même clairement que tel n'était pas le cas. À l'inverse, vers la fin du VII<sup>e</sup> siècle, cette règle prévaut au moins sur les très grands patrimoines insulaires, tant de Rome que de Ravenne. Dans ce dernier cas, le *Liber pontificalis Ecclesiae Ravennatis*, recueil de « vies » des archevêques de Ravenne rédigé vers le milieu du IX<sup>e</sup> siècle, mentionne expressément le versement aux empereurs de la quote-part d'impôt du produit des biens de cette Église revenant à l'État<sup>89</sup>. Pour Rome, le *Liber pontificalis* indique que les agents de l'État saisissent les dépendants du pape pour obtenir les arriérés d'impôt dus par celui-ci ce qui n'a de sens que si le paie-

87 Sur cette réforme, Prigent. "La Sicile byzantine, entre papes et empereurs," 205–207.

88 La meilleure étude sur les mécanismes de la perception autopragie est l'analyse d'ensemble du cas d'Aphroditô offerte par Constantin Zuckerman, *Du village à l'empire: autour du registre fiscal d'Aphroditô (525/526)*, Travaux et Mémoires du Centre de recherche d'histoire et de civilisation de Byzance, Monographies 16 (Paris: ACHCByz, 2004).

89 Agnellus von Ravenna, *Liber Pontificalis*, éd. et trad. Claudia Nauwerth, Münchener Beiträge zur Mediävistik und Renaissance-Forschung 15, Fontes Christiani 21, no. 1 (Munich: Arbo-Gesellschaft, 1996) (dorénavant *Liber pontificalis Ecclesiae Ravennatis*), § 111, 415: "(...) *solidorum aureorum triginta unum milia. Ex his quindecim milia in palatio Constantinopolitano et sedecim milia in archivo ecclesiae deportavit. Haec pensio omni anno solvebatur (...)*." Il est possible que dans le nord de l'Italie, cette pratique ait déjà été en vigueur dès le VI<sup>e</sup> siècle, Jan-Olof Tjäder, *Die Nichtliterarischen Lateinischen Papyri Italiens aus der Zeit 445–700*, 2 vols. (Stockholm: Glerup, 1955–1982) (*Skifter Utgiuna au Svenska Institutet i Rom*, 4<sup>o</sup>, XIX: 2. *Acta Instituti Romani Regni Sueviae*, series in 4<sup>o</sup>, XIX: 2), *P.Ital.* 2, 182.

ment est à sa charge<sup>90</sup>. C'est également dans ce contexte qu'il faut interpréter le célèbre passage de Théophane (m. v. 818) indiquant que l'empereur Léon III (règne 717–741) ordonna que les patrimoines versent dorénavant leur dû à l'État et non à Rome<sup>91</sup>. L'évolution est donc sensible de 600 à 700 et le *registrum* de Grégoire le Grand permet d'en percevoir assez clairement la logique.

Une lettre clef du début du pontificat donne une image contrastée du processus de la perception fiscale sur les domaines de l'Église de Rome<sup>92</sup>. Tout d'abord les *actionarii*, agents de perception de l'impôt en or, sont clairement qualifiés de *publici*<sup>93</sup>. Il ne s'agit pas d'hommes du pape. Les mesures édictées par le pontife lorsqu'il évoque leur action vont dans le sens de cette interprétation: Grégoire le Grand constate que le calendrier de la levée fiscale contraint ses *rustici* à vendre à perte leur production agricole<sup>94</sup>. Il ordonne donc que le recuteur organise un système de prêts aux dépendants agricoles afin que ceux-ci puissent payer leurs taxes et rembourser ultérieurement le pontife<sup>95</sup>. Il est clair

90 *Itemque et aliam direxit ut restituantur familia suprascripti patrimonii et Siciliae quae in pignere a militia detinebantur Liber pontificalis*, 85, 3, 369.

91 Voir Prigent. "Les empereurs isauriens," 557–594, *contra* Zuckerman, "Learning from the Enemy," 97, pour qui "From the fiscal point of view though, I see no purpose in creating a parallel perception on a "grand domaine" by the treasury, while keeping the owner in charge and in possession of the rent." La logique n'est pas économique, mais politique: les papes viennent d'orchestrer une "grève fiscale" en Italie. Sur ce point, Prigent. "Un confesseur de mauvaise foi."

92 *Registrum*, I, 42.

93 Ainsi à propos de leur activité parallèle de créanciers des contribuables, *Registrum*, I, 42: *Quae dum de suo unde dare non habent, ab actionariis publicis mutua accipiunt et gravia commoda pro eodem beneficio persolvunt*. Qu'il s'agisse de la perception de l'impôt en or découle du nom même de la taxe, *burdatio* (de *burdo*, mulet) qu'il convient de rapprocher de la forme hellénisée *chrysos bourdonôn*, l'"or des mules," l'une des multiples petites taxes militaires levées au Bas-Empire dont l'agglomération progressive détermina à terme l'apparition de ce que Jean-Michel Carrié appelle "l'impôt militaire combiné" (notamment, Jean-Michel Carrié, "L'état à la recherche de nouveaux modes de financement des armées (Rome et Byzance, IV<sup>e</sup>–VIII<sup>e</sup> siècles)," dans *The Byzantine and Islamic Near East*, vol. 3, *States, Resources, Armies*, éd. Averil Cameron, Studies in Late Antiquity and Early Islam 1 (Princeton: Darwin Press, 1996), 27–60). Sur ce dernier point, Prigent, "La Sicile byzantine (VI<sup>e</sup>–Xe siècle)," 1092–1095.

94 *Registrum*, I, 42: *Praeterea cognovimus quod prima illatio burdationis rusticos nostros vehementer angustet, ita ut priusquam labores suos venundare valeant, compellantur tributa persolvere*.

95 *Unde praesenti admonitione praecepimus ut omne, quod mutuuum pro eadem causa ad extraneis accipere poterant, a tua experientia in publico detur et a rusticis ecclesia paulatim ut habuerint accipiat, ne, dum in tempore coangustantur, quod eis postmodum sufficere in inferendum poterat, prius compulsus vilis vendant et horreis minime sufficiant*.



que si la perception relevait des agents du pape cette mesure n'aurait aucun sens. Pourtant, dans la même lettre, on rencontre le cas particulier de l'un de ces agents de perception de l'impôt en or<sup>96</sup>. Celui-ci s'étant mal acquitté de sa tâche, l'Église de Rome a dû verser les sommes manquantes à l'administration impériale et a saisi en retour les biens du percepteur, sans que l'on sache s'il était malhonnête ou simplement incapable<sup>97</sup>. Quelle leçon tirer de ces informations contradictoires ?

Le grand propriétaire fournit à l'administration l'agent de la perception qui pèse sur ses terres et en cautionne l'activité. Toutefois, le percepteur est bien chargé d'une mission publique, il ne prélève pas au nom du pape, mais de l'État. Il n'en est pas moins nommé, et sans doute rémunéré, par le pontife et il est probable que nous sommes ici dans le cadre d'obligations de nature liturgique. Ce passage évoque donc les obligations qu'assumaient vis-à-vis de l'État les fameux *oikoi* égyptiens<sup>98</sup>. Dans la sélection de ces agents doit intervenir en parallèle un contrat qui protège le propriétaire contre les malversations et les maladroites des hommes qu'il adresse à l'administration, ce qui expliquerait la capacité des agents du pape à saisir les biens du percepteur en cas de défaillance. Or, certains papyrus de la maison des Apions reflètent des procédures proches, des individus s'engageant à lever l'impôt sur les terres de ces magnats, en en gageant le produit sur leurs propres biens<sup>99</sup>. L'intérêt

96 *Registrum*, 1, 42: *Cognovimus etiam rusticos burdationis dationem quam iam ad eis exactam Theodosius minime persolverat terum dedisse, ita ut in duplo exacti sint.* C'est à tort que l'on a voulu en faire un *conductor*, voir Cracco Ruggini, "La Sicilia," 561; Recchia, *Gregorio Magno*, 20, n. 64. Les éditeurs de la *Prosopographie Chrétienne du Bas-Empire*, II, Theodosius 3, 2181–2182, sont plus prudents: "très probablement *conductor*." Toutefois, la mention de la *burdatio* le rapproche clairement des *actionarii publici* mentionnés plus haut dans la lettre.

97 *Quod ideo factum est, quia eius substantia ad debitum ecclesiae non sufficebat. Sed quia per filium nostrum Servuum dei diaconum edocti sumus quod ex rebus substantiae eius possit hoc ipsum damnum sufficienter resarciri, volumus quingentos septem solidos eisdem rusticis sine aliqua imminutione restituti, ne in duplo videantur exacti.*

98 Gascou, "Les grands domaines," 16–19.

99 *P.Oxy.* LXII 4350 (22 juillet 576) mentionne trois individus qui prennent à leur charge la perception des impôts sur une partie des terres des Apions, se déclarant prêts à lever πάντα τὰ δημόσια de la dixième indiction, à leurs propres risques (κινδύνῳ ἡμῶν καὶ τῆς ἐκάστου ἡμῶν ὑποστάσεως). Ils y apparaissent solidairement responsables de la somme et des arriérés, s'engageant à verser le produit de la collecte à l'*endoxos oikos*. Évidemment, celui-ci transfère ultérieurement ce produit fiscal aux caisses publiques. Tout comme celle de ces Égyptiens, l'activité de Theodosius consisterait donc à percevoir un impôt public sur un domaine privé en gageant sa fortune personnelle auprès du propriétaire qui l'emploie dans cette tâche. La différence est ici que sa dimension d'agent public est plus nettement marqué, en raison sans doute de l'organisation administrative spéciale de la Sicile,

financier des individus choisis apparaît clairement dans la lettre déjà mentionnée de Grégoire : s'il organise un système de prêt aux *rustici*-contribuables, c'est pour éviter que ceux-ci n'aient à s'endetter auprès des percepteurs eux-mêmes, lesquels trouvent certainement dans cette activité annexe de prêteurs d'appréciables occasions de profit<sup>100</sup>.

Deux autres points doivent être soulignés. Tout d'abord, l'*origo* fiscale étant établie au niveau de la *massa*, c'est celle-ci qui doit nécessairement servir de cadre à la perception. Deuxièmement, on perçoit aisément comment le système de prêt aux *rustici* conçu par le pape peut évoluer vers une responsabilité fiscale directe du propriétaire envers l'État. Cela revient simplement à sauter à terme l'étape du prêt individuel aux dépendants<sup>101</sup>. Au cours du VII<sup>e</sup> siècle, on est passé de l'intervention ponctuelle suite à un problème individuel à une substitution systématique du propriétaire à l'exploitant. Cette évolution a dû contribuer à renforcer considérablement l'influence du pontife dans l'île, on va y revenir.

Un dernier point qui pourrait avoir favorisé l'affirmation du rôle du pontife dans la perception est le contrôle que ces agents exercent sur les poids et mesures, lesquels sont bien évidemment indispensables aux paiements<sup>102</sup>. Il apparaît en effet très clairement que les setiers utilisés pour les céréales sont aux mains des *defensores* de l'Église de Rome. Cela donne d'ailleurs lieu à de multiples exactions, ces agents ayant recours, le cas échéant, à des mesures outrageusement truquées, d'une contenance parfois supérieure de plus d'un tiers à la norme<sup>103</sup>. Quoi qu'il en soit, ici le grand propriétaire exerce un pouvoir

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où le processus fiscal n'est pas à la charge des cités, mais du comte du patrimoine pour l'Occident.

- 100 La levée de l'impôt en or ne permet pas en effet de jouer sur les systèmes de mesure, un abus habituel de la part des responsables de la levée des loyers et des taxes.
- 101 Dans le cas exposé par Grégoire le Grand, on en est encore au prêt individuel, même si le versement est fait directement à l'État et non au cultivateur qui le reverserait ensuite à l'État. En effet, l'ordre du pape ne concerne que les cultivateurs qui, individuellement, ont rencontré des difficultés.
- 102 On sort ici bien évidemment du domaine de l'impôt en or, mais l'État se réservait toujours le droit de passer d'un système à l'autre, l'adération s'affirmant progressivement car plus pratique, au fur et à mesure que le degré de monétarisation de l'économie en permet le développement.
- 103 *Registrum*, I, 42: *Valde autem iniustum et iniquum esse perspeximus ut ad rusticis ecclesiae de sextariaticis aliquid accipiatur, ut ad maiorem modium dare compellantur, quam in horreis ecclesiae infertur. Unde praesenti admonitione praecipimus ut ad plus quam decem et octo sextariorum modium numquam a rusticis ecclesiae frumenta debeant accipi (...)*. Néanmoins, on retrouve en 603 la dénonciation de l'usage de *modius* de vingt-cinq setiers, entraînant une surcharge de l'ordre de 38% pour le *rusticus*: *Registrum*, XIII, 35;

quasi discrétionnaire sur les prélèvements. On comprend donc que se soient multipliés dans les campagnes les faux *defensores* se faisant passer pour des agents de Rome<sup>104</sup>. Ce qui est moins clair est à quel titre ces *defensores* sont dépositaires des mesures : cela relève-t-il des prérogatives ordinaires d'un propriétaire ? Est-ce un privilège des papes en tant qu'ils sont astreints à un certain nombre de tâches annonaires en faveur de Rome pour le compte de l'État (ce qui leur donne notamment le droit de se prévaloir de la *coemptio*<sup>105</sup> par exemple ou de navires publics)<sup>106</sup> ? Extension de leurs prérogatives épiscopales, les évêques étant les dépositaires normaux des mesures ? Il est impossible de trancher entre ces différentes hypothèses.

La seule évolution marquante que l'on perçoit ultérieurement est l'adoption vers la fin du VII<sup>e</sup> siècle d'une nouvelle unité d'assiette basée sur le coût d'entretien d'un cavalier<sup>107</sup>. Toutefois, le choix de libeller les dégrèvements fiscaux en terme d'unité d'assiette plutôt que de sommes fixes indique que l'on est encore dans le domaine de la fiscalité de répartition et non de quotité, bien qu'il ait été défendu que, à la même date l'empire a déjà entrepris de se doter d'un cadastre censé fournir la base au passage à l'impôt de quotité<sup>108</sup>. Il est même possible que le système ancien ait continué à fonctionner jusque dans les années 780, si l'on en croit la définition que les lettres pontificales donnent à cette date des fonctions des agents fiscaux de l'empire<sup>109</sup>. Bien estimer la valeur de ce témoignage présuppose évidemment d'admettre que les pontifes

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Domenico Vera, "Forme e funzione della rendita fondiaria nella tarda antichità," dans *Società romana e impero tardo-antico*, vol. 1, *Istituzioni, ceti, economie*, éd. Andrea Giardina (Rome/Bari: Laterza, 1986), 441, calcule 56 %, mais le pape reconnaît deux setiers en surtaxe.

104 *Registrum*, I, 68.

105 L. Cracco Ruggini a été la première à mettre ce phénomène en lumière, de nouveau d'après la fameuse lettre *Registrum*, I, 42. Voir Ruggini, *Economia e società*, 256–257. Voir également Jean Durliat, *De la ville antique à la ville byzantine : le problème des subsistances* (Rome: École française de Rome, 1990), 155–156.

106 Sur les *naves commandatae sanctae ecclesiae*, voir Prigent, "La Sicile byzantine (VI<sup>e</sup>–X<sup>e</sup> siècle)," 444.

107 Les dégrèvements fiscaux concédés par les empereurs s'expriment en *annonacapita*. Ce terme renvoie normalement à la fiscalité et désigne le produit nécessaire à l'entretien d'un soldat (*annona*) et de son cheval (*capitum*). Les impôts du propriétaire sont estimés dans cette unité qui doit correspondre à une unité d'assiette théorique, à même de produire environ 8 *nomismata*. La création de ce mot-valise évoque aussi le passage à une pleine adération (sur ces points, Prigent, "La Sicile byzantine (VI<sup>e</sup>–X<sup>e</sup> siècle)," 1102–1107).

108 Nicolas Oikonomidès, "De l'impôt de distribution à l'impôt de quotité à propos du premier cadastre byzantin," *Zbornik radova vizantološkog instituta* 26 (1987) : 9–19.

109 *Codex Carolinus*, éd. W. Gundlach, *Monumenta germaniae Historica, Epistolae III, Epistolae Merovingici et Karolini aevi* (Berlin: A. Hiersemann, 1892), no. 82, 616, l. 12: *cum diucitin, quod Latine dispositor Siciliae dicitur*.

avaient connaissance du système impérial : on se souviendra donc que la saisie de leurs biens siciliens n'est antérieure que de quelques décennies à cette date<sup>110</sup>. Or, le pape, évoquant la figure du diocète, considéré par les spécialistes de la période mésobyzantine comme le responsable de la perception, le définit comme un *dispositor*, c'est-à-dire le responsable de l'évaluation de l'assiette fiscale des propriétaires dans le système de répartition de la charge de l'impôt en vigueur au Bas-Empire<sup>111</sup>. Il n'y a pas lieu de s'étendre trop longuement sur ce point, mais une telle interprétation de la nature des fonctions du diocète jusque dans la seconde moitié du VIII<sup>e</sup> siècle permet de résoudre certains problèmes posés par les sources sigillographiques qui sont à peu près les seules à documenter ce fonctionnaire pour les VII<sup>e</sup>-VIII<sup>e</sup> siècles<sup>112</sup>. Contentons-nous de dire ici que les seules informations dont on dispose pointent vers le maintien d'un système de répartition fondée sur une estimation des patrimoines en termes d'unités d'assiette fiscale abstraites reposant sur la propriété foncière.

Sur ce point, l'évolution entre la période byzantine et la domination islamique, dont les principes fiscaux sont prolongés par les Normands, paraît limitée.

## 2.2 *La fiscalité rurale à l'époque islamique*

Sans nous autoriser à dresser un tableau précis de la fiscalité islamique, les informations dont nous disposons permettent d'apporter des éléments sur un certain nombre de questions telle la nature du cadre du prélèvement fiscal, la proportion des principes relevant des méthodes de répartition et de quotité dans le système fiscal sicilien, les indices de l'islamisation<sup>113</sup> de l'imposition en Sicile.

110 La saisie des patrimoines intervient au début des années 740. Voir Prigent, "Les empereurs isauriens."

111 *Dispositor* ne renvoie pas à un simple percepteur, mais au responsable de la *dispositio*, c'est-à-dire du document posant les bases du calcul des obligations fiscales des contribuables : Walter Goffart, "Merovingian polyptichs : reflections on two recent publications," *Francia* 9 (1981) : 71-73.

112 Une responsabilité en matière cadastrale expliquerait au mieux les ressorts très hétérogènes que l'on voit rattachés aux différents diocètes. De telles missions sont en effet ponctuelles et leur cadre géographique peut parfaitement ne pas correspondre à un ressort administratif canonique, par exemple lorsqu'une nouvelle estimation est mise en œuvre dans une zone victime d'une invasion. Sur les diocètes mésobyzantins et les problèmes d'interprétation que posent leurs sceaux, voir Wolfram Brandes, *Finanzverwaltung in Krisenzeiten : Untersuchungen zur byzantinischen Administration im 6.-9. Jahrhundert*, *Forschungen zur byzantinischen Rechtsgeschichte* 25 (Francfort-sur-le-Main : Löwenklau, 2002), 205-225.

113 "Islamisation" est ici entendu dans un sens large et renvoie à des évolutions tant culturelles

Les données disponibles pour la période islamique documentent pour l'époque fatimide (début x<sup>e</sup>–mi-xi<sup>e</sup> siècle) une administration fiscale articulée, même si la fiscalité pesant sur les campagnes échappe en grande partie à l'historien<sup>114</sup>. Al-Dawūdī est l'auteur qui aborde le problème le plus directement, mais il se contente d'y décliner l'idée que la Sicile, à l'instar de l'ensemble de l'Occident musulman, n'est pas régie par des règles conformes au droit islamique car la conquête y aurait été accompagnée d'usurpations et autres accaparements de terres. Il évoque également la *jizyat al-ard* (« la taxe de la terre » littéralement) et la *jizya 'alā al-jamājim* (« la taxe sur les crânes » littéralement), deux expressions communes pour désigner le *kharāj* et la *jizya*, qui sont levées en Sicile, en précisant qu'elles ne devraient plus être payées en cas de conversion<sup>115</sup>. Il en reste donc à un niveau extrêmement théorique.

En dehors de ces informations, la fiscalité d'âge islamique, en particulier rurale, est éclairée lors de tensions qui se font jour au début du xi<sup>e</sup> siècle, ainsi que le relate le seul *Nihāyat al-'arab* d'al-Nuwayrī (m. 733/1333). L'épisode se déroule en 1019–1020 : l'émir Ja'far b. Yusūf (en activité 998–1019) abdicque, accusé d'avoir désigné un responsable de la fiscalité qui aurait tenté de mettre en application le principe de la levée d'une dîme (*'ushr*) sur les productions agricoles des habitants :

Ḥasan b. Muḥammad b. al-Bajāṛī (...) avait conseillé à Ja'far de lever en Sicile la dîme sur les grains et les productions de la terre, comme on le faisait dans les autres pays; elle n'avait jamais été introduite en Sicile où l'on avait l'habitude de prélever sur chaque charruée (*zawj*) de terre un montant invariable quelle que fût la récolte<sup>116</sup>.

Si l'on en croit al-Nuwayrī, le changement voulu par Ja'far aurait entraîné le passage d'une assiette évaluée par rapport au rendement moyen d'une superficie à un impôt pesant sur la récolte annuelle réelle. Au-delà de la norme islamique en matière de fiscalité, on peut penser que ce qui motivait la réforme fatimide, ici comme en Ifrīqiya, était le rendement de l'impôt. La question est de savoir

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que sociales, économiques et politiques, cf. Dominique Valérian, éd., *Islamisation et arabisation de l'Occident musulman médiéval (vii<sup>e</sup>–xi<sup>e</sup> Siècle)* (Paris: Publications de la Sorbonne, 2011).

114 Nef, "La fiscalité islamique en Sicile."

115 Abdul Wahab et Dachraoui, "Le régime foncier," 411, 431.

116 Michele Amari, éd., *Biblioteca arabo-sicula* (version arabe) (Rome/Turin: Ermanno Loescher, 1880–1881), rééd. revue par U. Rizzitano (Palerme: Edizione nazionale delle opere di Michele Amari. Serie arabistica, 1994), 2, 496 et Michele Amari, éd., *Biblioteca arabo-sicula* (version italienne) (Rome/Turin: Ermanno Loescher, 1880–1881), rééd. anastat. (Catane: Dafni, 1982), 2, 138.

à quelles modalités fiscales renvoie cette rapide description : doit-on penser qu'elle correspond à la réalité, qui serait surprenante dans n'importe quel système fiscal, ou qu'elle simplifie une imposition somme toute assez proche de celle documentée dans l'espace byzantin ? Elle est en effet compatible avec un mélange, somme toute banal, entre un impôt de répartition devenu fixe, en l'absence d'enquête régulière, et évalué par rapport à une assiette théorique, ce qui correspond assez bien à ce que l'on vient de voir pour la fin de la période byzantine en Sicile<sup>117</sup>, et un principe de quotité qui devait jouer à la marge au niveau local, ainsi que le suggèrent les hypothèses avancées plus haut au sujet de l'exploitation des terres. Le conflit semble tourner autour de la réforme de modalités de perception de l'impôt foncier d'origine byzantine, devenues peu efficaces en terme de rendement fiscal. On trouve donc ici une confirmation indirecte de l'atténuation de la pression fiscale à l'époque islamique que l'on a décrite plus haut et à laquelle les contribuables ne semblaient pas prêts à renoncer<sup>118</sup>. La tentative avortée de 1019–1020 resta en effet sans lendemain.

Dans le domaine de la fiscalité également, nos informations proviennent surtout des documents de la période normande. Dès la fin du XI<sup>e</sup> siècle, en effet, la fiscalité apparaît répartie en deux impôts principaux (*jizya* ou impôt de capitation et *qanūn* ou taxe foncière) qui pèsent sur des foyers énumérés dans les listes appelés *jarā'id*<sup>119</sup>. Lorsqu'ils sont détaillés sur la liste elle-même, ce qui est le cas par deux fois seulement en 1095 et en 1177<sup>120</sup>, le premier est évalué en taris (ou quarts de dinars), tandis que le second l'est en volume de céréales. Les "nouveaux mariés" (*mutazawwijūn* en arabe et *neokamoi*, i.e. *neogamoi*, en grec), attestés dès 1095<sup>121</sup> – et qui renvoient donc à une organisation antérieure, islamique –, d'une part, et les fils et les frères d'individus cités dans la liste principale, de l'autre, sont parfois énumérés séparément, ce qui permet sans doute

117 On a vu que l'achèvement de la conquête sicilienne devait être datée de 976, il est probable que ici comme ailleurs à des dates plus précoces dans le domaine islamique la réforme de la fiscalité ait pris une ou deux générations.

118 Ici aussi, le rythme lent de mise en place d'une fiscalité plus lourde rappelle celui mis en évidence pour les débuts de l'Islam.

119 Pour tout ce passage désormais bien établi ; nous nous contentons de renvoyer à Johns, *Arabic Administration*, et à Nef, *Conquérir et gouverner*.

120 Cusa, *I diplomati greci ed arabi*, 1–3 et Jeremy Johns, "Sulla condizione dei musulmani di Corleone sotto il dominio normanno nel XII secolo," dans *Byzantino-Sicula IV: Atti del I Congresso Internazionale di archeologia della Sicilia bizantina* (Palerme : Istituto siciliano di studi bizantini e neoellenici, 2002), 275–294, qui en propose une nouvelle édition.

121 Cusa, *I diplomati greci ed arabi*, 1–3.

de distinguer la création de nouvelles unités économiques (bénéficiant d'un dégrèvement provisoire?). Enfin, le prélèvement n'est pas le même pour tous. On distingue à l'époque normande les chrétiens et les juifs, comme dans la fiscalité islamique, que les Hauteville se sont contentés de retourner. Les veuves et les aveugles apparaissent sur des listes annexes et bénéficient sans doute d'un allègement, dont le montant est inconnu, mais systématique.

On a vu que l'impôt foncier ne devait pas avoir connu de bouleversement majeur sous la domination islamique, rien ne permet en revanche de déterminer si, en Sicile, le processus de mise en place de la *jizya*, entendu comme un impôt de capitation, a été progressif, transformant peu à peu le *kapnikon* byzantin qui existait depuis le VIII<sup>e</sup> siècle, ou si le processus fut plus soudain<sup>122</sup>.

Le cadre de la perception, et donc de la solidarité fiscale qui, par le biais de l'interdiction de déplacement, peut tendre à se transformer en attache à la terre, est le *raḥal* comme nous l'avons vu. La liste établie plus haut montre en outre que si les terres d'un *raḥal* peuvent être cultivées par des paysans rattachés à d'autres unités, le fait est mentionné dans les documents. Cela confirme que les impôts sont levés dans le lieu où chacun vit et que la solidarité fiscale de chaque communauté est une réalité encore à cette période, car ces mentions seraient autrement inutiles. La mention des "nouveaux mariés" reflète le lien fiscal au *raḥal*. Enfin, les hommes énumérés dans les *jarā'id* de Sicile aux XI<sup>e</sup>–XII<sup>e</sup> siècle relèvent de statuts différents<sup>123</sup>, mais une bonne partie semblent être des propriétaires ou des *possessores*, l'exploitation de la terre faisant du paysan un contribuable si son statut n'y est pas contraire et ce même s'il n'est pas propriétaire de toutes les terres qu'il exploite (cf. *supra*). Tout se passe comme si, en cas de mise en valeur d'une terre non exploitée dans le cadre de la communauté rurale, c'était le statut de la terre qui importait.

### 3 Le contrôle de la main d'œuvre rurale

#### 3.1 *Le cadre byzantin*

De nouveau, notre connaissance des réalités de la Sicile byzantine dans le domaine commence et s'arrête au domaine pontifical. En outre, on s'intéres-

122 C'est là en effet une des grandes différences avec les premières conquêtes (de la Syrie et de l'Égypte notamment) : la question de l'introduction d'une nouvelle taxe, de capitation, ne se pose pas.

123 Nous ne revenons pas sur ce point, sur lequel, cf. désormais Nef, *Conquérir et gouverner*, 498 et sq.

sera ici à la part du domaine ecclésiastique sur lequel les papes et leurs agents exerçaient un contrôle effectif, en mettant de côté les terres concédées en emphytéose. Signalons tout au plus que Grégoire le Grand semble hostile à cette solution<sup>124</sup>. Après 535, les destructions de la guerre gothique, à laquelle succède immédiatement l'invasion lombarde, ont renforcé considérablement le poids des biens siciliens dans la fortune pontificale<sup>125</sup>. Or, la situation démographique ne rend pas inévitable l'emphytéose et ils sont donc gérés d'aussi près que possible<sup>126</sup>. La dimension politique de l'emphytéose comme mode de constitution de clientèles aristocratiques ne semble pas retenir ici l'attention du pontife<sup>127</sup>, sans doute parce qu'il dispose déjà dans l'île, par d'autres voies, d'une influence dominante<sup>128</sup>.

L'étude du grand domaine en Sicile à la fin de l'antiquité a souffert, de façon globale, du présupposé d'une domination presque exclusive du colonat, entendu comme une forme de dépendance quasi servile<sup>129</sup>. Une lecture attentive des lettres de Grégoire révèle pourtant une grande diversité de statuts et

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- 124 *Registrum*, I, 70 reflète bien la prudence du pape vis-à-vis de cette pratique. De façon générale, s'il est normal que le *Registrum* n'aborde pas la gestion des biens concédés en emphytéose, on ne peut qu'être frappé, en revanche, par l'absence de références directes ou indirectes aux concessions elles-mêmes (exception claire, mais au sein du "patrimoine des pauvres" puisque concernant un arrangement entre le patrimoine et un monastère placé dans la dépendance du recteur, *Registrum*, III, 3). Les biens siciliens sont à la fin du VI<sup>e</sup> siècle trop vitaux pour Rome pour que de telles aliénations de fait soient encouragées.
- 125 Dès le milieu du VI<sup>e</sup> siècle, le pape Pélage I<sup>er</sup> écrivait que, l'Italie étant ruinée, Rome vivait essentiellement des îles (Pelagius I, *Epistolae*, éd. Pius M. Gasso et Claudia M. Battle (Montserrat: Abbaye de Montserrat, 1956), no. 85). Or, bien évidemment, le poids économique respectif de la Corse, de la Sardaigne et de la Sicile dans le domaine agricole met en lumière la dépendance de l'*Urbs* vis-à-vis de cette dernière.
- 126 Jusque dans la première moitié du VIII<sup>e</sup> siècle, la Sicile bénéficie de flux migratoires positifs venus d'Afrique, d'Italie, des Balkans, de l'Orient.
- 127 Brunon Andreolli, "Le enfiteusi e i livelli del "Breviarium,"" dans *Ricerche e studi sul Breviarium Ecclesiae Ravennatis (codice Bavaro)*, éd. Augusto Vasina, Sylviane Lazard, Giovanni Corini et Antonio Carile, *Studi Storici* 148-149 (Rome: Istituto storico italiano per il medioevo, 1985), 163, 172.
- 128 On trouvera une description des bases du pouvoir pontifical en Sicile dans Prigent, "La Sicile byzantine, entre papes et empereurs."
- 129 Sur ce thème, voir la mise au point historiographique et les positions très fortes de Jean-Michel Carrié, "Colonato del Basso-Impero: la resistenza del mito," dans *Terre, proprietari e contadini dell'impero romano dall'affitto agrario al colonato tardoantico*, éd. Elio Lo Cascio (Rome: La Nuova Italia Scientifica, 1997), 75-150, en faveur d'une définition exclusivement fiscale du colon. Jairus Banaji insiste toutefois sur la dépendance des exploitants, mais il convient de distinguer droit et fait (Jairus Banaji, "Lavoratori liberi e residenza coatta: il colonato romano in prospettiva storica," dans *Terre, proprietari e contadini dell'impero romano dall'affitto agrario al colonato tardoantico*, éd. Elio Lo Cascio (Rome: La Nuova Italia Scientifica, 1997), 253-280, notamment 258 sur l'absence d'opposition entre travail forcé



des stratégies différenciées de contrôle de la main d'œuvre. On n'insistera pas sur les esclaves, qui tiennent peu de place, car la question de leur contrôle ne se pose guère, du moins en droit.

Le colonat classique n'est évidemment pas absent, mais on ne le perçoit dans les lettres du pontife (à, peut-être, une exception près)<sup>130</sup> que lorsque les conséquences de son statut légal entrent en jeu : l'attachement à la terre héréditaire ou intervenant au terme de 30 ans de location d'une même terre<sup>131</sup>, le droit du *dominus* sur le pécule<sup>132</sup>, l'interdiction d'accéder à certains statuts, l'interdiction faite au propriétaire de déplacer un colon qui relève de son autorité entre deux de ses domaines, etc<sup>133</sup>. En dehors de ces situations précises, le terme *rusticus* qui est utilisé pour désigner les exploitants met l'accent sur leur fonction et non sur leur statut légal<sup>134</sup>.

Les lettres du pontife confirment néanmoins le renforcement du pouvoir coercitif du propriétaire sur les colons inscrits dans son domaine. Dans une lettre introduisant auprès des dépendants ruraux un nouveau *rector*, c'est-à-dire le responsable en chef des patrimoines à l'échelle de l'île, le pape rappelle que ce dernier détient le pouvoir de punir sévèrement ceux qui désobéissent et ceux qui tentent de devenir contumaces et qu'il est chargé d'éviter que les dépendants volent ou commettent des actes de violence<sup>135</sup>. Il y a ici un pouvoir de fait, à l'évidence sanctionné par le droit, car il s'agit d'une lettre officielle et Grégoire est, de façon générale, extrêmement pointilleux sur les droits des individus, fut-ce au détriment de son Église. La question du contrôle est donc ici réglée par le droit. On signalera pour finir que cette dépendance est tempérée par un sentiment de responsabilité certain, puisque le pape octroie aussi des pensions aux colons qui ne peuvent plus travailler pour vivre<sup>136</sup>. D'une certaine manière, le colon est perçu autant comme une charge que comme un

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et statut libre). En dernier lieu, Peter Sarris, *Economy and Society in the Age of Justinian* (Cambridge : Cambridge University Press, 2006), 36–43.

130 *Registrum*, XIII, 35.

131 Par exemple, *Registrum*, IV, 21 ; *Registrum*, IX, 129. De façon indirecte, citons le cas du *colonus ecclesiae nostrae* Argentius. Grégoire le Grand ordonne de *reddere ei sine aliqua mora vel excusatione* un petit lopin *quam tenuit* et de le lui confier libre de charge *diebus vitae suis* (*Registrum*, IX, 37). Le terme n'est pas utilisé ici au hasard car seul le statut de colon permet une telle assignation viagère. En effet, dans le cas d'un locataire indépendant, cette concession revenait à le condamner à terme à être attaché au sol.

132 *Registrum*, I, 42.

133 *Registrum*, IV, 21.

134 Pourtant, dans l'index des *MGH*, on trouve l'entrée '*rusticus* (cf. *colonus*)', reflet de la prépondérance d'une certaine historiographie.

135 *Registrum*, IX, 30.

136 *Registrum*, IV, 28 : don de deux trémises annuels à un colon aveugle fils de colon.

atout, surtout quand, dans le cadre d'une phase économique dynamique, ses prérogatives en matière de fixité de versements finissent par le rendre encombrant<sup>137</sup>.

Dans la lettre annonçant la nomination d'un nouveau *rector*, une seconde catégorie d'individus est assimilée aux colons pour ce qui est de la soumission à ce représentant du pape<sup>138</sup>. Ce sont les *familiae massarum et fundorum*. Ces individus sont juridiquement soumis à l'autorité du pape, indépendamment du droit colonaire. *A priori*, ils semblent s'identifier aux *commendati*, qui, de leur propre chef, demandent à passer sous le for ecclésiastique en intégrant la *familia* du pape<sup>139</sup>. Leur statut n'est pas très clair, mais il n'est pas servile et ceux qui en relèvent ne travaillent pas nécessairement le sol<sup>140</sup>. Il s'agit plutôt d'une forme de patronage et le processus s'accompagne de la dévolution de leurs biens à l'Église qui, au moins dans certains cas, leur verse une rente, une *annua continentia*<sup>141</sup>. L'assimilation aux colons vient peut-être du fait que dans bien des cas, ils sont destinés à terme à intégrer cette catégorie : l'une des raisons qui poussèrent les empereurs à décréter le passage sous condition colonaire au terme de 30 ans de location d'une même terre était le souci de limiter les stratégies des petits propriétaires consistant à transférer leurs terres à un puissant patron en échange de baux à très long terme leur assurant de demeurer sur leurs terres<sup>142</sup>. Le phénomène doit être replacé dans le contexte économique sicilien du temps, qui se caractérise par une lutte au couteau pour la terre entre l'État, l'Église et l'aristocratie appauvrie, notamment les sénateurs repliés d'Italie<sup>143</sup>. Quoi qu'il en soit de ce dernier cas, les *commendati*

137 La question de la fixité de la rente est complexe ; il faut évidemment distinguer colons et locataires, Prigent, "La Sicile byzantine (VIe–Xe siècle)," 478–486.

138 *Registrum*, IX, 30.

139 Voir par exemple le cas du *negotiator* Liberatus qui, résidant sur la *massa Cinciana* des patrimoines romains, se *Ecclesiae commendavit* (*Registrum*, I, 42).

140 Liberatus, tout juste mentionné, est ainsi marchand.

141 L'ordre de verser la *continentia* au *rector* est ainsi formulé : *Cuius continentiae summam ipse aestima qualis esse debeat, ut renuntiata nobis in tuis possit rationibus imputari* (*Registrum*, I, 42).

142 Sur tous ces points, on renvoie à la bibliographie donnée voir ci-dessus, n. 129.

143 De façon générale, *Registrum*, v, 38 : le *chartularius marinarum* doit être identifié à un chartulaire de la *domus divina* de Marina (Prigent, "La Sicile byzantine, entre papes et empereurs," 207–209 ; sur son sceau, en dernier lieu, Salvatore Cosentino, "A New Evidence of the *oikos ton Marines* : The Seal of Theophylactos (*kourator*)," dans *Hypermachos : Festschrift für Werner Seibt zum 65. Geburtstag*, éd. Christos Stavrakos, Alexandra-Kyriaki Wassiliou et Mesrob K. Krikorian (Wiesbaden : Harrassowitz Verlag, 2008), 23–28). Le cas précis le plus clair est le conflit autour de la succession du patrice Venantius, voir *Registrum*, XI, 25.

fournissent certainement également une main d'œuvre qui abandonne son indépendance juridique, séduite par la protection économique et juridique que leur fournit l'Église. Pour bien évaluer la logique de leur choix, il faut également réaliser qu'appartenir au patrimoine ouvrait d'importantes opportunités de carrière. Ainsi, le marchand Liberatus, lorsqu'il se "confia" à Rome, pouvait espérer jouer un rôle dans la commercialisation des productions du patrimoine et sa décision pouvait ainsi découler d'une stratégie délibérée de participation à la gestion des biens pontificaux. Par ailleurs, les colons pouvaient devenir *defensores* de l'Église de Rome<sup>144</sup>. Or, ces derniers exercent une grande autorité dans les campagnes et imposent même parfois leur volonté aux évêques locaux<sup>145</sup>.

Certaines lettres de Grégoire le Grand évoquent en parallèle le recours à une main d'œuvre indépendante du point de vue juridique, pour laquelle sont mises en place des stratégies de contrôle de type économique. En octobre 594, le pape confirme ainsi au *rector* qu'il doit continuer à accorder des prêts aux *rustici* par l'intermédiaire des *conductores*, les intendants des *massae*. Tout comme avec la question des prêts pour remédier à la pression fiscale, le pontife souligne que cette mesure doit bénéficier en dernière analyse à l'Église afin que *res ecclesiastica non perit*<sup>146</sup>. Le danger encouru par les biens d'Église découle des conséquences de prêts contractés à l'extérieur du patrimoine par les *rustici*. Ceux-ci risquent en effet de voir peser sur eux *angaria* et *rerum pretia*. La mention des *rerum pretia* renvoie certainement à l'alignement des délais de remboursement des prêts sur l'année fiscale<sup>147</sup>. L'échéance tombe fin août, donc au moment où les prix sont les plus bas. La logique est ainsi parallèle à celle des difficultés rencontrées face aux paiements de l'impôt, évoquées plus haut. À terme, se met en place une spirale de surendettement qui permet le contrôle de la main d'œuvre, selon un mécanisme classique qui a été bien étudié pour les domaines siciliens du début de l'époque moderne<sup>148</sup>.

Le premier terme, *angaria*, évoque des "corvées" dues par les *rustici* à leurs créanciers<sup>149</sup>. Le danger qui pèse sur les terres de Rome en raison de ces cor-

144 *Registrum*, IX, 129.

145 Pour une présentation synthétique de la fonction et de l'activité des *defensores*, voir Recchia, *Gregorio Magno*, 25 à 41.

146 *Registrum*, V, 7.

147 Zuckerman, *Du village à l'empire*, 184.

148 Marcello Verga, *La Sicilia dei grani: Gestione dei feudi e cultura economica fra Sei e Settecento*, Accademia toscana di scienze e lettere "la Colombaria": Serie Studi 132 (Firenze: L.S. Olschki, 1993)), cette référence est due Sandro Carroci, que nous remercions vivement.

149 Même lecture chez Domenico Vera, "Padroni, contadini, contratti: "realia" del colonato

vées évoque les problèmes rencontrés par l'évêché de Cagliari dont les *rustici* sont attirés sur les terres d'autres propriétaires, laissant les biens d'Église en friche et l'évêque incapable de faire face à ses obligations fiscales<sup>150</sup>. Ce mécanisme ne peut s'appliquer aux colons puisqu'un individu soumis à cette condition ne pourrait en aucun cas être amené à travailler en dehors de son domaine de rattachement au détriment de son *dominus* sans avoir au minimum satisfait à l'*onus colonarium*. Demandant à son *defensor* d'intervenir en faveur de l'évêque, Grégoire ne met d'ailleurs pas en avant la condition colonnaire comme arme alors qu'il l'évoque dans bon nombre de cas<sup>151</sup>. Il apparaît donc clairement que le système de prêt mis en place par le pape vient rivaliser avec celui des autres propriétaires. Son but ultime est d'éviter l'exode de la main d'œuvre, selon un mécanisme que l'on observe clairement en Égypte<sup>152</sup>. Le salariat pouvait d'ailleurs y prendre la forme de "consumption loans" ou d'avances sur recettes<sup>153</sup> et Jairus Banaji souligne que "debt was the essential means by which employers enforced control over the supply of labour, fragmenting the solidarity of workers and 'personalizing' relations between owners and employees."<sup>154</sup>

Les prêts dans le cadre fiscal, déjà évoqués, relèvent en dernière analyse de la même logique puisqu'ils visent également à la protection de la main d'œuvre. Les deux systèmes présentent toutefois une différence sans doute significative. Les prêts en faveur des *rustici* gênés pour faire face aux taxes sont apparemment gérés par le *rector* qui s'occupe effectivement des rapports avec l'État et certainement du choix des percepteurs, comme indiqué plus haut. En revanche, les

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tardoantico," dans *Terre, proprietari e contadini dell'impero romano dall'affitto agrario al colonato tardoantico*, éd. Elio Lo Cascio (Rome: La Nuova Italia Scientifica, 1997), 218. Le terme renvoie initialement à des corvées de transport, Arnold H.M. Jones, *The Later Roman Empire: A Social, Economic and Administrative Survey (284–602)* (Oxford: Oxford University Press, 1964), 831. C'est probablement dans ce sens qu'il apparaît dans une lettre de Grégoire au tribun d'Otrante Occila dans laquelle le pontife dénonce les *angariae vel oppressiones* que l'ex-tribun Viator infligeait indûment aux résidents, *Registrum*, IX, 206.

150 *Registrum*, IX, 204.

151 Voir les exemples cités plus haut.

152 Voir les pratiques égyptiennes dans Roberta Mazza, *L'archivio degli Apioni: terra, lavoro e proprietà senatoria nell'Egitto tardoantico* (Bari: Edipuglia, 2001), 124–129. Les avances sur salaires avaient pour objectif principal d'immobiliser la main d'œuvre tenue à la restitution intégrale des sommes avancées, au cas où le travailleur stipendié décidait d'offrir ailleurs ses services en cours de saison, un élément également essentiel dans le raisonnement du pontife (Jairus Banaji, *Agrarian Change in Late Antiquity, Gold, Labour, and Aristocratic Dominance* (Oxford: Oxford University Press, 2001), 192).

153 Banaji, 198–199 et 204–205.

154 Banaji, 205.

prêts de la seconde catégorie sont octroyés par les *conductores*. La première catégorie doit concerner les exploitants ayant pris à bail des terres d'Église, ce qui expliquerait qu'ils aient des impôts à payer. En revanche, la seconde catégorie semble plus adaptée aux salariés, car des locataires n'auraient que peu d'intérêt à aller travailler ailleurs et, quoi qu'il en soit, cela n'affecterait pas directement le patrimoine romain s'ils utilisaient pour payer leur loyer un salaire perçu ailleurs. Le double système de prêt semble donc recouvrir deux systèmes d'exploitation concurrents. Bien évidemment, le système du pontife a également une dimension philanthropique, comme le suggère le souci que le calendrier des remboursements soit adapté aux souhaits du *rusticus*<sup>155</sup>, mais il n'en reste pas moins que l'endettement joue un rôle essentiel dans le contrôle de la main d'œuvre que ne lie au pape aucune condition juridique spéciale. On finira en évoquant brièvement un dernier moyen de contrôle de la main d'œuvre : la modulation des loyers. Elle n'apparaît explicitement que dans le cadre de la politique religieuse comme incitation à la conversion, notamment des Juifs, mais cet exemple ouvre une fenêtre sur une pratique sans doute plus répandue.

Ainsi, la loi, la force du patronage et la puissance économique entrent concurremment en jeu pour assurer le contrôle d'une main d'œuvre largement diversifiée. Le cas de la main d'œuvre salariée semble toutefois particulièrement important. À cette époque le centre domanial prend le nom de *conduma*<sup>156</sup>. Ce dernier terme renvoie clairement à une logique fonctionnelle. Les lettres de Grégoire le Grand indiquent bien que le cheptel (et peut-être les esclaves) est divisé par *condumae*<sup>157</sup> et que c'est à la *conduma* que sont concentrés les instruments aratoires et autres équipements collectifs<sup>158</sup>. Mais, originellement, le terme renvoie à un groupe humain, les *condumae*. Il appa-

155 Voir ci-dessus n. 95.

156 Le témoignage le plus clair en ce sens se trouve dans *Registrum*, II, 50 : *ex quibus quadragentis singulae conductoribus singulae condomae dari debent*.

157 *Registrum*, II, 50.

158 *Registrum*, XIV, 14, même si le domaine n'est pas en Sicile. Les infrastructures que la lettre évoque sont sans doute à rapprocher d'un certain nombre d'infrastructures productives du type de celles évoquées dans le texte d'Ulpian, conservé dans le *Digeste*, relatif aux devoirs du propriétaire envers le locataire d'une *conductio* : différentes composantes du pressoir à huile, bassins pour la purification, *vasa olearia, dolia* pour le grain et le vin, *trapeutum* (Voir sur ce texte, Bruce W. Frier, "Law, Technology and Social Change : The Equipping of Italian Farm Tenancies," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte* 96 (1979) : 204–228, avec traduction page 206 et analyse du vocabulaire technique des composantes du pressoir (207–213). Il s'agit à l'évidence d'une exploitation dont l'activité première concerne moins le blé que l'huile). L'église du domaine est également située à la *conduma* puisque, comme on l'a vu, les mariages s'y déroulent.

raît à propos des unités militaires des armées barbares et on le retrouve pour désigner des unités de mobilisation de combattants byzantins dans le Sinai<sup>159</sup>. *L'Anonyme de Plaisance*, auteur d'un récit de pèlerinage composé vers 570, mentionne en outre des *condumae* juives en charge de la commercialisation des biens des communautés qu'elles représentent<sup>160</sup>. Selon Jean-Michel Carrié, la *conduma* apparaît comme l'équivalent fonctionnel du *contubernium* militaire<sup>161</sup>. L'évolution de la signification de ce terme vers celui de centre domanial n'a de sens que si l'on admet que, majoritairement, l'organisation du travail sur les *massae* n'est pas conçue à l'échelle d'exploitations individuelles, mais de l'ensemble foncier, d'où la prise en compte de cette "workforce" qu'est originellement la *conduma*. Le lien avec l'évolution fiscale transparait également ici : si la perception s'opère au niveau de la *massa* et non plus du *fundus*, c'est parce que c'est à cette échelle globale qu'est organisée l'activité économique. Or, cette évolution doit nécessairement recouvrir un équilibre nouveau au sein de la main d'œuvre. Pour qu'elle se mette en place, il a fallu que les colons inamovibles deviennent minoritaires sur les terres des *massae*, certainement au profit des salariés.

Dernier point : si l'on met en relation cette évolution de la main d'œuvre et de son déploiement avec l'affirmation en Sicile à la même époque de l'habitat groupé<sup>162</sup>, on ne peut manquer de rapprocher la *conduma* de l'*epoikion* oriental, ce village domanial dont le rôle s'affirme également à la fin de l'Antiquité<sup>163</sup>. De façon significative, la version grecque de la *Vie de Mélanie la Jeune*

159 Walter Goffart, "From Roman Taxation to Medieval Seigneurie: Three Notes 1," *Speculum* 47 (1972) : 177; Zuckerman, *Du village à l'empire*, 150, n. 88.

160 L'auteur mentionne l'existence d'une *condoma* juive affectée au rôle d'intermédiaire commercial avec les zones chrétiennes en Palestine. Ce cas permet d'emblée de détacher le terme d'un sens trop exclusivement militaire (*Ps. Antonini Placentini Itinerarium*, éd. Paulus Geyer, Corpus Christianorum, Series Latina 175 (Turnhout: Brepols, 1965), 8, 133).

161 Carrié, "L'état à la recherche," 52 : (à propos des bucellaires) "ils sont organisés en *contubernia*, ce que l'*Anonyme de Plaisance*, à propos des Pharanites, appelle des *condomae*."

162 Voir ci-dessus, n. 43.

163 Marianne Lewuillon-Blume, "Problèmes de la terre au IV<sup>e</sup> siècle après J.-C.," dans *Actes du XV<sup>e</sup> congrès international de papyrologie (Bruxelles-Louvain, 29 août-3 septembre 1977)*, éd. Jean Bingen et Georges Nachtergaele, IV Papyrologie documentaire, Papyrologica Bruxellensia 19 (Bruxelles: Turner, 1979), 175 et Banaji, *Agrarian Change*, 174-189, qui considère (page 184) la population de l'*epoikion* comme "a common labour pool." En outre, cette subdivision des domaines serait également à même de définir une *origo*, Lewuillon-Blume, "Problèmes de la terre," 180; Jean-Michel Carrié, "Figures du 'colonat' dans les papyrus d'Égypte : lexicque, contextes," dans *Atti del XVII congresso internazionale di papirologia* 111 (Naples: Centro Internazionale per lo Studio dei Papiri Ercolanesi, 1984), 942.

utilise pour le latin *villula*, l'unité de base du domaine sicilien des Valerii, ce même terme d'*epoikion*<sup>164</sup>.

Contrôle du sol et des hommes, compétences fiscales et exercice du patronage à grande échelle dotent les recteurs pontificaux d'une puissance de premier ordre au sein de la société sicilienne. On comprend ainsi mieux que le pape doive leur recommander de ne pas écraser de leur superbe les évêques et les nobles de l'île<sup>165</sup>. Au terme de l'évolution, à la fin du VII<sup>e</sup> siècle, un choix contesté dans la nomination de ce lieutenant du pape provoque, au sein du groupe des *patrimoniales* de Sicile, des remous qui dégénèrent en troubles civils tels que le gouverneur, impuissant, doit déférer l'affaire devant l'empereur<sup>166</sup>. Peu de temps auparavant, c'est l'archevêque de Ravenne qui n'arrivait pas à contrôler son propre *rector*, en charge de biens à peu près aussi importants que ceux de Rome<sup>167</sup>. Ce poids socio-économique n'est pas sans conséquences politiques et l'on comprend que les empereurs aient réagi au cours du VIII<sup>e</sup> siècle, finissant par saisir ces très grands patrimoines ecclésiastiques<sup>168</sup>.

### 3.2 *Les incertitudes de la période islamique*

Le pouvoir exercé sur les exploitants agricoles à la fin de la période islamique apparaît beaucoup moins étroit que ce qui vient d'être décrit, ce qui apparaît logique au vu de ce qui a été dit plus haut de l'évolution fiscale et de la gestion des terroirs agricoles (on aura compris que l'expression même de "grand domaine" est d'utilisation délicate pour la période islamique et normande en raison du second terme de l'expression). Là encore, toutefois, la seule démarche envisageable est régressive.

La seule question que l'on puisse poser avec quelque espoir d'y répondre réside dans l'analyse des différents statuts juridiques qui apparaissent dans les

164 La *Vie* fut composée par le prêtre Gerontius, homme de confiance de Mélanie, après la mort de la sainte en 439, Mariano Rampolla del Tindaro, *Santa Melania Giuniore senatrice romana* (Rome: Tipografia Vaticana, 1905), §18, 53, l. 5. Voir les remarques sur ce point dans Carrié, "Figures du 'colonat'", 942, n. 22.

165 *Registrum*, appendice 1, l. 44-51.

166 *Liber pontificalis*, 85, 4, p. 369: *Hic ultra consuetudinem, abque consensu cleri, ex inmissione malorum hominum, in antipathia ecclesiasticorum, Constantinum, diaconum ecclesiae Syracusane, rectorem in patrimonio Siciliae, constituit, hominem perperum et tergiversum; sed et mappulum ad caballicandum uti licentiam ei concessit. Et non post multum temporis transitum pontificis, seditione super eum horta a civibus et patrimoniales, a iudice provinciae sub arta custodia retrusus, pro eo quod in dissensionem iudicum invenibatur, sententiae imperiali discutentium direxit.*

167 *Liber pontificalis Ecclesiae Ravennatis*, 111, 414-416.

168 Voir p. 335 et n. 91.

documents de la première période normande. À la fin du XI<sup>e</sup>–début du XII<sup>e</sup> siècle, une seule catégorie est évoquée : celle des *rijāl* (“hommes”) ou *rijāl al-jarā'id* (“hommes des registres”)<sup>169</sup>. Celles qui sont évoquées par la suite pourraient bien n’être qu’une rationalisation *a posteriori* d’évolutions qui se font jour tout au long du XII<sup>e</sup> siècle.

Les *rijāl al-jarā'id* sont attestés tout au long de la période normande (de 1095 à 1183) et sont les plus nombreux dans nos documents. Ils ont longtemps été considérés comme l’équivalent de *servi glebae*. Or, l’expression signifie “homme des registres” et sa compréhension suppose que l’on définisse la nature desdits registres. Les *jarā'id*, élaborés et conservés par l’administration centrale, sont des listes fiscales établies aussi bien pour le domaine royal qu’en vue de concessions à des bénéficiaires laïcs ou ecclésiastiques par le souverain. Elles supposent, de manière globale, que les individus énumérés sont considérés comme des propriétaires de leurs biens qui versent l’impôt à l’État ou à ceux qui bénéficient de ses concessions fiscales.

Les *rijāl* peuvent être accusés d’avoir fui, mais leur obligation de résidence semble essentiellement fiscale (même si l’on sait que la dégradation du rapport de force local peut facilement limiter cette subtilité juridique). Ce que l’on a dit des fils et frères et des nouveaux mariés” (*mutazawwijūn* en arabe ou *neogamoi*) suggère une attache fiscale au lieu où l’on est enregistré comme contribuable (ne serait-ce que pour le versement de la taxe de capitation). En outre, la concession éventuelle du revenu fiscal de telle ou telle entité pousse le bénéficiaire à retenir le plus possible les contribuables là où ils sont et la solidarité fiscale joue dans le même sens au niveau local. Aucun acte concernant les paysans arabo-musulmans de l’île ne fait état de corvées seigneuriales et rien ne transparaît pour la période islamique des moyens concrets de contrôle de la main d’œuvre mis en place.

#### 4 Conclusion

Au lendemain de la reconquête byzantine, la substitution d’une *comitiva* des services centraux aux curies dans la gestion du processus fiscal conduisit sans doute à renforcer le rôle du grand domaine dans l’encadrement du territoire et surtout de son exploitation fiscale. Le système, en effet, s’il reposait toujours sur l’intervention des grands *possessores*, s’émancipait des cadres civiques à

169 Pour un développement sur ce point et la bibliographie, Nef, *Conquérir et gouverner*, 492 et sq.



proprement parler et le contrôle des villes sur les campagnes devint sans doute sans cesse davantage une réalité de fait, liée à la domiciliation des élites, plutôt que de droit. Cette évolution ne pouvait d'ailleurs qu'entrer en parfaite résonnance avec celle qui conduisit l'empire à faire de la commune villageoise le pivot de son système fiscal au VIII<sup>e</sup>–IX<sup>e</sup> siècle. Mais le poids tout particulier du grand domaine dans l'île faisait très certainement de celui-ci, plus qu'ailleurs, le principal instrument de contrôle du territoire à la veille du débarquement des forces aghlabides, ce d'autant plus que l'évolution de son mode d'exploitation renforçait sa cohésion. Il n'en reste pas moins que dès lors la ville pouvait s'effacer sans compromettre la force de l'État.

Un second point essentiel à souligner est l'apparente persistance sur le long terme d'un système fiscal de répartition et ses conséquences politiques et sociales. Ce système permet en effet un niveau d'abstraction supérieur à celui du système de quotité et peut donc survivre avec plus de facilité à la détérioration des structures agraires qui le fonde, puisqu'il ne présuppose pas de vérification aussi régulière de la matière imposable. Il est donc possible qu'il ait survécu, plus ou moins bien selon les régions, à la lente guerre d'usure que constitua la conquête islamique. Dans cette hypothèse, les terres de l'Ouest, rapidement conquises, auraient sans doute été les conservatoires privilégiés des pratiques byzantines. Plus que la norme des pratiques fiscales, la conquête remettrait en cause la capacité de l'État à l'appliquer, d'où une évolution potentiellement favorable aux exploitants dès lors que les péripéties militaires n'affectent pas directement ses terres. En outre, dans un système fiscal apparemment largement monétarisé, l'un des facteurs essentiels d'évolution des rapports de force entre l'État et ses contribuables fut certainement la dévaluation monétaire qui donna naissance en Sicile au *tari* (ou *rubāṭī*), dépourvu de tout antécédent classique, qu'il soit byzantin ou musulman.

À la lumière de ces premières réflexions sur une transition que les documents ne permettent pas de retracer dans le détail, il semble que la grande idée, énoncée pour la première fois par Michele Amari, de la disparition des grands domaines et de la libération des paysans par la domination islamique est à la fois une invention et une formidable intuition. Rien n'indique que l'introduction de principes juridiques et fiscaux nouveaux ait mis fin à la "tyrannie et à l'obscurantisme" byzantins que dénonçait l'auteur. En revanche, la place des terres publiques à la période byzantine, la crise des décennies qui précèdent le débarquement de 827 et l'affaiblissement des cadres épiscopaux semblent avoir joué en faveur des exploitants dans un certain nombre de régions au moins. Quant aux grands domaines, peut-être ont-ils moins disparu qu'ils n'ont changé de nature, leur rôle de structures administratives et fis-

cales ne faisant que se renforcer durant la période de la conquête musulmane au détriment des villes. Cet héritage fut repris par les conquérants latins mais devait disparaître à la fin du XII<sup>e</sup>–XIII<sup>e</sup> siècle.

L'étude de l'évolution du grand domaine sicilien et de son rôle dans le contrôle des campagnes sur la longue durée confirme donc plusieurs des points clefs mis en lumière dans l'introduction du présent volume. D'un point de vue méthodologique, il ressort clairement que seul le croisement du plus grand nombre de sources (chroniques, monnaies, sceaux, sources juridiques normatives ou traité de jurisprudence, actes publics – conservés en originaux ou au sein d'une compilation –, sources épistolaires documentant la gestion domaniale etc.), associée le cas échéant à une prudente réflexion régressive, permet de compenser la rareté extrême de sources disponibles pour les VIII<sup>e</sup>–X<sup>e</sup>, siècles et de sortir de l'ornière des généralités. Quant à la démarche comparative, on en attendra moins des confirmations que la mise en évidence, en creux, des spécificités locales et, partant, des éléments sur lesquels concentrer l'enquête.

Que la documentation ait été en elle-même un instrument de contrôle transparaît de façon patente : l'enregistrement des hommes (déclaration d'*origo* ou rattachement fiscal à la communauté paysanne dans les *jarā'id*), des corvées, des redevances et, dans un autre rapport de domination, surimposé, des dettes, est l'outil par excellence de la domination, qu'elle soit politique, économique ou sociale, et bien souvent les trois. En effet, les Etats qui se succèdent en Sicile ont, sauf exception ponctuelle, les moyens de la contrainte ; c'est donc sur la délimitation exacte de leurs droits qu'ils concentrent leur attention. Comme en Orient, le bien-fondé de cette domination est discuté, tant d'un point de vue juridique que religieux ou, plus largement, moral (al-Dawūdi, Théophane le Confesseur). Cette domination n'a d'ailleurs pas nécessairement à s'imposer car elle est aussi protection, opportunité économique et mécanisme de régulation des conflits potentiellement bienvenu au sein des communautés relevant d'une même autorité supérieure. Sur l'ensemble de la période prise en considération, le « maître » – sénateur, Eglise, Etat impérial, bénéficiaire d'*iqṭā'* ou bénéficiaire latin – est en effet généralement lointain. Le rôle relai de la ville s'amenuise avec le déclin urbain et la désintégration du réseau épiscopal à la fin de l'époque byzantine, sans que les incidences de sa restructuration et de son renforcement à l'époque islamique soient exactement mesurables. En revanche, il est probable que l'Etat se fasse plus présent. Les hiérarchies internes aux communautés rurales locales s'établissent sans doute dans une large mesure sur la capacité différenciée à accéder au maître, ou à l'Etat, ou à le représenter. Les manifestations architecturales de cette domination demeurent la dimension la moins bien connue pour les périodes

tardo-byzantine et islamique, mais la multiplication des églises et monastères ruraux comme des villages eux-mêmes (s'il faut bien les mettre en relation avec l'essor de la *conduma* comme centre de la *massa*) suggèrent une transformation dont l'étude est encore à approfondir. La forme exacte que revêt cette présence symbolique évolue pour refléter directement celle de la nature des élites; villa d'apparat (le plus souvent inhabitée) des sénateurs, édifices culturels, bains antiques réaménagés sous la domination islamique, fortifications, etc. Enfin, le lien entre le « grand domaine » ou les circonscriptions fiscales et la structure de l'appareil militaire est tout aussi évident. Pour la période normande, l'utilisation du revenu de l'impôt par son bénéficiaire pour financer sa participation à l'effort militaire vient évidemment à l'esprit, mais le cantonnement des unités d'élite byzantine sur les anciens grands domaines pontificaux l'illustre tout autant, de même que l'établissement de groupes de conquérants dans l'Agrigentain ou la Sicile orientale par les émirs de Palerme.

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## *Murtaba' al-jund et manzil al-qabā'il*

*Pénétration militaire et installation tribale dans la campagne égyptienne au premier siècle de l' Islam*

Sobhi Bouderbala

Selon la plus ancienne source islamique d'Égypte parvenue jusqu'à nous, les *Futūḥ Miṣr* d'Ibn 'Abd al-Ḥakam (m. 275/871), le calife 'Umar b. al-Khaṭṭāb (r. 12–25/633–646) avait ordonné au gouverneur 'Amr b. al-ʿĀṣ (en poste 20–25/641–646) d'interdire aux soldats de prendre possession des terres agricoles égyptiennes, en leur promettant une rétribution pérenne, le *'aṭā'*<sup>1</sup>. Cette interprétation probablement apocryphe nous renseigne sur le système militaro-administratif établi par le nouveau pouvoir musulman en Égypte: le *jund*, armée de conquête, composé de familles et de tribus, est installé dans une nouvelle ville construite exclusivement pour lui, un *miṣr*, celui de Fustāṭ<sup>2</sup>, ainsi qu'à Alexandrie, d'une façon moins permanente, selon un système de rotation de six mois en occupant les maisons des anciennes élites dirigeantes<sup>3</sup>. Il était interdit au *jund* de pratiquer l'agriculture ou de devenir propriétaire terrien, mais il était récompensé, en contrepartie de ses réalisations militaires, par l'obtention de lots d'installation à Fustāṭ – les *khiṭaṭ* – et d'une rétribution en deux sortes: en espèce, le *'aṭā'*, et en nature, le *riṣq*<sup>4</sup>. C'est le schéma que nous présentent

1 'Abd al-Raḥmān b. 'Abd Allāh Ibn 'Abd al-Ḥakam, *Futūḥ Miṣr wa akhbāruha*, éd. Ch. Torrey, Yale Oriental Series, Researches 3 (New Haven: Yale University Press, 1922), 162, sous le titre de *Dhikr nahy al-jund 'an al-zar'*, Mention d'interdire le *jund* de pratiquer l'agriculture. Il convient de signaler quelques écrits produits à Fustāṭ à la fin du IIe/vIIIe et au début du IIIe/IXe siècle, telle que la biographie du calife umayyade 'Umar b. 'Abd al-'Azīz (r. 99–101/717–719) écrite par 'Abd Allāh b. 'Abd al-Ḥakam (m. 214/829), mais il ne s'agit pas d'une source historique égyptienne, dans le sens d'une œuvre qui s'intéresse à l'histoire islamique d'Égypte.

2 Sur la fondation de Fustāṭ et l'installation du *jund*, voir Wladyslaw Kubiak, *al-Fustāṭ: Its Foundation and Early Urban Development* (Cairo: American University Press, 1987); Sobhi Bouderbala, "Ġund Miṣr: étude de l'administration militaire dans l'Égypte des débuts de l' Islam (21/642–218/833)" (PhD diss., Sorbonne University, 2008), 115–125.

3 Sur l'occupation militaire d'Alexandrie par le *jund*, voir Ibn 'Abd al-Ḥakam, *Futūḥ Miṣr*, 130–131, sous le titre de *akhbā' id al-Iskandariyya*, Les prises d'Alexandrie; Bouderbala, "Ġund," 142–150.

4 Hugh Kennedy, "The Financing of the Military in the Early Islamic State," dans *Byzantine and*

les historiens musulmans d'Égypte et qui se trouve confirmé par la documentation papyrologique de la fin du I<sup>er</sup>/début du VIII<sup>e</sup> siècle, dont le sujet principal est en effet la rétribution du *jund* de Fustāṭ tant en espèce qu'en nature<sup>5</sup>.

Cependant, les conquérants n'étaient pas absents dans la campagne égyptienne : de nombreux documents grecs datant des premières années de l'administration arabo-musulmane montrent une présence effective dans les circonscriptions administratives d'Égypte<sup>6</sup>. Plus importante encore est la présence du *jund* dans le Delta, le Fayyūm et la Moyenne-Égypte pendant le printemps, le *murtaba' al-jund*, d'une part ; et la sédentarisation de quelques tribus arabes dans le Delta occidental, par la possession des terres, le *manzil al-qabā'il*. Ces informations nous sont transmises par le même Ibn 'Abd al-Ḥakam dans un chapitre intitulé *Dhikr murtaba' al-jund*, qui détaille le processus de cette présence tant militaire que tribale dans la campagne égyptienne. Malgré les détails précis fournis et le langage administratif auquel recourt l'historien, ce chapitre n'a pas attiré l'attention des chercheurs<sup>7</sup>. La présente contribution propose par conséquent une analyse de cette « occupation » de l'espace rural égyptien immédiatement après la conquête.

## 1 Le *murtaba' al-jund* d'après le texte d'Ibn 'Abd al-Ḥakam

Pour mieux comprendre l'essence de cette pratique militaro-administrative, il convient au préalable de dire quelques mots sur la méthode utilisée par Ibn

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*Early Islamic Near East*, vol. 3, *States, Resources and Armies*, éd. Averil Cameron (Princeton: Darwin Press, 1995), 363.

- 5 Il s'agit des lettres (en arabe et en grec) envoyées par le gouverneur umayyade d'Égypte Qurra b. Sharīk au responsable administratif (pagarque) de la *kūra* d'Ishqūh, Basile, dont le sujet est la rétribution du *jund*. Pour un tour d'horizon complet sur cette correspondance, voir en dernier lieu Jāsir Abū Šafīyya, *Bardīyyāt Qurra b. Sharīk al-'Abī: dirāsa wa taḥqīq* (Ryad: The King Faisal Center for Research and Islamic Studies, 2004).
- 6 Un dossier de 5 documents datant des années 642–643 montre une présence certaine des nouveaux dirigeants dans la gestion de la campagne égyptienne, il sera analysé plus loin référence à la note. La nouvelle publication de Federico Morelli, *L'archivio di Senouthios Anystes e test connessi: lettere e documenti per la costruzione di una capitale*, Corpus Papyrorum Raineri xxx (Berlin/New York: De Gruyter, 2010) démontre aussi la présence de nombreux officiers arabes en Moyenne-Égypte, voir essentiellement les pages 16–17.
- 7 Seuls Kosei Morimoto, "Land Tenure in Egypt during the Early Islamic Period," *Orient: Report of the Society for Near Eastern Studies in Japan* 11 (1975): 113, et Petra Sijpesteijn, *Shaping a Muslim State: The World of a Mid-Eighth-Century Egyptian Official* (Oxford: Oxford University Press, 2013), 168–169, dont les conclusions seront discutées plus loin, se sont intéressés à cette pratique administrative.

‘Abd al-Ḥakam dans la rédaction de son ouvrage. Comme tous les historiens de son époque, il se fonde sur la méthode de l'*isnād*, dans le sens où chaque récit est précédé d'une chaîne de transmetteurs, censée remonter jusqu'au témoin oculaire ou transmetteur originel<sup>8</sup>. C'est cette méthode qui a valu à Ibn ‘Abd al-Ḥakam le titre de traditionniste<sup>9</sup>. Cependant, deux textes fondamentaux de son ouvrage échappent à cette méthode. Le premier concerne l'installation du *jund* sur le sol de Fustāṭ par la distribution des lots d'installation, à la fois individuels et collectifs<sup>10</sup>. Cette opération s'appelle le *takhtī*. Dans ce texte, nous remarquons l'absence totale de *isnād*, l'information est livrée directement, sans transmetteur. La même méthode est répétée en ce qui concerne la description de l'installation printanière du *jund* dans la campagne égyptienne. Les deux textes relatent en fait deux mesures administratives qui sont au cœur du projet mis en œuvre par les nouveaux dirigeants pour la gestion du *jund*: installation urbaine dans la nouvelle capitale du pays et séjour régulier dans la campagne, à un moment précis de l'année, pour l'entretien des chevaux, ainsi que pour l'approvisionnement en vivres directement chez les contribuables égyptiens.

Le chapitre du *murtaba'* se divise en deux parties. La première est présentée sous la forme de deux récits attribués ‘Amr b. al-‘Āṣ et d'un sermon de vendredi, censé avoir été lu par le même ‘Amr au *jund*, détaillant les raisons et les mécanismes du *murtaba'*; il est intitulé *khurūj ‘Amr ilā l-rīf*, “la sortie de ‘Amr à la campagne.” Répondre à la question de l'authenticité d'un tel texte reste difficile. Malgré cela, les détails qu'il contient devaient être inspirés de cette pratique administrative. Le fait de commencer son chapitre sur le *murtaba'* par le sermon en question permet à Ibn ‘Abd al-Ḥakam de jeter les bases de cette pratique, avant de passer à la description de l'installation militaire dans la campagne.

Les deux récits, assez semblables, précisent la période pendant laquelle le *jund* est autorisé à s'installer dans la campagne, le *rīf*:

8 Sur l'*isnād*, voir en dernière instance Harald Motzki, “Dating Muslim Tradition: A Survey,” *Arabica* 52 (2005): 204–253.

9 Robert Brunschvicg ne voit dans l'œuvre d'Ibn ‘Abd al-Ḥakam qu'un travail de traditionniste fortement marqué par les débats juridiques de son époque et lui dénie par conséquent sa valeur historique, d'investigation méticuleuse sur les années post-conquête (Robert Brunschvicg, “Ibn ‘Abd al-Ḥakam et la conquête de l'Afrique du Nord par les Arabes: étude critique,” *Annales de l'Institut des Etudes Orientales d'Alger* 6 (1942–1947): 131).

10 Sylvie Denoix, *Décrire Le Caire: Fustāṭ Miṣr d'après Ibn Duqmāq et Maqrīzī* (Cairo: Institut français d'archéologie orientale, 1992), 73–79.



Les gens, en revenant de leurs expéditions, se réunissaient à Fustāt. ‘Amr alla à leur rencontre et leur dit : les vivres (marāfiq) de votre campagne sont prêts [à être consommés], vous êtes autorisés à y aller. Quand le lait devient aigre, et les branches (des arbres) deviennent sèches, et les mouches nombreuses, retournez à votre ville. Je ne veux pas voir quelqu’un qui s’est engraisé alors qu’il a fait maigrir son cheval<sup>11</sup>.

Il s’agit donc d’une sortie circonscrite dans le temps, probablement quelques semaines, pour des buts bien précis : profiter des denrées de la campagne égyptienne pour l’entretien des soldats et de leurs chevaux. Le sermon donne plus de détails quant au moment opportun de cette sortie, ainsi que sur les produits consommés. La période est difficile à évaluer puisque aucune date n’est avancée par Ibn ‘Abd al-Ḥakam, toutes les références sont agricoles, relatives à l’abondance des vivres et à la fertilité des bêtes. Les produits expressément nommés dans le sermon sont le lait et les brebis<sup>12</sup>. De même que le récit, le sermon insiste sur l’obligation d’entretenir les chevaux :

Sachez que j’inspecterai les chevaux de la même manière que j’inspecterai les hommes. Celui qui aura fait maigrir son cheval subira une baisse de sa rétribution à la hauteur de la maigreur infligée au cheval<sup>13</sup>.

Ce passage met l’accent sur le caractère administratif de cette pratique : il s’agit d’une sortie destinée à l’entretien militaire des soldats et des chevaux. Il faut rappeler que la fin de la conquête de l’Égypte ne marque pas l’arrêt des opérations militaires : la Nubie au Sud (31/652), l’Afrique du Nord à l’Ouest (à partir de 23/644) étaient les cibles des dirigeants de Fustāt, ce qui nécessitait une armée toujours au point. D’où aussi l’interdiction aux soldats de ne pas s’adonner aux activités agricoles car, si le motif principal de cette interdiction était selon Ibn ‘Abd al-Ḥakam la pérennisation de l’impôt foncier, la raison militaire était, elle aussi, d’actualité.

Après avoir présenté ces récits, Ibn ‘Abd al-Ḥakam passe à la description à proprement parler de cette pratique, à savoir l’installation du *jund* dans la campagne selon une organisation très méticuleuse. Dans le texte intitulé *Dhikr murtaba’ al-jund*, l’historien de la conquête donne une liste exhaustive des différents composants tribales du *jund* avec leurs affectations respectives dans

11 Ibn ‘Abd al-Ḥakam, *Futūḥ Miṣr*, 139.

12 Pour la mention des brebis dans le sermon de ‘Amr, voir Ibn ‘Abd al-Ḥakam, *Futūḥ Miṣr*, 140, ligne 15.

13 Ibn ‘Abd al-Ḥakam, 141.

la campagne égyptienne<sup>14</sup>. Ce processus administratif devait obéir à une réglementation consignée par écrit de la part des dirigeants de Fustāt, comme le montre la phrase introductive du chapitre :

Lorsque le printemps et [la saison du] lait arrivait, on autorisait par écrit (kutiba) chaque groupe (qawm) à aller à la pâture et [à la recherche] du lait où bon leur semblait<sup>15</sup>.

Le langage administratif d'Ibn 'Abd al-Ḥakam est précieux pour comprendre les mécanismes de cette pratique. Il insiste sur le fait que cette dernière était consignée par écrit, donc gérée par des administrateurs, et n'obéissait pas au bon vouloir des tribus. Le terme utilisé pour désigner les groupes est très intéressant car, si le terme *qawm* est connu dans la littérature généalogique comme l'une des composantes de la tribu arabe, il a un sens administratif dans le cas précis de Fustāt. Il désigne les habitants d'un même lot d'installation, d'une même *khitta* de Fustāt, par opposition à *'ashīra*, autre terme emprunté au jargon généalogique arabe, désignant les personnes enregistrés dans une même liste administrative dans le *dīwān al-jund* en vue de l'obtention du *'atā'*<sup>16</sup>.

Le texte d'Ibn 'Abd al-Ḥakam donne la liste de vingt-huit *qawms* occupant, pendant le *murtaba'*, vingt circonscriptions et villages égyptiens. Les régions concernées sont le Delta oriental, le Fayyūm/Arsinoé, al-Bahnasā/Oxyrhynchus et Ahnās/Héracliopolis. Des régions proches de Fustāt, mais aussi des régions sous le contrôle administratif du nouveau pouvoir comme l'atteste une abondante documentation papyrologique grecque des années qui suivent la conquête<sup>17</sup>. Quelques remarques sont à tirer de la liste exposée par Ibn 'Abd al-Ḥakam. La première est la présence de tous les groupes installés à Fustāt (mentionnés dans la liste des *khitaṭ*) dans la campagne égyptienne au moment du *murtaba'*, ce qui appuie l'idée d'une pratique administrative dûment organisée

14 Petra Sijpesteijn met l'accent, en se fondant sur le *CPR VIII 74,2* (Arsinoé, 698), sur une organisation militaire du *jund* selon les divisions tribales, Sijpesteijn, *Shaping a Muslim State*, 136 et note 31.

15 Ibn 'Abd al-Ḥakam, *Futūḥ Miṣr*, 141.

16 Bouderbala, "Ġund," 187–190. Notre analyse semble être confirmée par la documentation papyrologique analysée par Petra Sijpesteijn. Elle souligne que c'est bien le terme *qawm* qui est mis en avant dans les papyrus pour désigner un groupe de musulmans, *Shaping a Muslim State*, 151.

17 Voir la synthèse récente de Arietta Papaconstantinou, "Administering the Early Islamic Empire: Insights from the Papyri," dans *Money, Power and Politics in Early Islamic Syria*, éd. John Haldon (Burlington: Ashgate, 2010), 60–69.

par les dirigeants de la capitale. La deuxième est le partage d'une circonscription entre plusieurs groupes : à Atrīb, au nord-est de 'Ayn Shams/Héliopolis, par exemple se trouvaient 'Akk, Fahm, Ḥaḍramawt et Āl Ka'b b. Ḍinna. De même, un même groupe pouvait se répartir sur plusieurs circonscriptions : les Ma'āfir étaient présents à Atrīb, Sakhā et Manūf. Ce double phénomène met l'accent sur le caractère relativement « non-tribal » de l'organisation du *jund* puisque les groupes se trouvaient, comme à Fuṣṭāṭ, mélangés à d'autres qui n'étaient pas de la même « filiation »<sup>18</sup>.

## 2 Une pratique administrative attestée dans la documentation papyrologique ?

Le texte d'Ibn 'Abd al-Ḥakam montre d'une façon claire l'existence de cette pratique dans les années qui ont suivi la conquête ; il détaille ses raisons, ses objectifs et donne une description détaillée de la présence du *jund* dans la campagne égyptienne pendant le printemps. Il est difficile de dire jusqu'à quelle période cette pratique fut appliquée en Égypte. Un seul indice pousserait à croire qu'elle était toujours en vigueur à l'aube du II<sup>e</sup>/VIII<sup>e</sup> siècle. Un vers poème transmis par al-Kindī (m. 350/961), relatant le raid byzantin sur Tinnīs en l'an 102/720, durant lequel un grand nombre de *mawālī* avait laissé la vie, parle du *murtaba'* :

N'as-tu pas pratiqué le *murtaba'* pour que tu sois informé. De ce que les *mawālī* ont enduré à Tinnīs<sup>19</sup>.

Malgré l'importance de cette pratique administrative dans la gestion militaire du *jund*, elle ne se manifeste pas, *expressis verbis*, dans la documentation papyrologique des débuts de l'Islam. Plusieurs documents grecs, nous l'avons dit, mentionnent la présence d'administrateurs arabes dans la campagne, appelés *amiras*, mais cela ressemble plus à une pratique de gestion des affaires fiscales, plutôt que de l'attestation d'une présence militaire du *jund* dans la campagne. Une lettre arabe envoyée par Qurra à Basile a amené les historiens à conclure que le *jund* était aussi présent dans la campagne, d'une façon permanente même puisque la lettre évoquerait un groupe du *jund* vivant dans la

18 Bouderbala, "Ġund," 122–124.

19 Muḥammad b. Yūsuf al-Kindī, *Kitāb al-Wulāt wa kitāb al-quḍāt*, éd. R. Guest, Gibb Memorial Series XIX (Leiden : Brill, 1912), 70.

*kūra* d' Ishqūh pendant quarante ans<sup>20</sup>. Pour expliquer cette anomalie, l'éditeur de ce document, Carl Becker a avancé l'idée que le groupe en question possédait des terres agricoles, qui étaient gérées par le pouvoir local<sup>21</sup>. Insatisfait de l'hypothèse de son prédécesseur, Adolph Grohmann, en republiant le même document, a essayé de rapprocher la fonction de ce groupe du *jund* à celle des buccellaires de l'époque byzantine<sup>22</sup>, ces soldats privés qui apparaissent dans les grands domaines à partir du v<sup>e</sup> siècle<sup>23</sup>. De son côté, Petra Sijpesteijn a avancé l'idée d'un groupe installé à Ishqūh suite à la pratique du *murtaba'*, arguant du fait que cette pratique se serait progressivement transformée en une installation permanente<sup>24</sup>.

La présence permanente du *jund* dans la campagne égyptienne pose problème puisque toutes les analyses – fondées sur la littérature historique de Fustāt, mais aussi sur la documentation papyrologique – montrent que son siège est la ville de Fustāt. Nous proposons ici une révision du passage clé de ce document afin de mieux comprendre la nature de cette présence<sup>25</sup>:

1. ... فَإِنَّ نَاسًا مِنَ الْجُنْدِ  
 2. ذَكَرُوا لِي كِتَابَةً [م-] بِنِ [قَرِيَّتِهِمْ] م  
 3. كَانَتْ تَجْرِي عَلَيْهِمْ مِنْذُ أَرْ  
 4. بَعِينَ سَنَةً ...

1. ... Un groupe du *jund*  
 2. m'a signalé une rétribution de leur [village]  
 3. qui courait pour leur profit depuis  
 4. quarante ans ...

Le terme *qaryatihim* (en gras), qui fait référence au groupe du *jund* et qui laisse à penser que ce dernier était installé dans l'un des villages de la *kūra* d' Ishqūh,

20 *P.Cair.Arab.* III 150.

21 Carl Becker, "Arabische Papyri des Aphroditofundes," *Zeitschrift für Assyriologie* 20 (1906): 95.

22 Adolph Grohmann, *Arabic Papyri from the Egyptian Library*, vol. 3 (Cairo: Egyptian Library Press, 1938), 20–21.

23 Jean Gascou, "L'institution des buccellaires," *Bulletin de l'Institut français d'archéologie orientale* 176 (1976): 143.

24 Sijpesteijn, *Shaping a Muslim State*, 86 et note 249.

25 Nous renvoyons ici à l'édition de Becker, "Arabische Papyri," 94, car elle est un peu différente de celle de Grohmann comme nous le verrons.

a été restitué par Carl Becker, comme le montre les crochets droits ; il ne figure pas dans le texte originel. Il ne s'agit donc que d'une interprétation personnelle de la part du papyrologue pour donner sens à cette requête. Elle trouve son origine dans la lecture des lignes 13–16 du même document :

.13 [ف]بلا تقدّم [م]ـن قرية من كو[رتك]

.14 إلّا سألت أهل[ها]

.15 عمّا في قريتهم من تلك ا

.16 لكتابة، ولن هي ...

13. Ne laisse aucun village de ta circonscription
14. sans demander ses habitants
15. s'il existe dans leur village une trace de cette
16. rétribution, et à qui appartient-elle ...

Carl Becker a cru, si notre analyse est bonne, que le village dont il est question dans ce dernier passage renvoie à celui du *jund*, ou plutôt au village où vivait ce groupe du *jund*, d'où l'interprétation du *mīm* final de la ligne 7 du document comme le pronom possessif indiquant le village des soldats en question. Or, le village dont il est question dans la ligne 15 renvoie à des habitants égyptiens que Basile devait questionner au sujet de la *kitba*. Quant à Adolph Grohmann, il ne semble pas prêter attention à la reconstruction de son prédécesseur puisqu'il la valide, en enlevant même de son édition le *mīm* final de la ligne 7 qui légitime le choix du terme *qaryatihim*<sup>26</sup>. Certes, le *jund* touchait une rétribution perçue directement dans la *kurā* d'Ishqūh, mais n'y habitait sans doute pas. Le contenu de la requête nous semble avoir été le suivant : Qurra, en arrivant à Fuṣṭāṭ, devait faire face à une situation turbulente au sein du *jund*, comme le laisse à croire un passage d'al-Kindī : cherté des denrées, conflit avec les principaux chefs et notables du *jund*<sup>27</sup>. La première mesure qui s'imposait était donc le retour au calme, l'apaisement, qui passe nécessairement par le paiement des soldes. Le groupe en question vient réclamer sa paie au gouverneur qui ne trouve aucune trace de son enregistrement dans le *dīwān al-jund*, comme le montre l'expression suivante :

26 Dans une note de lecture, il admet que le *mīm* est toujours lisible, mais il ne le transcrit pas dans l'édition, Grohmann, *Egyptian Library*, 20, note 6.

27 al-Kindī, *Wulāt*, 59–63.

... ولم نجد أي شيء من الكتب

... Et nous n'avons trouvé aucun document [prouvant le dire du *jund*].

Ce groupe prétendait toucher une rétribution provenant de la *kūra* d'Ishqawh, sans en connaître le village précis. D'où les ordres de Qurra adressés à Basile de faire une enquête dans tous les villages d'Ishqūh pour trouver trace de cette rétribution qui courait depuis quarante ans. Il est à rappeler que la date du document est rabī' 1<sup>er</sup> 90/janvier-février 709, à peine quelques jours après la prise de fonction de Qurra le 13 rabī' Ier 90/30 janvier 709. Si ce document ne concerne aucunement une présence d'une partie du *jund* dans la campagne, en l'occurrence Ishqūh, il montre en revanche un système de rétribution décentralisé puisque les soldats pouvaient toucher leur '*atā*' directement des contribuables, sans passer par l'administration centrale qui devait d'abord collecter l'impôt en espèce pour en distribuer une partie au *jund*. Les documents postérieurs à *P.Cair.Arab.* III 150 le prouvent puisque Qurra incite Basile à envoyer l'argent à Fustāt, pour qu'il puisse rétribuer le *jund*. Les réformes de centralisation amorcées par 'Abd al-Malik (r. 65–86/685–706)) ne semblent donc se concrétiser que sous le califat d'al-Walīd (r. 86–96/705–715), tout comme l'arabisation de l'administration<sup>28</sup>.

Pour essayer de détecter les traces de la pratique du *murtaba'* dans la documentation papyrologique, il convient de se concentrer sur les documents datant des années qui suivent immédiatement la conquête. Si l'on en croit Ibn 'Abd al-Ḥakam, le *murtaba'* a été appliqué tout de suite après la fondation de Fustāt et l'installation du *jund* dans les *khiṭaṭ*. De plus, il se pratiquait dans des régions qui ont fourni une importante documentation papyrologique des années qui suivirent la conquête, à savoir le Fayyūm/Arsinoé, Ahnās/Héracléopolis et Bahnasā/Oxyrhynchus. Notre intérêt se portera sur un dossier composé de cinq documents – quatre en grec et un bilingue, arabe-grec – émanant tous d'un administrateur musulman du nom de 'Abd Allāh b. Jābir (ou Jabr) durant la période comprise entre décembre 642 et décembre 643. Ces documents ont

28 La correspondance de Qurra avec Basile a incité les chercheurs à conclure à une centralisation totale de l'opération fiscale, Hugh Kennedy, *The Armies of the Caliphs: Military and Society in the Early Islamic State* (London: Routledge, 2001), 67. Cela est vrai, mais il convient de voir dans le début du mandat de Qurra, nommé par le calife al-Walīd, le début d'une mise en place rigoureuse de cette politique. Voir à ce sujet Arietta Papaconstantinou, "The Rhetoric of Power and the Voice of Reason: Tension between Central and Local in the Correspondence of Qurra ibn Sharīk," dans *Official Epistolography and the Language(s) of Power*, éd. Stephan Prohatzka, Lucian Reinfandt et Sven Tost (Vienne: Österreichischen Akademie der Wissenschaften, 2015), 267–281.

été tous publiés par Adolph Grohmann<sup>29</sup>, et analysés tout récemment par Federico Morelli dans un article dont il convient de rappeler les principales conclusions<sup>30</sup>.

Rappelons l'objectif de cette dernière étude: il s'agit de comprendre et d'analyser les titres que portaient les administrateurs arabes tout de suite après la conquête, puisque le *amiras* (titre grec de 'Abd Allāh dans la partie grecque du document bilingue) ne correspond pas à *amīr* (traduction proposée par Adolph Grohmann dans son édition)<sup>31</sup>. Federico Morelli fait d'abord un constat important: les quatre documents grecs sont des demandes de réquisition de produits alimentaires et autres, tandis que le bilingue est un reçu de livraison<sup>32</sup>. Selon le papyrologue, l'existence du texte arabe en plus du grec se justifie uniquement par le fait qu'il devait être lu par des Arabes, tandis que les autres documents grecs émanant de 'Abd Allāh ne nécessitaient pas une traduction puisqu'ils étaient destinés à des fonctionnaires helléno-phones. En dernière analyse, il indique que le problème du choix des titres est à examiner d'une part selon les rapports entre conquérants et conquis et d'autre part selon les relations à l'intérieur de la communauté musulmane elle-même<sup>33</sup>.

Malgré ces conclusions, il nous semble judicieux de poser à nouveau le problème de l'existence du texte arabe dans le SB VI 9576 en avançant l'hypothèse d'un document rédigé suite à une réquisition faite lors d'une pratique du *murtaba'*. Tout d'abord, il nous paraît incontestable que le texte arabe doit son existence, non pas pour être lu par des Arabes, mais à la présence d'un groupe arabe à Ahnās/Héracléopolite en jumāda 1<sup>er</sup> 22/avril 643. Les deux textes, grec et arabe, le montrent clairement:

Texte grec: *De moi amiras 'Abd Allāh, à vous, Christophoros et Theodorakios, pagarques de Héracléopolite. Pour l'entretien des Sarrasins qui sont avec moi, je vous ai pris à Héracléopolite ...*

29 SB VI 9576 (bilingue, Héracléopolite, 25 avril 643), SB VI 9577 (Héracléopolite, 26 janvier 643), SB VI 9578 (Héracléopolite, 29 novembre 643) et SB VIII 9572 (Héracléopolite, 643), voir Adolph Grohmann, "Aperçu de papyrologie arabe," *Études de Papyrologie* 1 (1932), 40–46.

30 Federico Morelli, "Consiglieri et comandanti: I titoli governatore arabo d'Egitto *symboloulos* et *amīr*," *Zeitschrift für Papyrologie und Epigraphik* 173 (2010): 158–174.

31 Le premier à avoir soulevé la question est Robert Hoyland, "New Documentary Texts and the Early Islamic State," *Bulletin of the School of the Oriental and African Studies* 69 (2006): 401.

32 Morelli, "Consiglieri et comandanti," 162.

33 Morelli, 182.

Texte arabe : *Voici ce qu'a pris 'Abd Allāh b. Jabr et ses compagnons ... à Ahnās ...*

Les documents grecs émis par le même 'Abd Allāh concernaient des demandes de réquisitions, sans que l'on sache à partir de quel endroit il envoyait ses ordres (de Fustāt?). Ces documents ne permettent pas de répondre à cette question. En revanche, le document bilingue montre que la réquisition s'est faite en présence de 'Abd Allāh et ses compagnons, *aṣḥābihi*. Ceci nous amène à poser la question suivante : quel était le motif de leur présence à Ahnās/Héracléopolis en avril 643 ?

Adolph Grohmann attribue cette présence à une campagne militaire arabe lancée vers la Moyenne-Égypte. Il ne donne cependant aucune explication. Il semble que pour Grohmann les expressions *katā'ibi*, traduite par cavalerie, *tuqlā'ihī*, traduite par infanterie cuirassée, et enfin *sufunihi*, traduite par vaisseaux, impliquaient l'idée d'une armée en mouvement, en expédition.

Plusieurs éléments nous permettent de douter du bien-fondé des traductions et, par conséquent, des analyses de Grohmann. D'abord, ce détachement armé ferait une expédition, mais où ? Si l'on se réfère aux documents papyrologiques, ainsi qu'aux études sur la conquête, on s'aperçoit que, en avril 643, la Moyenne-Égypte était déjà conquise<sup>34</sup>. Bien plus, elle était soumise à un contrôle de la part du nouveau pouvoir, comme le montrent les archives de Senouthios, provenant de Ashmūnayn/Hermopolis (années 640) et publiées récemment par Federico Morelli<sup>35</sup>. Selon la documentation papyrologique, l'administration arabo-musulmane d'Égypte contrôlait de fait la totalité de la Moyenne-Égypte bien avant la réquisition faite à Ahnās/Héracléopolis, ce qui fragilise l'analyse de Grohmann<sup>36</sup>.

Plusieurs éléments du texte arabe convergent vers l'idée d'une réquisition faite, nous l'avons dit, pendant le *murtaba' al-jund*. D'abord, le lieu, Ahnās/Héracléopolis, décrite par Ibn 'Abd al-Ḥakam comme l'un des principaux lieux où le *jund* effectuait sa sortie printanière<sup>37</sup>. Ensuite le deuxième élément, la

34 Alfred Butler, *The Arab Conquest of Egypt and the Last Thirty Years of Roman Dominion*, 2nd ed. (Oxford : Oxford University Press, 1978), 318–319 ; Nikolas Gonis, "P. Paramone 18 : Emperors, Conquerors and Vassals," *Zeitschrift für Papyrologie und Epigraphik* 173 (2010) : 133–135.

35 Morelli, *L'archivio di Senouthios*, 16–17.

36 Voir les analyses de Jean Gascou, "De Byzance à l'Islam : les impôts en Égypte après la conquête arabe," *Journal of the Economic and Social History of the Orient* 26 (1983) : 101.

37 Ibn 'Abd al-Ḥakam, *Futūḥ Miṣr*, 141 : *wa kānat al-qurā allatī ya'khudu fihā 'uḍmuhum ... Ahnās*. Les [principaux] villages où la plupart [du *jund*] pratiquait [le *murtaba'*] sont ... Ahnās.



date : avril, au printemps. Des éléments plus décisifs permettent de consolider cette hypothèse. La mention de chevaux, le motif essentiel de la pratique du *murtaba'*, et de brebis, l'objet de la réquisition (soixante-cinq), qui constituent l'un des produits destinés à être consommés par le *jund*, comme le montrent les récits et le sermon présenté plus haut. L'expression *tuqlā'ihī*, traduite par infanterie cuirassée par Grohman (qui se réfère à Dozy), peut avoir un autre sens. Selon Ibn Durayd, elle signifie ce que l'on transporte à dos de bête<sup>38</sup>. Cette expression est citée dans le sermon de 'Amr quand il évoque ce que la campagne égyptienne offrait comme vivres au *jund* pendant le *Murtaba'* : « *wa bihā maghānimukum wa atqālukum*, Dans cette campagne se trouvent vos butins et vos vivres<sup>39</sup> ».

D'après notre analyse, il convient donc de considérer les Arabes présent à Ahnās/Héracléopolis comme un groupe du *jund*, commandé par 'Abd Allāh b. Jabr, et pratiquant leur *murtaba'* annuel. Un texte de al-Maqrīzī, à propos du *murtaba'*, confirme cette façon d'opérer :

Les Compagnons se sont installés à Fustāṭ et à Alexandrie, et ont laissé la plupart des villages égyptiens entre les mains des Coptes. Aucun musulman n'a habité ces villages, il y avait seulement un contingent qui se rendait en Haute Égypte. Au printemps, les soldats, commandés par des chefs, se dispersaient dans les villages pour le pâturage des bêtes<sup>40</sup>.

Si nous soutenons que le *jund* présent à Ahnās/Héracléopolis l'était dans le cadre du *murtaba'*, il faut attribuer à 'Abd Allāh ainsi qu'à ses compagnons une appartenance tribale à Ḥimyar ou à Khawlān, les deux *qawms* qui pratiquaient leur *murtaba'* dans la région d'Ahnās/Héracléopolis, selon la description d'Ibn 'Abd al-Ḥakam. Ibn Yūnus (m. 347/958), rédacteur du premier dictionnaire biographique de Fustāṭ, mentionne un certain 'Abd Allāh b. Jabr al-Ḥajrī al-Ḥimyarī, ayant vécu dans la première moitié du 1<sup>er</sup>/VII<sup>e</sup> siècle<sup>41</sup>. Inutile de rappeler que les dictionnaires biographiques ne s'intéressaient qu'aux personnes ayant joué un rôle important dans l'histoire de la cité, voire du pays. S'agit-il du même 'Abd Allāh mentionné dans le bilingue ?

38 Muḥammad b. al-Ḥasan Ibn Durayd, *Jamharat al-lughā*, éd. M. Baalbaki (Beyrouth : Dār al-ʿIlm lil Malayīn, 1987), 430 : متاع القوم وما حملوه على دوابهم.

39 Ibn 'Abd al-Ḥakam, *Futūḥ Miṣr*, 140.

40 Aḥmad b. 'Alī al-Maqrīzī, *al-Mawā'iz wa al-ʿtibār bi dīkr al-khiṭaʿ wa al-ātār*, éd. A. Sayyid (London : Dār al-Furqān, 2002–2004), vol. 4, part. 1, 48.

41 'Abd al-Raḥmān b. Sa'īd Ibn Yūnus, *Tārīkh Ibn Yūnus*, éd. 'A. Faṭḥī (Beyrouth : Dār al-kutub al-ʿIlmiyya, 2000), 1:522.

Une autre question demande à être élucidée: la nature de la fonction de 'Abd Allāh. Les textes grecs le décrivent comme *un amiras* mais ne donnent pas d'autre précision. Il a le pouvoir d'ordonner des réquisitions, de fournir à des troupes des repas, etc. Des tâches davantage administratives que militaires en somme, mais effectuées depuis Fustāṭ ou sur place? Si l'on accepte que 'Abd Allāh commandait son *qawm* de Ḥajr pendant leur *murtaba'* à Ahnās/Héracléopolis, sa fonction devrait être le '*arīf*' de Ḥajr, le gestionnaire administratif des membres de Ḥajr, habitant dans la *khiṭṭa* qui leur était attribuée à Fustāṭ. Pour mieux comprendre l'essence de cette fonction, il convient de rappeler les mécanismes de l'administration militaire, le *dīwān al-jund*.

La distribution du '*aṭā'*, la gestion des affaires courantes et l'arbitrage entre les membres d'un groupe du *jund*, vivant dans le même quartier, (le *qawm* dans le langage administratif du *dīwān* égyptien) étaient des tâches relevant du '*arīf*'. Selon Fred Donner, cette fonction existait du temps du Muḥammad et des premières conquêtes, quand le '*arīf*' était en charge d'une unité de dix à quinze hommes. Puis, cette fonction se transforma pour devenir plus « administrative »<sup>42</sup>. À Fustāṭ, le '*arīf*' gérait, outre la distribution du '*aṭā'*', les questions matérielles en tout genre, comme la gestion de l'argent des orphelins jusqu'à ce qu'ils atteignent l'âge adulte. Un important récit rapporté par Ibn 'Abd al-Ḥakam montre le '*arīf*' d'un certain quartier de Fustāṭ en plein conflit avec le gouverneur umayyade d'Égypte et demandant l'aval du calife pour déplacer son *qawm* en Palestine<sup>43</sup>. La fonction du '*arīf*' est une fonction clef, il est le responsable administratif par excellence, gérant les questions matérielles du *jund* et représentant le trait d'union entre les différentes composantes de l'armée et le gouvernement<sup>44</sup>. C'est pour cette raison que nombre d'historiens ont vu dans le '*arīf*' un contre-pouvoir aux chefs tribaux, les *ashrāf*<sup>45</sup>.

Avec de telles responsabilités administratives, le '*arīf*' pouvait naturellement prétendre au rôle *de amiras* de cet administrateur en lien direct avec les pagarques des différentes circonscriptions administratives d'Égypte. Les données nous manquent pour approfondir davantage cette analyse, mais il semble très probable que ces fonctionnaires représentaient l'ossature de l'administration musulmane d'Égypte à ses débuts.

42 Fred Donner, *The Early Islamic Conquests* (Princeton: Princeton University Press, 1981), 40.

43 Ibn 'Abd al-Ḥakam, *Futūḥ Miṣr*, 124.

44 Bouderbala, "Ġund," 261–268.

45 Kennedy, *Armies*, 22.

### 3 *Manzil al-qabā'il*: Installation tribale dans la campagne égyptienne au lendemain de la conquête

S'il l'on reprend le texte d'al-Maqrīzī, cité plus haut, et corroboré par les historiens modernes, on constate que le schéma appliqué par le nouveau pouvoir arabo-musulman en Égypte interdisait, au début, toute possession de terres agricoles par le *jund*. Il faut attendre, selon l'historien mamelouk, le début du 11<sup>e</sup>/VIII<sup>e</sup> siècle quand l'intendant des finances 'Ubayd Allāh b. al-Ḥabḥāb (en poste 105–116/724–734) transfère de nombreuses familles qaysites de la campagne syrienne dans le Delta oriental<sup>46</sup>. Sous le titre de *Dhikr nuzūl al-'Arab bi-rīf Miṣr wa-ittikhādihim al-zar' mā'āsh*<sup>47</sup>, «Mention de l'implantation des Arabes dans la campagne égyptienne et de leur adoption de l'agriculture comme mode de vie,» al-Maqrīzī suppose que cette installation est la première en son genre dans l'Égypte musulmane et que, avant cette mesure, il n'y avait pas d'implantation arabe notable dans la campagne.

Bien entendu, les Arabes ont dû pénétrer la campagne très tôt, comme le montrent de nombreux documents grecs d'époque umayyade. Un document grec daté de 699/700, mentionnant des vignobles appartenant au *protosymbulos* – terme grec qui désigne le calife<sup>48</sup>, en l'occurrence 'Abd al-Malik b. Marwān (r. 65–86/685–705) – constitue la plus ancienne preuve de possession de domaines agricoles par les Arabes en Égypte<sup>49</sup>. Toutefois, ce document n'implique pas nécessairement une implantation arabe puisque le domaine en question aurait pu être géré par des paysans égyptiens travaillant pour le compte du calife. Des personnes portant des noms arabes ou musulmans commencent à apparaître dans la documentation papyrologique à partir du VIII<sup>e</sup> siècle, mais, comme le suggère Petra Sijpesteijn, il est plus probable qu'ils soient des coptes convertis, plutôt que des Arabes «de souche»<sup>50</sup>.

Indispensable pour l'étude du régime fiscal égyptien, de la composition de la catégorie des contribuables et des changements survenus dans la population rurale d'Égypte, la documentation papyrologique ne répond pas encore à la question de la présence de tribus arabes dans la campagne égyptienne au tout début de l'Islam<sup>51</sup>. Il faut revenir, à nouveau, au texte d'Ibn 'Abd al-Ḥakam

46 al-Kindī, *Wulāt*, 76–77; Petra Sijpesteijn, "Landholding Patterns in Early Islamic Egypt," *The Journal of Agrarian Change* 9 (2009): 129.

47 al-Maqrīzī, *Khīṭaṭ*, I, 214.

48 Morelli, "Consiglieri et comandanti," 195.

49 *CPR* VIII 82 = *SB* VI 9460, 5 (Provenance: Fayyūm/Arsinoé, 699 ou 700).

50 Sijpesteijn, "Landholding," 128.

51 C'est le constat tiré par Petra Sijpesteijn, à la suite de ses investigations papyrologiques,

pour détecter la présence d'un tel phénomène dès la fin de la conquête. Cela nécessite que l'on applique la même méthode que celle employée dans l'étude du *murtaba'*, à savoir l'analyse des termes techniques choisis par Ibn 'Abd al-Ḥakam dans ses récits.

Le chapitre du *murtaba'* se compose de deux parties distinctes. Une première partie est destinée exclusivement à la description de la répartition géographique du *jund* pendant le *murtaba'*. Elle commence par le verbe *qāla*, il (Ibn 'Abd al-Ḥakam) a dit<sup>52</sup>, elle est homogène et continue, elle n'est jamais coupée par l'intervention du transmetteur du texte. Ensuite, une deuxième partie qui débute avec le même verbe *qāla*, qui montre qu'Ibn 'Abd al-Ḥakam passe à un autre sujet, différent de celui du *murtaba'*. En voici le récit :

Mudlij s'est établi (aqāmat) à Kharibtā et l'a pris comme résidence (manzil); avec les Mudlij, il y avait leurs alliés de Ḥimyar, [du clan] de Dhuhān et d'autres, et c'était [Kharibtā] leur habitat. Quant à Khushayn et des groupes de Lakhm et de Judhām, ils retournèrent et élirent domicile (nazalū) dans les terroirs de Ṣān, Iblīl et Ṭarābiya, mais ils ne durèrent pas [dans cette région]. Qays n'avait pas une installation ancienne dans le Delta Oriental, mais c'est Ibn al-Ḥabḥāb qui les a implantés (anzalahum)<sup>53</sup>.

Le contenu de ce paragraphe est totalement différent de la description du *murtaba'*. Alors que dans la description de la pratique administrative, Ibn 'Abd al-Ḥakam utilise les termes *akhadha*, «prendre», pour signifier la sortie printanière, et *qawm* pour désigner les groupes du *jund*, il change de lexique dans la description relative à l'installation des tribus mentionnées dans la deuxième partie : il s'agit de tribus, *qabā'il* et non de *qawm*; de même qu'il s'agit de *nuzūl* et non de *akhdh*. Les villages cités dans ce texte sont décrits comme des résidences, *manāzil*, sing. *manzil*, et qui montre une prise de possession des terres, une installation durable, une sédentarisation rurale. De même, la mention du cas des tribus qaysites, en insistant sur le fait que leur installation n'est pas ancienne, prouve qu'Ibn 'Abd al-Ḥakam parle, pour les tribus évoquées – Mudlij, Ḥimyar, Khushayn, Lakhm et Judhām – d'une sédentarisation remontant à la première période, et d'une possession de terres par les tribus en question,

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"Landholding," 124–125: "While papyri record soldiers and Arab officials moving through the countryside, there is hardly any evidence for more permanent Arab settlement before the eighth century."

52 Ibn 'Abd al-Ḥakam, *Futūḥ Miṣr*, 141 (à partir de la ligne 16) et 142 (jusqu'à la ligne 14).

53 Ibn 'Abd al-Ḥakam, 142–143.

ce qui rompt avec le schéma traditionnel présenté par les sources en ce qui concerne le *jund*: habitat à Fustāṭ et Alexandrie, interdiction de posséder des terres et de s'adonner à l'agriculture. La nuance est justement dans la différence entre le *jund*, groupe militaire inscrit dans le *dīwān* et soumis à l'autorité du gouvernement, et les tribus installées dans le Delta occidental (Kharibtā<sup>54</sup>) et le Delta oriental, échappant au système administratif du *dīwān*.

La tribu de Mudlij n'est à aucun moment citée parmi les composantes du *jund* qui avaient reçu un lot d'installation à Fustāṭ. Durant tout le I<sup>er</sup>/VII<sup>e</sup> siècle, aucune personne portant la *nisba* généalogique de Mudlij n'est citée dans la littérature historique de Fustāṭ. En revanche, la tribu de Mudlij est citée comme résidente à Kharibtā durant les événements de la Grande Discorde, première guerre civile musulmane déclenchée suite à l'assassinat du calife 'Uthmān b. 'Affān en 35/656<sup>55</sup>. Al-Kindī dit que la *shī'a* de 'Uthmān, les partisans du calife assassiné, trouvèrent refuge dans le village de Kharibtā<sup>56</sup>, où il avance le chiffre de dix mille personnes. Ce nombre élevé, qu'il soit vrai ou faux, ne représente pas la frange du *jund* qui a quitté Fustāṭ pour se réfugier dans le Delta occidental<sup>57</sup>. Il est évident que les partisans de 'Uthmān ne se comptaient que par dizaines, quelques centaines tout au plus. Il s'agit de quelques commandants militaires du *jund* qui avaient désapprouvé l'assassinat du calife et, voyant leur vie menacée à Fustāṭ, se sont réfugiés à Kharibtā. Quand le nouveau calife 'Alī b. Abī Ṭālib (r. 35–40/656–661) somme son gouverneur d'Égypte, Qays b. Sa'd al-Anṣārī (en poste rabi' 1<sup>er</sup> 37-rajab 37/août 657-décembre 657), d'en découdre avec les « rebelles » installés à Kharibtā, Qays lui répond qu'il s'agit des « notables de Fustāṭ, *wujūh ahl Miṣr wa-ashrāfuhum* »<sup>58</sup>, il parle bien d'une minorité, d'une élite ayant quitté Fustāṭ pour se réfugier dans le village en question. Cela implique la présence d'une tribu assez forte, capable de

54 Sur cette région, voir Shihāb al-Dīn al-Ḥamawī Yāqūt, *Mu'jam al-buldān* (Beyrouth: Dār Ṣādir, 1977), 2:355.

55 Sur les événements de *Fitna* de 'Uthmān, voir Martin Hinds, "The Murder of the Caliph 'Uthmān," *International Journal of Middle East Studies* 3 (1972): 450–469; Hichem Djaït, *La Grande Discorde: religion et politique dans l'Islam des origines* (Paris: Gallimard, 1990), 138–155.

56 al-Kindī, *Wulāt*, 19. Leurs chefs de file étaient Mu'āwiya b. Ḥudayj al-Tujībī (m. 52/671) et Maslama b. Mukhallad al-Anṣārī (d. 62/681), deux éminents chefs du *jund*, amenés à jouer un rôle de premier plan en Égypte après la victoire de Mu'āwiya et l'avènement de la dynastie umayyade au Califat, voir Djaït, *Discorde*, 316; Hugh Kennedy, "Egypt as a Province in the Islamic Caliphate, 641–868," dans *The Cambridge History of Egypt*, vol. 1, éd. Carl Petry (Cambridge: Cambridge University Press, 1997), 68.

57 al-Kindī, *Wulāt*.

58 al-Kindī, 21.

leur offrir sa protection, son *jīwār*<sup>59</sup>. La suite du récit d'al-Kindī montre qu'il s'agit bien de la tribu de Mudlij, absente de la composition du *jund*. Quand 'Alī, désespéré de la passivité de Qays b. Sa'd à l'égard des rebelles de Kharibtā, le limoge et nomme à sa place Muḥammad b. Abī Bakr (en poste rajab 37-ṣafar38/décembre 657-juillet 658), fils du premier calife de l'Islam et principal artisan de l'assassinat de 'Uthmān, Qays procure à son successeur le conseil suivant : « Laisse ce groupe de Mudlij en paix pour qu'ils t'épargnent leur hostilité »<sup>60</sup>. Al-Ṭabarī est encore plus explicite quant à une présence massive des Mudlij à Kharibtā et il donne des nouvelles informations très intéressantes :

Les gens ont prêté allégeance [à Qays b. Sa'd] et toute l'Égypte lui a obéi ; il a envoyé partout ses agents, à l'exception d'un village appelé Kharibtā, dans lequel se trouvaient des gens qui se sont indignés du meurtre de 'Uthmān. Il y a avait un homme de Banū Mudlij de Kināna, qui s'appelle Yazīd b. al-Ḥārith, des Banū al-Ḥārith b. Mudlij. Ces gens ont écrit à Qays : Nous ne te combattons pas, tu peux envoyer tes agents [car] la terre est la tienne. En revanche, laisse-nous sur notre position en attendant de voir ce qui va advenir<sup>61</sup>.

Si le texte d'al-Ṭabarī confirme que la force tribale à Kharibtā est composée des Banū Mudlij, il incite à croire que cette tribu, des terres agricoles, était sujette à l'impôt foncier puisqu'il s'agit d'envoyer un agent du gouverneur pour contrôler le rendement de la terre en vue d'évaluer l'impôt. L'interprétation d'al-Ṭabarī, qui tire son information d'Abū Mikhnaf (m. 157/773), est probablement une lecture apocryphe de l'évènement, dans le sens d'une interprétation tardive du statut fiscal des terres agricoles appartenant aux Arabes de ce village. Il n'empêche que l'information est trop précieuse pour être rejetée : elle confirme le statut des Banū Mudlij (propriétaires terriens) et suppose qu'ils étaient, comme les contribuables égyptiens, sujets à l'impôt foncier. Cela nous amène à nous poser la question suivante : par quel moyen les Banū Mudlij sont devenus, au lendemain de la conquête, propriétaires terriens ?

59 Sur le *jīwār*, pratique tribale anté-islamique, consistant à héberger une personne en danger et lui offrir sa protection, voir Muḥammad b. Makram Ibn Manzūr, *Lisān al-'Arab* (Beyrouth : Dār Ṣādir, 1997), IV, 155.

60 al-Kindī, *Wulāt*, 27.

61 Muḥammad b. Jarīr al-Ṭabarī, *Tārīkh al-rusul wa al-mulūk*, éd. M. Ibrāhīm (Cairo : Dār al-Ma'ārif, 1967), 4 : 549.

Nous avons dit, dans la partie relative à la description du *murtaba*<sup>62</sup>, que le grand absent géographique de cette pratique est le Delta occidental, ce qui est étrange eu égard à la proximité des villages de Fustāṭ et la fertilité de leurs terres. Pour essayer de comprendre les raisons de cet état de fait, il convient de revenir aux circonstances mêmes de la conquête arabe, et plus particulièrement de celle du Delta occidental.

D'après le schéma avancé par Ibn 'Abd al-Ḥakam, la conquête pouvait se faire par traité ou par force. Dans le premier cas, il est stipulé que les régions qui se sont rendues sans combattre bénéficient d'un traité de paix garantissant leur liberté de culte et leurs propriétés en contrepartie du paiement d'un impôt, la *jizya*, qui a deux facettes : une sur les têtes, et une sur les terres<sup>63</sup>. Dans le second cas, si une région combat les musulmans et qu'elle ne se soumet que par la violence des armes, elle devient un butin de guerre, un *fay*' pour reprendre le terme juridique inspiré du Coran<sup>64</sup>. Cela implique que terres et personnes deviennent la propriété du vainqueur<sup>64</sup>. Le problème s'est d'abord posé en Irak tel que décrit par Ṭabarī, quand les soldats ayant conquis les anciens territoires sassanides ont voulu s'emparer les domaines délaissés par leurs propriétaires en fuite, le *Ṣawāfi*<sup>65</sup>. Les sources nous relatent les conflits qui se déclenchèrent alors à Médine entre les principaux conseillers du calife 'Umar : certains étaient pour le partage de ces domaines entre les soldats, arguant du fait que, selon la loi arabe de la guerre, les vaincus et leurs propriétés deviennent un butin, une *ghanīma* destinée à être partagée entre les vainqueurs<sup>66</sup> ; tandis que d'autres étaient pour la non-dispersion de la propriété terrienne et de son maintien aux mains de leurs possesseurs pour pérenniser l'impôt foncier. La solution imaginée par 'Umar, qui se trouve à l'origine de la création du *dīwān al-jund*, est la suivante : en recourant à une interprétation personnelle d'un verset de la sourate *al-ḥaṣhr*, mentionnant, parmi les bénéficiaires du *fay*', « ceux qui

62 Ibn 'Abd al-Ḥakam, *Futūḥ Miṣr*, 154.

63 Sur la notion de *fay*', voir Frede Lokkegaard, *Islamic Taxation in the Classical Period* (Copenhague : Porcupine Press, 1950), 38–46 ; Hichem Djaït, *al-Kūfa : naissance de la ville islamique* (Paris : Maisonneuve et Larose, 1986), 58–63 ; Kennedy, "Financing of the Military," 363–364.

64 Sur ces questions, voir essentiellement Albercht Noth, "Zum Verhältniss von kalifaler Zentralgewalt und Provinzen un umayyadischer Zeit : die "Sulh-'anwa Traditionen für Agypten und den Iraq," *Die Welt des Islams* 14 (1973) : 150–162 ; Alfred-Louis de Prémare, *Les fondations de l'Islam : entre écriture et histoire* (Paris : Seuil, 2002), 214–215. Plus connectée au statut des terres agricoles, voir l'étude de Kosei Morimoto, "Muslim Controversies Regarding the Arab Conquest," *Orient* 13 (1977) : 89–105.

65 al-Ṭabarī, *Ta'riḫh*, 3 : 586–587.

66 al-Ṭabarī, 4 : 30.

sont venus après eux », 'Umar identifie dans ce passage les générations futures des musulmans à qui l'État devrait songer et s'oppose par conséquent à la distribution des terres sur les soldats<sup>67</sup>. De là est né le concept du *'aṭā'*, cette rétribution pérenne de l'État à tout individu musulman. De la sorte, l'État musulman se pose en médiateur entre les soldats, un garant de la bonne distribution des fruits de la conquête sur ses bénéficiaires<sup>68</sup>. Qu'il soit le reflet d'une réalité historique, ou une interprétation tardive de la part des juristes musulman, ce schéma semble avoir dominé l'organisation militaro-fiscale du Califat à ses débuts<sup>69</sup>. Malgré cela, nombreux sont les soldats qui ont reçu des terres de *Ṣawāfi* et sont devenus, par conséquent, propriétaires terriens, d'où la distinction faite par Sayf b. 'Umar (m. 180/796) entre le *ahl al-'aṭā'* et le *ahl al-fay'*<sup>70</sup>.

Revenons à l'Égypte. Ibn 'Abd al-Ḥakam, dans ses tentatives de mettre de l'ordre dans les récits contradictoires se rapportant à la nature de la conquête (par force ou par traité), avance que les seuls villages qui ne sont pas rendus pacifiquement sont Sulṭays, Maṣil et Balhīb, tous dans le Delta oriental. Ils se sont rangés du côté des Byzantins et ont combattu les musulmans qui proclamaient : « ceux-là [les trois villages], avec Alexandrie, sont notre *fay'* ». Informé par 'Amr, le calife 'Umar ordonne à son gouverneur « de faire d'Alexandrie et de ces trois villages les protégés (*dhimmā*) des musulmans, de leur imposer l'impôt foncier pour que ce dernier soit, avec celui obtenu par traité avec les coptes, une force pour les musulmans contre leur ennemi. Ils ne doivent être ni un *fay'* [en ce qui concerne les terres], ni des esclaves [en ce qui concerne les habitants de ces trois villages] »<sup>71</sup>.

Le même problème irakien s'est donc bel et bien posé en Égypte, plus particulièrement dans le Delta occidental. Au-delà de l'aspect juridique de la question et du probable caractère apocryphe de la décision du calife<sup>72</sup>, il paraît clair

67 Abū Yūsuf Ya'qūb, *Kitāb al-Kharāj* (Beyrouth : Dār al-Ma'rifa, 1979), 23–25 ; Abū 'Ubayd al-Qāsim Ibn Sallām, *Kitāb al-amwāl*, éd. M. 'Imāra (Le Caire : Dār al-Shurūq, 2009), 125–130 ; Aḥmad b. Yaḥyā al-Balādhurī, *Futūḥ al-buldān*, éd. 'A.A. al-Ṭabbā (Beyrouth : Mu'assasat al-Risāla, 1986), 371–372.

68 Dja'it, *al-Kūfa*, 60 ; Kennedy, "Financing of the Military," 364.

69 Dja'it, *al-Kūfa*, 60.

70 al-Ṭabarī, *Ta'rikh*, 3:615–616 ; Dja'it, *al-Kūfa*, 61.

71 Ibn 'Abd al-Ḥakam, *Futūḥ Miṣr*, 83. Sur la nature de la conquête, et l'histoire du traité signé entre conquérants et conquis, voir les remarques de Jean Gascou, "De Byzance à l'Islam," 97–109.

72 Les historiens musulmans ont tendance à ramener toutes les décisions importantes au calife 'Umar, érigé en héros des grandes conquêtes, et pratiquant une politique de centralisation rigoureuse sur les principaux commandants militaires. Sur le cas précis d'Égypte, et la tension entre 'Amr et 'Umar, voir Fred Donner, "Centralized Authority and Military



que certains groupes ont réclamé leur part immédiate du butin, *fay'*, dans le Delta occidental, suite à la résistance des villages mentionnés et leur conquête par la force. Il est peu probable que la décision de 'Umar, si jamais elle s'avère réelle, ait été appliquée. À l'image des *Ṣawāfi* d'Irak, certaines terres égyptiennes ont dû être occupées par une partie de l'armée de conquête; c'est la seule explication possible à la présence de Mudlij dans le Delta occidental. C'est aussi la seule explication logique à son absence de la liste des tribus composant le *jund* à Fustāt. Si le chiffre de dix mille personnes peut paraître exagéré<sup>73</sup>, il témoigne néanmoins d'une présence arabe conséquente à Kharibtā quinze ans après la conquête du pays, pendant les événements de la première guerre civile en Égypte (35/656). En 203/818, al-Kindī signale que les Banū Mudlij comptaient quatre-vingt mille personnes<sup>74</sup>, ce qui témoigne non seulement de leur imposante présence dans la région, mais aussi de la continuité dans l'occupation du sol.

Cette sédentarisation précoce des Arabes en Égypte, probablement par la possession par la force de certains domaines considérés comme butin de guerre, échappe au modèle construit par les sources musulmanes tendant à unifier en quelque sorte l'organisation conçue par 'Umar à Médine, interdisant le *jund* de s'adonner à la vie sédentaire en vue de ce double objectif: pérenniser l'impôt et garder la vocation militaire des conquérants. De nombreuses questions restent en suspens: à quel régime étaient soumis ces nouveaux propriétaires terriens? Payaient-ils l'impôt foncier ou en étaient-ils exempts pour les récompenser de leurs efforts dans la conquête du pays? Quels étaient les rapports qu'ils entretenaient avec leurs voisins «égyptiens»? Quels rapports avaient-ils aussi avec le gouvernement de Fustāt, au-delà des considérations fiscales? Difficile d'aller plus loin dans l'analyse, faute de textes et de traces de ces tribus qui étaient sans doute les premiers éléments d'une acculturation amorcée tout de suite après la conquête de l'Égypte, d'un contact précoce entre Arabes et Égyptiens.

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Autonomy in the Early Islamic Conquests," dans *The Byzantine and Early Islamic Near East*, vol. 3, *States, Resources and Armies*, éd. Averil Cameron (Princeton: Darwin Press, 1995), 347–350.

73 Sur les chiffres avancés par les historiens musulmans, voir Kennedy, *Armies*, 19.

74 al-Kindī, *Wulāt*, 170.

#### 4 Conclusion

L'étude du chapitre du *murtaba' al-jund* d'Ibn 'Abd al-Ḥakam permet donc d'analyser la pénétration précoce des Arabo-musulmans dans la campagne égyptienne. Une pénétration militaire, annuelle et de courte durée, bien organisée par le gouvernement, et une installation permanente de quelques tribus dans le Delta occidental et oriental par une sorte de compromis avec le pouvoir, compromis relatif aux circonstances mêmes de la conquête. Le langage administratif et technique précis de l'historien de la conquête musulmane d'Égypte contribue à identifier la nature même de cette pénétration : ce sont les différents *qawms* de Fustāṭ, groupes composant le *jund* et habitant dans le même lot d'installation, *khitta*, qui sont autorisés par écrit à effectuer cette sortie printanière pour des objectifs économiques et militaires. Le *jund*, à qui il était interdit de posséder des terres agricoles et de s'adonner à une vie sédentaire, était confiné à Fustāṭ et sa vie urbaine était bien gérée par le *dīwān al-jund*. Son *murtaba'* était purement administratif et l'on ne peut s'empêcher de faire le parallèle entre le traité conclu entre conquérants et conquis et les détails révélés par le document bilingue d'Ahnās/Héracléopolis. Les produits consommés par le *qawm* étaient un acompte sur les impôts de l'année en cours, comme le montre le texte grec du bilingue<sup>75</sup>. Cela montre clairement l'existence d'un accord entre les deux parties, d'une sorte de traité fixant les règles de la gestion fiscale du territoire égyptien. Cette mesure concernait uniquement le *jund* et c'est pour cette raison qu'Ibn 'Abd al-Ḥakam, en évoquant l'interdiction imposée par le pouvoir de cultiver la terre, intitule son paragraphe comme suit : *Dhikr nahy al-jund 'an al-zar'*, Mention de l'interdiction au *jund* de pratiquer l'agriculture.

Cette distinction entre un *jund* soumis aux règles fixées par le pouvoir et des tribus (*qabā'il*) s'étant installées dans la campagne égyptienne par la possession de terres agricoles est fondamentale. Le choix des termes *nazala* et *manzil* démontre la sédentarisation des quelques tribus tout de suite après la conquête. Comme en Irak, certains éléments ont préféré jouir différemment de leurs exploits militaires en s'appropriant des terres agricoles, certainement avec l'aval du pouvoir, car il est peu probable qu'une telle opération ait pu échapper aux nouveaux dirigeants du pays. On ne peut s'empêcher de faire un parallèle avec le modèle irakien des *Ṣawāfi*. Le texte d'al-Ṭabarī incite à le croire, puisque les propriétés de ces tribus étaient, selon cet historien, soumises

75 SB VI 9576, verso. Voir aussi les analyses de Papaconstantinou, "Administering the Early Islamic Empire," 60–64.

au contrôle du gouvernement de Fustāṭ: *al-arḍ arḍuka*, la terre est la tienne. Devons-nous comprendre que ces terres étaient déjà soumises à l'impôt foncier? Cela paraît peu probable puisqu'il s'agissait d'un butin, d'un *fay*, donc d'une jouissance totale, une propriété exclusivement privée. En revanche, le même texte indique une certaine forme de contrôle gouvernemental sur ces domaines que nous avons du mal à définir.

Le contrôle effectif pratiqué par l'administration islamique sur le pays montre la volonté des nouveaux dirigeants de surveiller de près les cadres de l'administration régionale, notamment par la présence de nombreux *amīras* dans la campagne égyptienne. Ces fonctionnaires, dont il faut supposer leur rattachement au *dīwān al-jund* en leur qualité de *arīf*-s, étaient la trace visible d'un nouveau pouvoir en place qui entendait contrôler l'assiette fiscale de l'Égypte pour nourrir l'armée de peuplement à Fustāṭ, pour poursuivre les projets expansionnistes (notamment en Méditerranée) et pour subvenir à des demandes califales de plus en plus imposantes (constructions impériales à Jérusalem, Damas ...). Pour cela, la terre devait rester étrangère à l'islam, pour continuer à nourrir le combattant et assurer la pérennité de l'État<sup>76</sup>.

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76 Christian Décobert, *Le mendiant et le combattant: l'institution de l'islam* (Paris: Seuil, 1991), 94.

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# Landowners, Caliphs and State Policy over Landholdings in the Egyptian Countryside

## *Theory and Practice*

Marie Legendre

Looking at the evolution of landholding in the first centuries of Islam in Egypt requires historians to make use of documents written in the three different languages employed at that time: Greek, Coptic and Arabic.<sup>1</sup> Together they form a very large corpus as issues concerning land can appear in fiscal, legal and private documents as well as in accounts of all kinds. Documents in each language are, however, mostly studied in isolation and/or by categories of documents, for obvious reasons of linguistic expertise. Only a small number of scholars have attempted to make use of this corpus in order to study landholding and landowners in the early Islamic period. The latest attempt was made by P. Sijpesteijn when focusing on the administration of the early Islamic countryside and the development of Muslim communities after the conquest.<sup>2</sup> For the Arabic material specifically, a lot has been done by Gladys Frantz-Murphy, notably with her research on *Arabic agricultural leases and tax receipts* from the Abbasid to the Fatimid period (eighth–eleventh century), preceded and followed by many articles on the same topic.<sup>3</sup> However, outside of this corpus of leases and receipts, the many other Arabic documents referring to landholdings have not been looked at systematically. The present article will contribute to this debate. Its aim is to look at the pre-Tulunid period in Egypt and to consider a number of case studies where papyri reveal particularities in early

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- 1 I am deeply grateful to Sobhi Bouderbala, Alain Delattre, Daisy Livingston and Petra Sijpesteijn for their comment and suggestions on earlier versions of this research. I would also like to thank the two anonymous reviewers for their very valuable feedback.
  - 2 Petra M. Sijpesteijn, “Landholding Patterns in Early Islamic Egypt,” *Journal of Agrarian Change* 9, no. 1 (2009): 120–133; idem, *Shaping a Muslim state: The World of a Mid-Eighth-Century Egyptian Official* (Oxford: Oxford University Press, 2013), 152–171.
  - 3 Gladys Frantz-Murphy, *Arabic Agricultural Leases and Tax Receipts from Egypt, 148–427 A.H./765–1035 A.D.* (Vienna: Hollinek, 2001); idem, “The Economics of State Formation in Early Islamic Egypt,” in *From al-Andalus to Khurasan: Documents from the Medieval Muslim World*, eds. Petra Sijpesteijn et al. (Leiden: Brill, 2007), 101–114.

Islamic landholdings that are not perceptible in narrative sources. Our focus will be on the involvement of the caliphs, their kinsfolk and the government's attitude towards the management of land within the province of Egypt, especially within the fiscal system. We will look at two types of land property. The first is land personally owned by the caliph and his family and the second is land that appears in the hand of individuals with Muslim names but who are, most of the time, unknown to us as members of the provincial or imperial elite. Our goal will be to reveal at each stage how papyri and literary sources do not necessarily tell the same story but provide diverse points of view on the same events and processes.

## 1 State of the Art and Objectives

The chronology covered here stretches between two periods that have benefited from productive research initiatives: the late antique period and the Middle Islamic period. Our understanding of landed property in the early Islamic period is often presented as relying on the state of research on the Late Byzantine context. In Egypt, this topic is still very much influenced by the authoritative work of J. Gascoü on the "Grand domaines" based on the Oxyrhynchite corpus of the Flavius Apiones (fifth–early seventh centuries) discussed since by J. Banaji, P. Sarris and T. Hickey.<sup>4</sup> Gascoü identifies three types of owners: imperial, private and the Church.<sup>5</sup> However, the position of imperial and large private landowning, characteristic of the Late Byzantine *chora*, is not clear at the time of the Islamic conquest as there is very little evidence for such estates after the Sasanian period (619–629). P. Sijpesteijn has argued that those domains must have been seized by the Sasanian authorities and fragmented between smaller landowners after their retreat, making us question whether Byzantine landholding patterns should so strongly influence our vision of the early Islamic period.<sup>6</sup> I. Marthot's comparison of the sixth- and eighth-century doc-

4 Jean Gascoü, "Les grands domaines, la cité et l'état en Égypte byzantine (recherches d'histoire agraire, fiscale et administrative)," *Travaux et Mémoires* 9 (1985): 1–90, repr. *Fiscalité et Société en Égypte Byzantine* (Paris: Centre de recherche d'histoire et civilisation de Byzance, 2008), 125–213; Jairus Banaji, *Agrarian Change in Late Antiquity: Gold, Labour, and Aristocratic Dominance* (Oxford: Oxford University Press, 2001 [repr. 2007]); Todd M. Hickey, "Aristocratic Landowning and the Economy of Byzantine Egypt," in *Egypt in the Byzantine World 450–700*, ed. Roger E. Bagnall (Cambridge: Cambridge University Press, 2007), 288–308.

5 Gascoü, "Les grand domaines," 4.

6 Sijpesteijn, "Landholding Patterns," 124.



uments of Aphrodito has revealed the difficulties in reconstructing landowning during the transition of political authority between Byzantium and Islam. This is certainly explained by the scope of each of the dossiers. The sixth-century documents linked to the poet Dioscorus were for the most part produced locally. They relate to his family and to the administration of the village where he originated from and where the documents were found and they give numerous pieces of information on landed properties in the territory of Aphrodito.<sup>7</sup> On the other hand, the eighth-century dossier is composed of administrative documents: letters from the governor Qurra b. Sharīk (in office 90/709–96/714) in Fustāt to the local administrator, Basilios, registers of the village and documents written by taxpayers to the administration. Mentions of landowning are found in the registers, but they are scarcer and less detailed than in the sixth-century corpus.<sup>8</sup> Moreover, only few connections can be made between the various micro-toponyms associated with those properties between the sixth and eighth-century corpuses, and when this is possible, the documents from each period do not give the same type of information.<sup>9</sup> As a result these two dossiers of Aphrodito do not provide a critical mass of evidence for continuities or changes in landholding. Finally, numerous other documents contribute to our knowledge of churches and monastic estates in the seventh and eighth century, but these corpora do not cover the late antique period.<sup>10</sup>

As for the Middle Islamic period, in the ninth century, the implementation of the first independent Islamic dynasty in Egypt, the Tulunids (254/868–292/905) coincides with clear attestation of tax-farming in papyri since the conquest, and we will concentrate on landholding prior to that.<sup>11</sup> The Fatimid

7 This sixth-century corpus notably comprises a cadaster and fiscal registers that allowed Constantin Zuckerman to reconstruct much of the fiscal system of the time: *Du village à l'Empire: autour du registre fiscal d'Aphroditô (525/526)* (Paris: Centre de recherche d'histoire et civilisation de Byzance, 2004).

8 Isabelle Marthot, "Monastic Estates in Transition from Byzantine to Islamic Egypt: Evidence from Aphrodito," (forthcoming).

9 Isabelle Marthot, "Un village égyptien et sa campagne: étude de la microtoponymie du territoire d'Aphrodité (VI<sup>e</sup>–VIII<sup>e</sup> s.)" (PhD diss., École Pratique des Hautes Études, Paris, 2013), 184–242.

10 Alain Delattre, *Papyrus coptes et grecs du monastère d'apa Apollô de Baouît conservés aux Musées royaux d'Art et d'Histoire de Bruxelles* (Bruxelles: Académie royale de Belgique, 2007), 77–79; T. Sebastian Richter, "Cultivation of Monastic Estates in Late Antique and Early Islamic Egypt: Some Evidence from Coptic Land Leases and Related Documents," in *Monastic Estates in Late Antique and Early Islamic Egypt: Ostraca, Papyri, and Essays in Memory of Sarah Clackson*, eds. Anne Boud'hors, James Clackson, Catherine Louis and Petra M. Sijpesteijn (Cincinnati: American Society of Papyrologists, 2009), 205–215.

11 F. Løkkegaard argues for continuity in tax-farming between the Late Antique and early

period (359/969–567/1171) also appears with a somehow clearer pattern when looking at forms of Islamic landowning.<sup>12</sup> A lot of scholarly effort has been concentrated on the introduction of the *iqṭāʿ* in Iraq from the ninth century onwards: a system of land grant according to which members of the armies were remunerated without direct property, a retribution only based on land production.<sup>13</sup> However, the turbulent history of late Abbasid Egypt and the subsequent implementation of the Fatimid caliphate raise questions on the introduction of the military *iqṭāʿ* in the same period in Egypt. The only study to date on the implementation of such land grants, from the point of view of rural authorities and not of the central government, is the work of J.-Cl. Garcin on the Upper Egyptian city of Qūṣ (approximately 700 kilometers south of Cairo) where it starts only under the Ayyubids (567/1173–648/1250).<sup>14</sup> However, from the Fatimid period on, a new type of literary production spread in Egypt that is not available for the early Islamic period and gives a detailed picture of the land revenues and their use.<sup>15</sup> These are fiscal treaties, listing the land revenues of each administrative division. The earliest preserved example is the thirteenth-century register of Egyptian districts written by Ibn Mammātī (d. 606/1209), the *dīwān* secretary of the first Ayyubid sultans Saladin (r. 564/1169–589/1193) and al-ʿAzīz (r. 589/1193–595/1198), in which he relies heavily on material from the Fatimid period.<sup>16</sup>

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Islamic period in Egypt. However, to the best of my knowledge, there is no evidence supporting this for the Umayyad and Abbasid period: Frede Løkkegaard, *Islamic Taxation in the Classic Period, with Special Reference to Circumstances in Iraq* (Copenhagen: Branner og Korch, 1950), 106; Petra M. Sijpesteijn, "Profit Following Responsibility: A Leaf from the Records of a Third-Century Tax-Collecting Agent," *Journal of Juristic Papyrology* 31 (2001): 91–132.

- 12 Between the end of the Tulunid period (292/905) and the rise of the Fatimids in Egypt (359/969), the return to Abbasid leadership is followed by the rise of a second independent dynasty in Egypt: the Ikhshidids (323/935–358/969). The implications of this short-lived dynasty for landholdings, if any, is far from clear.
- 13 Claude Cahen, "L'évolution de l'iqṭāʿ du IX<sup>e</sup> au XIII<sup>e</sup> siècle: contribution à une histoire comparée des sociétés médiévales," *Annales: Économies, Sociétés, Civilisations* 8, no. 1 (1953): 25–52; ʿAbd al-ʿAzīz Duri, "The Origins of 'Iqṭa' in Islam," *al-Abḥath* 22 (1969): 3–22; Yaacov Lev, *State and Society in Fatimid Egypt* (Leiden: Brill, 1991), 122–130; Tsugitaka Sato, *State and Rural Society in Medieval Islam* (Leiden: Brill, 1997), 1–17.
- 14 Jean-Claude Garcin, *Qūṣ: un centre musulman de la Haute-Égypte médiévale* (Cairo: Institut Français d'archéologie orientale, 2005), 145–147, 231–286.
- 15 Beyond literary sources, a great mass of documents is available for the study of the Fatimid countryside outside the Genizah corpus: Jean-Michel Mouton, "Un village copte du Fayy-oum au XI<sup>e</sup> siècle, d'après la découverte d'un lot d'archives," *Comptes rendus de l'Académie des inscriptions et belles-lettres* 146, no. 2 (2002): 447–458.
- 16 Ibn Mammātī, *Kitāb Qawānīn al-dawāwīn*, ed. A.S. Atiya (Cairo: Maktabat Matbūlī, 1943);

The present contribution will focus instead on Egypt as a province under the authority of the Medinan (21/642–38/659), Umayyad (38/659–132/750) and Abbasid caliphs (132/750–254/868). For areas outside Egypt dominated by these dynasties, literary sources produced for the most part under the Abbasids are often the only substantial body of sources available.<sup>17</sup> Even for Egypt, ninth–tenth century literary accounts are often used to provide a framework in order to understand the information given by seventh–eighth century papyri. The earliest Islamic sources produced in Egypt are represented by a father and son often identified by the same name: Ibn ‘Abd al-Ḥakam: the father (d. 214/829) is known, among other works, for his *Biography of ‘Umar b. ‘Abd al-‘Azīz* and the son (d. 257/871) for his *History of the Conquest of Egypt and North Africa*.<sup>18</sup> Other known works of the pre-Fatimid period are Ibn Yūnus’ (d. 347/958) biographical dictionary and al-Kindī’s (d. 350/969) *History of the governors and judges of Egypt*.<sup>19</sup> These authors were all part of the scholarly elite of Fuṣṭāṭ whose center of interest had very little to do with the organization of rural areas. However, since estates were a current subject of dispute and an asset of control, several mentions of landholdings are found in those texts. However, their aim was not to provide an overview of administrative practices, as their interested lay only in the significance of landholding for the elite they were part of. Egyptian literature produced in the early Islamic period reflects mainly the history of the Delta including Fuṣṭāṭ, the capital of the Islamic province of Egypt, and Alexandria,

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Richard S. Cooper, “Land Classification Terminology and the Assessment of the Kharāj Tax in Medieval Egypt,” *Journal of the Economic and Social History of the Orient* 17 (1974): 91–102. The recently published archive of the Banu Bifam, dating from Fatimid times, includes a number of deeds of sales of land and tax receipts that can also contribute to our knowledge of landowning in that period; Christian Gaubert and Jean-Michel Mouton, *Hommes et villages du Fayyūm dans la documentation papyrologique arabe (xe–xie siècles)* (Paris: Droz, 2014). Another relevant work of the Ayyubid period is al-Nābulusī’s *Tārīkh al-Fayyūm*, Yossef Rapoport, *Rural Economy and Tribal Society in Islamic Egypt: A Study of Al-Nābulusī’s ‘Villages of the Fayyūm’* (Turnhout: Brepols, 2018).

- 17 Cf. in the present volume, the contributions of Harry Munt for Arabia and Michele Campopiano and Peter Verkinderen for Iraq.
- 18 Ibn ‘Abd al-Ḥakam, *Sīrat ‘Umar b. ‘Abd al-‘Azīz ‘alā mā rawāhu Mālik wa aṣḥābuhu*, 2nd ed., ed. A. ‘Ubayd (Cairo: Maktabat Wahba, 1954); Ibn ‘Abd al-Ḥakam, *Futūḥ Miṣr wa-akhbārūhā*, ed. Ch. Torrey (New Haven: Yale University Press, 1922).
- 19 al-Kindī, *Kitāb al-Wulāt wa kitāb al-quḍāt*, ed. R. Guest (Leiden: Brill, 1912). Ibn Yūnus’ work will be used for numerous references, but he does not, unfortunately, provide data on the properties of the listed individuals: Ibn Yūnus, *Tārīkh Ibn Yūnus al-Miṣrī*, 2 vols., ed. ‘A. ‘Abd al-Fattāḥ (Beyrouth: Dar al-Kutub al-‘ilmiyya, 2000). On pre-Fatimid Egyptian sources, cf. Sobhi Bouderbala, “Ġund Miṣr: étude de l’administration militaire dans l’Égypte des débuts de l’Islam (21/642–218/833)” (PhD diss., Sorbonne University, 2008), 11–69.

the main center of literary production at the time of the conquest.<sup>20</sup> On the other hand, papyrus documents are restricted to the Egyptian valley, excluding almost entirely the Delta because of the less favorable conditions of preservation for papyrus.<sup>21</sup> In that sense the two bodies of sources used in the following lines record the histories of different geographical areas and have a very different focus and purpose. They do not provide the same point of view, so their information is hardly comparable in the strict sense of the term.

## 2 The Literary Source Material

The way the conquest of Egypt took place is presented in Islamic narratives as having implications for the fiscal status of lands and for access to landowning for the conquering elite. Those debates prevail in past and present research, and for that reason, we will start by looking at the literary corpus.

In two different articles K. Morimoto covered the debates of medieval jurists concerning the conquest of Egypt and how, in their view, it defined the settlement pattern of the conquerors, but also the fiscal measures they introduced to the conquered lands. This discourse is not unique to Egyptian sources, as for all regions of the empire Islamic narratives claim that conquest by force (*ʿarwatan*) or by treaty (*ṣulḥan*) implied different treatments of the conquered land. Land conquered by force would be acquired as state land by the conquerors and land conquered by treaty would remain in the hand of the conquered who would then pay the land tax (*kharāj*).<sup>22</sup> Morimoto revealed the disagreements jurists expressed regarding the conquest of Egypt by force or by treaty. Reports given by the different works or even within the work of single authors are contradictory partly because the whole province was not conquered in the same way.<sup>23</sup> However, one work that Morimoto did not take

20 This remark is equally relevant for literature preserved from a Christian and a Muslim milieu in that period, cf. Johannes den Heijer, “La conquête arabe vue par les historiens coptes,” in *Valeur et distance: identités et sociétés en Égypte*, ed. Christian Décobert (Paris: Maisonneuve et Larose, 2000), 227–245.

21 Herbert Verreth, *The Provenance of Egyptian Documents from the eighth Century BC till the eighth Century AD* (Louvain: Trismegistos Online Publications, 2009), 235.

22 Kosei Morimoto, “Land Tenure in Egypt during the Early Islamic Period,” *Orient* 11 (1975): 109–153. Issues discussed in this article and the one quoted below are picked up again in his: *The Fiscal Administration of Egypt in the Early Islamic Period* (Kyoto: Dohosha, 1981).

23 Kosei Morimoto, “Muslim Controversies Regarding the Arab Conquest of Egypt,” *Orient* 13 (1977): 89–105; looks into the reports of Ibn ʿAbd al-Ḥakam (d. 257/871), al-Balādhurī (d. 279/892), al-Yaʿqūbī (d. 284/897), al-Ṭabarī (d. 310–923), Euthychius (d. 328–940) and

into account is that of A. Noth who argued convincingly a few years earlier, that those discussions, whether they concerned Egypt or other conquered provinces, did not arise at the time of the conquest but were raised by jurists only from the end of the seventh or the beginning of the eighth century on.<sup>24</sup> These issues truly monopolize the jurists' and historians' understanding of the conquest and of the fiscal system applied to the different provinces of the early Islamic Empire in the texts available to us from the ninth century on. As such, they certainly make more sense in explaining the Abbasid, or at best the late Umayyad, context rather than the time of the conquest.

Morimoto also questioned the arguments made in Islamic narratives that the settlement pattern of the conquerors had fiscal implications that had been defined during the conquest of Iraq (16/637). According to that, the caliph 'Umar I (r. 12/634–24/644) took the former Sassanian Imperial lands as state land (*ṣawāfi*) from which estates were distributed amongst the conquest army.<sup>25</sup> Those grants made in favor of the conquerors by the caliphs were called *qaṭī'a* (pl. *qaṭā'i'*).<sup>26</sup> Based on their tax regime, the corresponding lands were called *'ushr* land (i.e. 'tithe') as opposed to *kharāj*-land, land that had remained in the hand of the conquered – as conquered by treaty – and on which a higher land-tax, the *kharāj*, was imposed.<sup>27</sup> The payment of *kharāj* is presented there by jurists as a rent paid on the conquered lands, the income of which should benefit the whole Muslim community.<sup>28</sup>

The balance of those two types of land taxes, *kharāj* and *'ushr* is presented as the reason for great conflict that would have justified a change of fiscal policy by the time the conquest of Egypt started. This change is presented as follows in the narratives: the land conquered after Iraq was not to be divided among the conquest army but left in the hand of its owners and exploited indirectly through taxation. The conquered land of Egypt was then left in the possession

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al-Ṣuyūṭī (d. 906–1505), all from the Abbasid period, from Egypt or Iraq. The re-conquest of Alexandria by force appears to be particularly difficult for them to reconcile with the so-called "treaty of Babylon" in order to decide on the status of the province.

24 Albrecht Noth, "Zum Verhältnis von kalifaler Zentralgewalt und Provinzen un umayyadischer Zeit: die "Sulh"- "Anwa" Traditionen für Agypten und den Iraq," *Die Welt des Islams* 14 (1973): 150–162.

25 al-Ṭabarī, *Tārīkh al-rusūl wa al-mulūk*, ed. M.A. Ibrāhīm (Cairo: Dār al-Ma'ārif, 1967), 614–615; cf. as well the contribution of Michele Campopiano in this volume.

26 Hugh Kennedy, "Elite Income in the Early Islamic State," in *The Byzantine and Early Islamic Near-East: Elites Old and New*, eds. John Haldon and Lawrence I. Conrad (Princeton: Darwin Press, 2004), 13–14.

27 Abū Yūsuf, *Kitāb al-kharāj*, ed. M.I. al-Bannā (Cairo: Dār al-Ṭisām, 1981), 69.

28 Ibn Sallām, *Kitāb al-amwāl*, ed. M.Kh. Harrās (Cairo: Dār al-Salām, 1969), 152–153.

of the pre-conquest owners and kept as entirely liable to *kharāj*.<sup>29</sup> The *jund* of Egypt would have then relied exclusively on salaries paid to them and their families because of their participation in the conquest (in cash: *ʿatā* and in kind: *rizq*). This decision appears in the sources in the form of a direct prohibition, from the caliph ʿUmar I to the *jund*, forbidding them from settling in the Egyptian countryside.<sup>30</sup> Demands for allocations of land in Egypt by the conquest army were then refused according to Ibn ʿAbd al-Ḥakam who specifies that settlers were prohibited to “farm themselves (*zaraʿa*) or have their land farm by tenants (*zāraʿa*).”<sup>31</sup> In the words of al-Maqrīzī (d. 845/1442), around six centuries later, it halted the settlement of Arab tribes in the Egyptian countryside, a phenomenon that would only start after the first *hijrī* century (710s/720s).<sup>32</sup>

However, as S. Bouderbala has shown in his contribution to this volume, Ibn ʿAbd al-Ḥakam also refers to the settlement of the tribe of Mudlij in the western Delta before the beginning of the first fitna (35/656). He also attributes the granting of the first *qaṭīʿa* in Egypt precisely to ʿUmar I.<sup>33</sup> The Egyptian author even dedicates a whole chapter to the allocations of those grants.<sup>34</sup> Most were located in Fuṣṭāṭ and they were urban and not rural *qaṭīʿa*. Only one report refers to a rural *qaṭīʿa* given to a *mawlā* known as Ibn Sandar.<sup>35</sup> However, historical accounts concerning this individual are very poor, and even his belonging to the *jund* of Egypt is in doubt, as pointed out by Ibn Yūnus.<sup>36</sup> ʿUmar I would have granted (*aqṭaʿa*) 1000 *faddāns* north of Fuṣṭāṭ to him and this land would have been later bought from his heirs by the Umayyad financial governor al-Aṣḥāg (in office 86/705). What we witness here is surely another attempt to credit ʿUmar I with the foundation of the early Islamic state and social structures, here with the granting of the first *qaṭīʿa* in Egypt, which seems to have little historical grounding.<sup>37</sup>

29 Morimoto, “Land Tenure,” 111–115 and “Muslim Controversies,” 100–101.

30 Ibn ʿAbd al-Ḥakam, *Futūḥ*, 64–72, 82–84, 87–90; al-Balādhurī, *Futūḥ al-buldān*, ed. M.J. de Goeje (Leiden: Brill, 1866), 214.

31 Ibn ʿAbd al-Ḥakam, *Futūḥ*, 162.

32 al-Maqrīzī, *al-Mawāʿiẓ wa al-ʿiṭibār fī dhikr al-khiṭaṭ wa al-Āthār*, ed. A.F. Sayyid (London: al-Furqān, 2002–2004), 4:49.

33 Ibn ʿAbd al-Ḥakam, *Futūḥ*, 137.

34 Ibn ʿAbd al-Ḥakam, 132–139 (*dhikr al-qaṭāʿi*).

35 Morimoto mistakenly wrote Ibn Sandar: “Land Tenure,” 114.

36 Ibn Yūnus, *Tārīkh*, 1:470.

37 On the foundation of the early Islamic state being systematically attributed to ʿUmar I, cf. Tayeb El-Hibri, *Parable and Politics in Early Islamic History: The Rashidun Caliphs* (New York: Columbia University Press, 2010), 78.

Ibn ‘Abd al-Ḥakam then transmits a number of reports on land grants in relation to the first Umayyad caliph Mu‘āwiya (r. 38/659–60/680).<sup>38</sup> The governor ‘Uqba b. ‘Āmir (in office 44/665–47/668) apparently requested from him a portion of land in a village, the location of which remains unknown.<sup>39</sup> Two different versions of this passage are given. The first one describes this land only for its quality (*ard šāliha*) and the second one by its type of crop (*baq‘ān fī qarya* – an orchard in a village).<sup>40</sup> There is no indication in the narrative that this grant was refused to him. In the same work, in the chapter concerning the first settlements around the mosque of ‘Amr in Fuṣṭāt, other allocations given (*aqṭa‘a*) by Mu‘āwiya are mentioned.<sup>41</sup> It is said that he tried to grant his son, the future caliph Yazīd I (r. 60/680–64/683), a village in the Fayyum, but that the people (*al-nās*, that is the people of the *jund*), complained asking for the return of this village to *kharāj* land, and it was kept as such.<sup>42</sup>

It is only in the beginning of the eighth century that we hear again about new Arab settlement in the countryside. At the suggestion of the financial director of Egypt, ‘Ubayd Allāh b. al-Ḥabḥāb (in office 105/724–116/734), the caliph Ḥishām (r. 105/724–125/743) agreed in 109/727 to install members of the tribe of Qays from Syria in the eastern Delta. This event is recorded in Ibn ‘Abd al-Ḥakam’s *History of the Conquest*, in the *History of the Patriarchs of Alexandria*, and is especially detailed in al-Kindī’s *Book of the Governors*.<sup>43</sup> The land on which they settled is described as “districts in which there were no inhabitants”.<sup>44</sup> The absence of previous settlement ensured the continuation of *kharāj* payments. This report also gives evidence for land reclamation as it is said that this land was used for their animals to graze, a common first step that eventually allows land to be brought back into cultivation.<sup>45</sup>

38 Cf. also: Morimoto, “Land Tenure,” 114–115.

39 Ibn ‘Abd al-Ḥakam, *Futūḥ*, 85–86.

40 “*Yas‘aluhu ‘ardān yustarfiqū fihā ‘inda qaryat ‘Uqba*” (he requested land for which he would support him in the village of ‘Uqba); “*yas‘aluhu baq‘ān fī qarya yabnū fihī manāzil wa masākin*” (he requested an orchard in a village in which he would build warehouses and houses): Ibn ‘Abd al-Ḥakam, *Futūḥ*, 85.

41 “*dhikr min ikhtaṭṭa ḥawa al-masjid al-jāma‘ ma‘a ‘Amr b. al-‘Āṣ*,” Ibn ‘Abd al-Ḥakam, *Futūḥ*, 98–128.

42 Ibn ‘Abd al-Ḥakam, 101.

43 Ibn ‘Abd al-Ḥakam, 143; al-Kindī, *Wulāt*, 76–77; *History of the Patriarchs of the Coptic church of Alexandria*, ed. and trans. B. Evetts, *Patrologia Orientalis* 5 (1910), 101.

44 “*Kūr laysa fihā aḥad*”: al-Kindī, *Wulāt*, 76.

45 I would like to thank P. Verkinderen for pointing this out to me. On the implementation of the tribe of Qays in the Delta cf. Yaacov Lev, “Coptic Rebellions and the Islamization of Medieval Egypt (eighth–tenth Century): Medieval and Modern Perceptions,” *Jerusalem Studies in Arabic and Islam* 39 (2012): 308–312.

The interesting thing to note is that all those traditions identify the caliph as the only authority through which land grants could be obtained in the Umayyad period. After that both Ibn 'Abd al-Ḥakam and al-Kindī do not mention any land grants, which might indicate that the allocation of land was not a problem or a privilege anymore. Another remarkable fact is that although Iraqi sources written in the Abbasid period take a lot of interest in what became of Sasanian imperial estates, there is no mention of similar Byzantine possessions in Egypt.<sup>46</sup>

Both K. Morimoto and P. Sijpesteijn have shown, on the basis of papyrological evidence, the absence of Muslim settlement south of Fustāṭ until the first decades of the eighth century, confirming the chronology provided above by Maqrīzī for part of the province.<sup>47</sup> It is also clear that some members of the *jund* of Egypt had estates in other provinces of the empire. The most famous example is the conqueror and first governor of Egypt 'Amr b. al-ʿĀṣ (in office 20/641–25/646 then 38/659–43/664) and his long lasting familial estates in Palestine.<sup>48</sup> Another less known example is an unfortunately undated register of Aphrodito mentioning workers sent to the estate of the governor of Egypt in Damascus at the beginning of the eighth century.<sup>49</sup> Among other evidence, these two examples contribute to reveal the geo-strategic interest of the early Islamic community settled in Egypt. J.-Cl. Garcin has argued that the main strategic routes in which the province of Egypt played a part during that period were orientated east and west following the progression of the conquest and connections to the imperial centers in Damascus and then in Bagdad until the rise of the Fatimids. In that sense, until the tenth century, Lower Egypt and its connection to the Middle East and the Mediterranean remained the main point of focus of the Islamic literary and political elite.<sup>50</sup> Along those lines, there did not seem to be

46 Morimoto, "Land Tenure," 114. Ibn 'Abd al-Ḥakam only mentions that some members of *jund* settled in Alexandria in houses abandoned by the Byzantine elite: Bouderbala, "Ġund Miṣr," 142–143.

47 Morimoto's investigation of the registers of Aphrodito revealed the absence of landlords or tenants with Arab Muslim names: "Land Tenure," 117–120. Sijpesteijn, "Landholding Patterns," 123–124.

48 Michael Lecker, "The Estates of 'Amr b. al-ʿĀṣ in Palestine," *Bulletin of the School of Oriental and African Studies* 52, no. 1 (1989): 24–37.

49 *PLond.* IV 1414, 81, 151 (Aphrodito, first half of the eighth century). The dated documents of Aphrodito originate from between 703 and the 720s, covering the following governorates: 'Abd al-ʿAziz b. Marwān (65/685–85/705), 'Abd Allāh b. 'Abd al-Malik (85/705–90/709), Qurra b. Sharīk (90/709–96/714), 'Abd al-Malik b. Rifā'a (96/714–99/717), Ayyūb b. Shurāḥīl (99/717–101/719) and Bishr b. Ṣafwān (101/719–102/720).

50 Jean-Claude Garcin, "Pour un recours à l'histoire de l'espace vécu dans l'étude de l'Égypte arabe," *Annales: Economie, Société, Civilisation* 35, no. 3/4 (1980), repr. *Espaces, pouvoirs et*



any strong incentive for the conquerors to demand land grants and to settle in the Nile valley and as is visible in the narrative sources, it is only in the Delta and the surroundings of Fustāt, including the Fayyum, that the conquest and Umayyad elite is known to have requested land grants. Then, ‘Umar I’s prohibition against settlement and farming in remote territories of the Nile valley, away from the main roads of the Empire and the concentration of elites, might not have been too burdensome for the conquest community in Fustāt and should not be interpreted as effective isolation in the *miṣr*.

This makes us question whether the interdiction of Umar I against the conquerors settling in the countryside should be seen as a literary *topos*, revealing how authors of the Abbasid period were making sense of settlement patterns following the conquest and in the Umayyad period. This situation might have been hard to explain when, in their time, Muslims held administrative posts throughout the countryside and had settled densely in the Nile valley. Moreover, as we will see from the evidence given in papyri, there are other reasons to doubt that the interest of the conquerors and the Umayyad elite was to leave the land in the hands of the conquered people and to collect *kharāj* from them.

### 3 Land and Estates in an Economy of Conquest and Empire Formation

Even if the absence of Muslim settlements in Upper Egypt before the early eighth century has been proven, papyri allow us to assess, before that time, the strong involvement of the conquerors and Sufyanid authorities (38/659–64/683) in this region. From the time of the conquest on, we clearly see the expertise the conquerors developed in exploiting the Egyptian countryside through collection of taxes for their installation in the province, their sustenance and the construction of their new capital.<sup>51</sup> Especially from the reign of

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*idéologies dans l’Égypte médiévale*, Variorum Reprints (London: Ashgate, 1987), 436–451, 439–442.

51 For the requisition of building material for the construction of Fustāt in the first years following the conquest, cf. Federico Morelli, *L’archivio di Senouthios anistes e testi connessi: Lettere e documenti per la costruzione di una capitale* (Berlin/New York: De Gruyter, 2010); on the involvement of the Umayyad authorities in the Sufyanid period, cf. Clive Foss, “Egypt Under Mu‘āwiya, part I: Flavius Papas and Upper Egypt,” *Bulletin of the School of Oriental and African Studies* 72, no. 1 (2009): 1–24; Clive Foss, “Egypt Under Mu‘āwiya, part II: Middle Egypt, Fustāt and Alexandria,” *Bulletin of the School of Oriental and African Studies* 72, no. 2 (2009): 259–278; Marie Legendre, “Neither Byzantine nor Islamic? The

Mu'āwiya, the collection of taxes served the great imperial projects of the Umayyad caliphs: military campaigns, especially the fleet, developing further into the Marwanid period (64/683–132/750) for great building projects in Egypt and in Syria, for all of which food products, building material and forced labor was provided.<sup>52</sup>

As described by H.I. Bell on the basis of the documents of Aphrodito, until the first decades of the eighth century, the fiscal system clearly appears to be organized around three blocks of taxes: regular public taxes, extraordinary imposts and *corvée* labor. All three blocks were paid by a number of taxes in cash and/or in kind. Regular public taxes were the gold and corn tax, extraordinary imposts could be paid either in cash or in kind according to what was needed by the authorities, and finally men could be supplied for the *corvée* or money could be sent to pay for their wage and maintenance.<sup>53</sup> This division between taxes paid in money and taxes paid in kind is clearly visible in the Greek documents but also in the development of the fiscal vocabulary in Arabic documents. Regular imposts are found under *jizya* for taxes paid in money, *ḍarība* for the corn tax without specific reference to land-tax and poll-tax for instance. A third category called *abwāb* referred to supplementary taxes the Umayyads made a great use of, covering their supplementary requisitions in money, foodstuff, building materials and work force.<sup>54</sup> Those categories reveal the interest the early conquerors and Umayyad state developed in the Egyptian countryside: collecting taxes in kind and in money to benefit their continuous conquest and the building of their empire.

If we look at how those taxes in kind and in money were collected it is clear that they came from both imposts on land and on people – for instance, the regular gold tax or *jizya* was definitely collected from poll and land taxes among others,<sup>55</sup> but the meaning of this term in the Umayyad period is clearly 'money-tax'. In addition to the absence of a specific term for land-tax (or poll-tax) in the earliest Arabic documents from Egypt, the absence of the term *kharāj* is also notable. It does not appear in any papyri published until now prior to the

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Duke of the Thebaid and the Formation of the Umayyad State," *Historical Research* 89, no. 243 (2016): 3–18.

52 Foss, "Flavius Papas," 18–22; Harold I. Bell, "The Administration of Egypt under the Umayyad Khalifs," *Byzantinische Zeitschrift* 28 (1928): 278–286.

53 Bell, 282–284.

54 For Greek and Coptic documents see: Harold I. Bell, *Greek Papyri in the British Museum, Catalogue with Texts* IV, *The Aphrodito Papyri* (London: British Museum, 1910), xxv–xxxii, for Arabic documents: Geoffrey Khan, *Arabic Documents from Early Islamic Khurasan* (London: The Nour Foundation, 2007), 42–48.

55 Bell, "Administration," 282.

Abbasid takeover.<sup>56</sup> These differences in the usage of Arabic terms in various periods can be misleading especially when later authors employ those words to talk about eras when they were not in use.

As for actual evidence of landowning and estates between the conquest and the middle of the Umayyad period, the documents of the pagarchy of Apollonos Ano/Edfu in the time of Mu'āwiya give evidence for estates in the hands of the Christian administrative elites such as the pagarch.<sup>57</sup> Moreover, as noted by K. Morimoto, the early eighth-century registers of Aphrodito mostly mention small peasant landholdings, and only a handful of large estates, which is very different from the situation in the sixth-century corpus from the same village.<sup>58</sup> This might reveal the progressive loss of an economic power base by local elites still involved in the administration, who could no longer manage large scale estates which were therefore progressively fragmented.<sup>59</sup> Such a suggestion would need to be further investigated but, it would be interesting to question if this has any link with the high fiscal demand of the Umayyad state. The loss of administrative power by the local elite is also visible in the early eighth century as from his time on local pagarchs are all replaced by administrators bearing Muslim names.<sup>60</sup> In parallel to that, and as noted by P. Sijpesteijn, we find one mention of a caliphal estate in the Fayyum in a Greek papyrus dating from 699–700. This contract for wine production was drawn up for the benefit of the estate of the caliph, called *protosymbulos* in Greek – the caliph being at that time 'Abd al-Malik b. Marwān (r. 65/685–86/705).<sup>61</sup> This is a rather thin piece of contemporary evidence for caliphal estates for the whole Umayyad period to which only one more can be added: an orchard of the caliph mentioned in a papyrus from Aphrodito when Sulayman b. 'Abd al-Malik was caliph.<sup>62</sup> This shows, like the later Islamic narratives, that the caliph was involved and benefited from land allocations in Egypt.

#### 4 Questions on the Development of a Muslim Landowning Class

A new context is visible in papyri at the turn of the eighth century. One might find the first administrators of a new profile, bearing Muslim names, in the very

56 Khan, *Khurasan*, 43, n. 88.

57 *P.Apoll.* 63 (Edfu, 660s–680s); 64 (id.).

58 Morimoto, "Land Tenure," 117; Marthot, "Un village égyptien," 119–131.

59 A similar process is noted by J. Martinez for Spain in his contribution to this volume.

60 Legendre, "Neither Byzantine," 15.

61 *CPR VIII* 82 = *SB VI* 9460, 5 (Fayyum, 699 or 700): οὐσία τοῦ πρωτοσυμβούλου.

62 P. Lond. IV 1434, 33 (Aphrodito, 716).

last decades of the seventh century.<sup>63</sup> In any case, by the second decade of the eighth century, wherever the local city officials are known in the valley, they bear Muslim names. We do get a strong sense that the population of the Egyptian rural areas was diversifying in that period, as individuals with Muslim names progressively appear locally and certainly became inhabitants of those regions.<sup>64</sup> It is also at the same time, that a more differentiated fiscal vocabulary appears in Arabic papyri. Poll-tax and land tax begin to appear in Arabic tax receipts under the terms *jizyat al-ra's* and *jizyat al-arḍ*, their first attestation being in a tax demand note dated to 104/722.<sup>65</sup>

A number of pieces of evidence point to the subsequent development of a class of Muslim landowners. For one, uncertainty remains as to the sources of revenue of the new Muslim class of administrators appearing in the first decades of the eighth century in the valley, especially whether their revenue came from landholdings. We know very little about the life of these officials as they only appear in a handful of documents. In the second quarter of the eighth century, some of them were appointed successively over several areas, pointing to the fact that they might not have had any local attachments.<sup>66</sup> However, the documents related to one of the administrators of the Fayyum, 'Abd Allāh b. As'ad (c. 730–750), published by P. Sijpesteijn, show that the officials of the late Umayyad and early Abbasid state were active in the trade of products not incompatible with landholdings (wheat and sheep).<sup>67</sup> However, there is no information on the provenance of those products: were they coming from the rural property of those administrators? No evidence seems to confirm that so far. The first dated attestation of a landowner of Muslim name is also found in the first half of the eighth century. It is in an Arabic letter dated to 117/735, also from the Fayyum, where a certain Abū al-Ḥārith is addressed by an individual

63 'Awf b. Nāfi' is found issuing fiscal documents in the Fayyum in the 680s or 690s and 'Abd al-Raḥmān b. Abī 'Awf and 'Abd al-Raḥmān b. Shurayḥ in the region of Heracleopolis/Ihnās in 677 or 707: Nikolaos Gonis, and Federico Morelli, "Two *Entagia* in Search of an Author," *Bulletin of the American Society of Papyrologists* 39 (2002): 21–25 = SB XVIII 13771.

64 On the difficulties of understanding the origin and denomination of individuals only on the basis of the names mentioned in papyri, cf. Marie Legendre, "Perméabilité linguistique et anthroponymique entre copte et arabe: exemple de comptes en caractères coptes du Fayoum fatimide, en annexe: répertoire des anthroponymes arabes attestés dans les documents coptes," in *Coptica Argentoratensia, Conférences et documents de la 3<sup>e</sup> université d'été en papyrologie copte, Bibliothèque d'Etude Coptes*, eds. Anne Boud'hors et al. (De Boccard, Paris, 2014), 325–440.

65 This document is housed in the collection of the University of Geneva, *P.Gen.* inv. 713, and will be published by Khaled Younes.

66 Sijpesteijn, *Shaping a Muslim State*, 205–206.

67 Sijpesteijn, 364–368.

who seems to be his employer, an estate holder whose name is not preserved.<sup>68</sup> Notably, this is only a few years after Islamic and Christian narratives report the settlement of the tribe of Qays in the Nile Delta (109/727).<sup>69</sup>

More information is found in both literary and documentary sources about the social context of the first half of the eighth century. The reign of the caliph ʿUmar II (r. 99–101/717–720) in particular is known in later narratives for the fiscal rescript he issued concerning the status of Muslims, converts and non-Muslims.<sup>70</sup> By that time the categories of conquered and conquerors had blurred significantly as the conquered had been recruited in the administration and especially in the army and the heirs of the conquerors were less and less involved in either of these activities.<sup>71</sup> The development of a class of Muslim subjects of mixed background became a tricky problem for the Umayyad authorities, as traditionally all Muslims were part of the state elite whose families had participated in the conquest and as such were rewarded with salaries through the *dīwān* system. This is precisely the subject of the rescript issued by ʿUmar II. As Muslims became subjects of the Umayyad state, what kind of taxes did they have to pay? As they settled in the countryside as subjects, and not thanks to a caliphal land grant, should they be subject to the same taxes as non-Muslims? It is precisely to the late seventh and early eighth century that A. Noth dated the rise of controversies among jurists on the nature of the conquest, which asserted that the conquered land should remain in the hands of the conquered using an overall fiscal framework distinguishing taxes paid by Muslims from those of non-Muslims. Those discussions do appear to fit with the context of the beginning of the eighth century in Egypt, as those debates could not have arisen before Muslims became a taxable category for the Umayyad state.<sup>72</sup> Still, further research needs to be done to test this chronology for other provinces of the empire.

68 Petra M. Sijpesteijn, "Travel and Trade on the River," in *Papyrology and the History of Early Islamic Egypt*, eds. Lennart Sundelin and Petra M. Sijpesteijn (Leiden: Brill, 2004), 115–152.

69 See above n. 45.

70 Azeddine Guessous, "Le rescrit fiscal de ʿUmar b. ʿAbd al-ʿAzīz: une nouvelle interprétation," *Der Islam* 73 (1996): 113–137.

71 On the massive recruitment of *mawālī* in the Egyptian army at the beginning of the eighth century, cf. Sobhi Bouderbala, "Les mawālī à Fustāṭ aux deux premiers siècles de l' Islam et leur intégration sociale," in *Le processus d' islamisation en Sicile et en Méditerranée centrale*, ed. Annliese Nef (Rome/Paris: Ecole Française de Rome, 2014), 141–151.

72 As pointed out by Luke Yarbrough in his contribution to this volume concerning *ḥadīths* which entered circulation in the context of debates on the issues they discuss, and not prior to these debates.

It is also in this context that we can make sense of the appearance of a specific term for the land tax, as for the poll-tax, in Arabic fiscal documents. As the social and religious status of the subjects of the Islamic state was not as uniform as before, there was a necessity for a clear view of who was paying which taxes. As noted by G. Frantz-Murphy, the appearance of individual liability (as opposed to communal – village or quarter) in the first decades of the eighth century is another of the main features of the later Umayyad fiscal system. It also points to the fact that the state needed to access the individual status of tax-payers in order to assess tax rates.<sup>73</sup> The finance director of Egypt of the time, ‘Ubayd Allāh b. al-Ḥabḥāb, mentioned above in relation to the settlement of the tribe of Qays, is also known to have executed a census in the years 105/724–107/725. This measure is documented both in literary and documentary evidence and it appears to have been indispensable for a large scale administrative and fiscal assessment of the landowning population of Egypt.<sup>74</sup> This census was, according to literary sources, followed by an increase of the land tax that set off a number of revolts from both Muslims and non-Muslims. As subjects of the Islamic state these two groups were now equally able to negotiate their status as landowners in the Egyptian countryside.<sup>75</sup> Let us note again that the term *kharāj* was not in use in Egypt in that period or at all until the end of the Umayyad era and the same is noticeable for the term *‘ushr*, the tithe paid by non-Muslims according to literary texts.<sup>76</sup> At the time of the Abbasid takeover, P. Sijpesteijn indicates that documents of ‘Abd Allāh b. As‘ad (730s–750s) still revealed the payment of different taxes paid in money ‘often lumped together’ under the term *jizya*.<sup>77</sup>

73 Frantz-Murphy, “Economics of State Formation,” 105.

74 Nabia Abbott, “A New Papyrus and a Review of the Administration of ‘Ubayd Allāh b. al-Ḥabḥāb,” in *Arabic and Islamic Studies in Honor of Hamilton A.R. Gibb*, ed. George Makdisi (Leiden: Brill, 1965), 21–35.

75 Revolts break out in the Egyptian countryside as early as the late seventh century: Harold I. Bell, “Two Official Letters of the Arab Period,” *Journal of Egyptian Archaeology* 12, no. 3/4 (1926): 271. Lev, “Coptic Rebellions,” 303–344.

76 Cf. below n. 88 for the first attestation of the term *‘ushr*. Jurists indicate that *‘ushr* payment were completed through the *ṣadaqa* or *zaqat* which are found in documents: Sijpesteijn, *Shaping a Muslim State*, 181–198.

77 Sijpesteijn, 173.

## 5 Continuity and Change in the Abbasid Fiscal System

The picture we get, at the beginning of the Abbasid period, is that the Egyptian valley was administered, in the cities but not necessarily in the villages, by officials with Muslim names and landowners of the same profile are also visible but attested only in very small numbers. It is also clear that local Muslim communities in the valley remained a numerical minority for several centuries to come.<sup>78</sup>

Throughout the eighth century, only a few examples of lands in the hands of Muslim owners are traceable in the papyri but this number rises exponentially towards the end of the century.<sup>79</sup> Most of those documents are unrelated and we cannot reconstruct the provenance and social status of these early Muslim landowners, their profession, the size of their land or estates and how they acquired it. A study of the continuity of names in land leases and tax receipts in the corpus put together by G. Frantz Murphy is not realistic either. The available corpus comes from diverse places and individual documents rarely tell us about the same land or landowner twice. Moreover, they do not identify landholdings very precisely. The individual liable for the taxes of these lands are, rather, mentioned with the village where the land is found but no information would allow us to differentiate various taxable portions in one village.

As for the difference in the fiscal system applied to Muslim landowners or tenants in comparison with their Christian counterparts, it is hard to reconstruct in the absence of tax registers for a given village or town quarter. Only the registers of Aphrodito allowed H.I. Bell to reveal the fiscal system of the middle Umayyad period, but similar material has not been published yet for the Abbasid period. Only pieces of registers too fragmentary to reconstruct fiscal policies are available to us.<sup>80</sup> One preliminary study of an account-book dating from after the Tulunid period (308/920–921) has been published by A. Grohmann who passed away without finalizing the full publication.<sup>81</sup> In that sense, it is very difficult to judge if the rates given for the land tax between Christian and Muslim landowners in literary sources of the Abbasid period render anything of the everyday fiscal practice in the empire's countryside.

78 It appears that Christians remained the majority in the Egyptian countryside until the fourteenth century: Jean-Claude Garcin, "L'arabisation de l'Égypte," *Monde Arabe: Migrations et Identités, Revue des Mondes Musulmans et de la Méditerranée* 43 (1987): 132.

79 Sijpesteijn, "Travel and Trade," 131–134.

80 See for example: *P.Cair.Arab.* III 207, 208, IV 226, all ninth century.

81 This register is housed in Dar al-Kutub in Cairo: Adolf Grohmann, "New Discoveries in Arabic Papyri: An Arabic Tax-account Book (inv. no. 1400) Found in Umm el-Bureigât (Tebtynis) in 1916," *Bulletin de l'Institut d'Égypte* 32 (1949–1950): 169.

One remark must be made first on the appearance of the term *kharāj* in Egyptian papyri. The first attestation is found in a document of the Abbasid period dated to 150/767–768. As shown by G. Frantz-Murphy, the term is part of an ensemble of administrative vocabulary brought by the Iraqi and Khurāsānī administrators serving the Abbasids.<sup>82</sup> This might mean that *kharāj* was in use in Iraq before that date, but we lack evidence contemporary to the Umayyad period in that area to confirm that. However, an interesting corpus of parchment documents is available from early Abbasid Khurāsān (138/755–160/777). What is visible in this corpus, as well as in Egyptian papyri, is that the term was used, in the beginning of the Abbasid period, to refer to ‘taxes assessed in money’, replacing, in Egypt, the term ‘*jizya*’. G. Khan, the editor of the Arabic Khurāsānī documents, prefers to understand the term as ‘land tax’ although he admits that it could also refer to a combined assessment of poll-tax and land-tax.<sup>83</sup>

The meaning of the term *kharāj* in that period is also well documented at the heart of the caliphal court in Iraq with Abū Yūsuf’s (d. 182/798) *Kitāb al-Kharāj*, a fiscal treaty composed for the fifth Abbasid caliph Hārūn al-Rashīd (r. 170/786–193/809). This normative work is among the most common sources used by historians to look at the early Islamic fiscal system. However, it is clearly visible in the title that Abū Yūsuf uses the term *kharāj* in the sense of ‘tax assessed in money’. Under the term *kharāj* he addresses the whole fiscal system: poll taxes, taxes on churches, etc. and not simply the land tax, that he even refers to as *kharāj al-arḍ*.<sup>84</sup>

Egyptian documents of the early Abbasid period clearly employ *kharāj* to denote taxes in money, while *ḍarība* still refers to taxes paid in kind. An interesting development is visible however from the end of the eighth century on. As noted by G. Frantz-Murphy there is no trace of taxes in kind after 182/799.<sup>85</sup> By the beginning of the ninth century, we then witness a shift through which the fiscal categories in use since the time of the conquest, taxes paid in money and taxes paid in kind, fall out of use to the benefit of a system entirely assessed in cash. Until the end of the Abbasid period in Egypt, the term *kharāj* kept the general meaning of taxes assessed in money.<sup>86</sup> A. Grohmann’s note about

82 Frantz-Murphy, “Economics of State Formation,” 106–114.

83 Khan, *Khurasan*, 33. Several documents of that corpus also refers to ‘expenses of the land’ (*nafaqāt al-arḍ*) together with other expenses such as for the couriers (*al-barīd*) of four officials (the future caliph al-Mahdī, the governor, captives and slaves): *P.Khurasan* 6 (mid-eighth century); 21 (158/774).

84 Abū Yūsuf, *Kitāb al-kharāj*, 22.

85 Frantz-Murphy, *Agricultural leases*, 33.

86 This observation is also true for legal sources, where *kharāj* does not always have the mean-



the above-mentioned Tulunid register: “poll-tax, land-tax and pasture tax show the *same* issue of money, that is all taxes were comprehended in a fixed lump-sum”, seems to confirm this idea.<sup>87</sup> In parallel, several documents, such as some of those collected by G. Frantz-Murphy, are land-tax receipts where the term *kharāj* is being used.<sup>88</sup> This indicates that *kharāj* kept a general (money-tax) and a technical (land-tax) meaning in papyri of the Abbasid period.

Finally, the payment of *kharāj* appeared to have little to do with Muslim or non-Muslim status, as the *kharāj* receipts were clearly issued to both categories. As for *‘ushr*, it appears only in a small number of papyri and G. Frantz-Murphy, who published one of those documents dated to 253/867, noted that *kharāj* and *‘ushr* are clearly interchangeable.<sup>89</sup>

## 6 Terms Used for Estates

In the light of the limitations of the Abbasid corpus, we will focus in the following pages on the different terms used in Arabic documents to refer to landholdings and how they relate to the information given in literary texts. We will also look into a small group of identifiable Muslim landowners in the Abbasid period: the Abbasid family and the Iraqi elite.

In fiscal documents, plots of land are not identified with any precision, their surface area for instance is rarely indicated. Different types of lands are, however, commonly referred in passing in all sorts of other documents (letters, lists, legal documents, etc.). The term that is found in most cases in Arabic papyri to refer to landholdings or estates is *ḍay‘a* (pl. *ḍiyya‘*). *Ḍay‘a* is a general term for a private agricultural holding/property.<sup>90</sup> As we will see below, the caliph is found as an owner of *ḍay‘a* in Egypt in the Abbasid period. The term also can have a wider geographical scope and can refer to small settlements. It is often found in registers or legal documents from the ninth/tenth century onwards, when the origin of one of the parties is specified as coming from such a *ḍay‘a*. It becomes a synonym for village as it is translated by most editors or could indicate a farm.<sup>91</sup>

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ing of “land-tax.” Hossein M. Tabātabā‘i, *Kharāj in Islamic Law* (London: Anchor Press, 1983), 2–3.

87 Grohmann, “Tax-account Book,” 169.

88 For example: *CPR* XXI 39 (Fayyum, 213/828–829).

89 Gladys Frantz-Murphy, “Record of Tax from Imperial Estates in Ushmūnayn,” in *Wiener Papyri, als Festgabe zum 60. Geburtstag von Hermann Harbauer*, ed. Bernhard Palme (Vienna: Holzhausen, 2001), 246.

90 Kennedy, “Elite Income,” 13–24.

91 E.g. *P.Cair.Arab.* 171 (al-Ashmūnayn?, 242/856–247/841); 184 (249/863–864).

As noted above, the term that is used most regularly in Abbasid narratives to refer to Arab landholdings is *qaṭīʿa*. As noted by H. Kennedy, what can be confusing is that, in theory, *qaṭīʿa* and *ḍayʿa* could refer to the same type of property, describing different aspects of the same land. *Qaṭīʿa* refers to land allocated as grant, according to literary sources only by the caliph, as opposed to a land that was bought or inherited.<sup>92</sup> This technical term here defines the way the estate was given to its owner. As we have seen above, it can also refer to an urban quarter.<sup>93</sup> Once this estate was granted to its owner, it became a private property and as such could be called *ḍayʿa*. I could locate only three documents related to *qaṭāʿiʿ*. The first one has been dated to the late second/eighth century. It is an account of cultivated land on the basis of a survey in the region of Iḥnās and mentions a *qaṭīʿa*, the name of the owner being unfortunately fragmentary (only ‘Abd remains) and a title: *amīr*, which could refer to many different professions in the administration or the army.<sup>94</sup> The second document is dated to *ṣafar* 270/August-September 883 and mentions the city of Assouan. It is fragmentary but appears to be a letter mentioning the payment of *kharāj* and *jizya* in the district of Assouan. In the middle of a fragmentary passage, it mentions the possessors of *qaṭāʿiʿ* in the districts of the Upper Saʿīd of Egypt (*al-muqāṭiʿīn bi-kūr al-ṣaʿīd al-ʿalā min Miṣr*).<sup>95</sup> Finally, in an account of sheep entrusted to a shepherd of unknown provenance and dated to the third/ninth century, 30 sheep are delivered to the workman of the *qaṭīʿa* (*ʿamīl al-qaṭīʿa*).<sup>96</sup> This evidence is rather thin to draw much of a conclusion concerning the functioning of *qaṭāʿiʿ* in Egypt in the Abbasid period. Nonetheless, it is worth noting that they definitely need to be considered when writing the history of rural landholding in Egypt in the Abbasid period though it remains uncertain whether they were part of the Umayyad landscape. It can however be noted that, contrary to what narrative sources seem to suggest, they were not confined to the surroundings of Fuṣṭāṭ in the Abbasid period.

Another term found in papyri of the Abbasid period is *usīyya*, transcribing the Greek οὐσία.<sup>97</sup> As we have seen, this term was used to refer to large estates in the Late Byzantine era. The Arabized form of this term is used for estates

92 Kennedy, “Elite Income,” 13–14.

93 See the above n. 31 and Kennedy, “Elite Income,” 14–18.

94 *P.Khalili* I 2 (Iḥnās, late second/eighth century).

95 *P.Hamb.Arab.* I 14 (Assouan?, *ṣafar* 270/August-September 883).

96 *P.Cair.Arab.* VI 363, 6 (ninth century).

97 *P.Cair.Arab.* IV 230 1 (ninth century); 271, 6 (273/886).

in documents and continues to be employed in al-Maqrīzī's text in the fifteenth century.<sup>98</sup> In documents, it is a lot less common than *ḍay'a* but is also used in some cases to refer to a small settlement. Finally, in legal documents, it is worth noting that contracts of sale of land simply refer to a plot of land as "*arḍ*" (land).<sup>99</sup>

## 7 Authority and Control in the Later Abbasid Period

As showed by H. Kennedy on the basis of literary sources, it is clear that for other parts of the empire the principal owners of estates during the Abbasid period were the caliph, his family and administrative and military high officials. Egyptian papyri seem to render a similar image with the Abbasid elites appearing as the owners of *ḍiyā'* in the ninth century, such as the vizier of the caliph al-Mutawakkil (r. 232/847–247/861) then appointed as financial director in Egypt: al-Faṭḥ b. Khāqān (in office 242/856–247/861).<sup>100</sup> A number of documents refer to the estates of *al-sayyida*, which according to Ibn Taghrī Birdī (d. 873/1469), an Egyptian author of the Mamluk period, referred to Shujā', the mother of the caliph al-Mutawakkil, originally a Khwārizmī slave-girl. However, as noted by G. Frantz-Murphy, Shujā' died in 249/863–864 when documents mentioning *al-sayyida* appear in 238/852, 253/867 and 272/885–886, and the epithet could also apply to the mothers of later caliphs.<sup>101</sup> The second document is a record of taxes dated to 253/867 where in addition to *al-sayyida's* estates, the *ḍay'a* of Amājūr is mentioned at a time when he was still commander of weaponry (*amīr al-silāḥ*) in Baghdad.<sup>102</sup> According to seven stelas found in the Basilica of al-Ashmūnayn, an estate also belonged in 258/872 to the son of the late caliph al-Muntaṣir (r. 247/861–862).<sup>103</sup>

Those lands belonging to the close entourage of the caliph were certainly not occupied by their owners. They were virtual seats of authority mainly man-

98 al-Maqrīzī, *Khīṭaṭ*, 1:248.

99 E.g. *P.Cair.Arab.* 1 53 (ninth century).

100 *P.Cair.Arab.* 171 (al-Ashmūnayn?, 242/856–247/841); Adolf Grohmann, *Die Arabischen Papyri aus der Giessener Universitätsbibliothek* (Giessen: Wilhelm Schmitz Verlag, 1960), 67.

101 *CPR* XXI 9 (Ihnās, 238/852); 21 (Ashmūn or Ihnās, 272/885–886); Frantz-Murphy, "Imperial Estates," 245.

102 Frantz-Murphy, "Imperial Estates," 45–46.

103 Adolf Grohmann, "The Value of Arabic Papyri for the Study of the History of Medieval Egypt," *Proceedings of the Egyptian Society of Historical Studies* 1 (1951): 46.

aged by appointees (*wakīl*) also attested in papyri.<sup>104</sup> The caliph al-Muntaṣir for instance was put in charge of the province of Egypt by the administration of Baghdad. In H. Kennedy's words, he was one of the 'super-governors' of the western Abbasid provinces. However, like many of them he is not known to have ever visited the province.<sup>105</sup> Still, the political presence of the Abbasid elite circles in landholding also included lucrative advantages as chronicles convey the enormous revenue the caliph and the Abbasid elite extracted from their personal estates.<sup>106</sup>

However, narrative sources produced in Egypt by the end of the Abbasid period and beyond do not focus as much on elite landholding as they do, for instance, for Iraq. Papyri then give unparalleled evidence for this development. It is particularly interesting to note that those Abbasid estates mentioned in papyri do not seem to appear before the great Abbasid civil war (193/809–218/833) during which Egypt was divided between the Arab leader 'Abd al-'Azīz al-Jarawī (d. second part of the ninth century) in the north and in the south al-Sarī b. al-Ḥakam (d. 251/865), the head of the *abnā'* in Egypt – the Abbasid Khurāsānī elite – while Andalusī contingents had taken control of Alexandria. The general 'Abd Allāh b. Ṭāhir (d. 230/844) sent by the Abbasids managed to unify the province again in 211/826. This reunification was followed by strong measures of control by the caliph al-Ma'mūn (r. 189/813–218/833), marked by his visit in 217/832. He and his successors entrusted the administration of the provinces to those 'super-governors' in the western provinces. The granting of estates to the family of those officials, members of the Abbasid house or of the Turkish military appear in this context as one more measure the Abbasids took to acquire a firmer grip on their provinces. As noted by H. Kennedy this period seals the destruction of the early Islamic order for the Arab families who had settled in Fustāṭ in the years of the conquest. The Abbasid authorities even initiated in Egypt a land grant system for the ruling elite that appeared to have been alien to early Arab settlers.<sup>107</sup>

104 E.g. *P.Cair.Arab.* 289 (ninth century); Abraham L. Udovitch, *Partnership and Profit in Medieval Islam* (Princeton: Princeton University Press, 1970), 100.

105 Hugh Kennedy, "Egypt as a Province in the Islamic Caliphate, 641–868," in *The Cambridge History of Egypt*, vol. 1, *Islamic Egypt: 640–1517*, ed. Carl F. Petry (Cambridge: Cambridge University Press, 1998), 82.

106 The governor of Khurasan at the beginning of the second century A.H., Khālid b. 'Abd Allāh al-Qasrī would have made ten million dirhams per year out of his estates, the equivalent of the entire tax yield of a medium sized province. Kennedy, "Elite Income," 28.

107 Kennedy, "Egypt as a Province," 82–85.

## 8 Conclusion

Thus he (al-Zubayr) took the fort by assault (Babylon), and the Muslims considered it legal to take all that was in it. 'Amr made its holders dhimmis, imposed the poll-tax on their person and *kharāj* on their land and communicated that to 'Umar ibn-al-Khaṭṭāb who endorsed it.<sup>108</sup>

Balādhurī's (d. 279/892) rapid description of the take-over of the fort of Babylon and its consequences simplified in a few lines decades, if not centuries, of the development of an Islamic fiscal system which took place in parallel with the adaptation to local conditions in each of the conquered provinces. His chapter on the governance of *kharāj* lands (*fī aḥkām arāḍi al-kharāj*) reveals this process of codification of legal theories surrounding the land tax, the authorities he uses being prominent jurists of the eighth and early ninth centuries, such as Mālik (d. 179/798), Abū Ḥanīfa (d. 150/767) and al-Shāfi'ī (d. 204/820).<sup>109</sup> The theorization of this policy was developed from the second part of the Umayyad period on and especially in the Abbasid period by jurists. It presents a comprehensive treatment of the variety of lands that came to form the Dār al-Islām. The multifaceted situation that the Islamic conquest implied in terms of land use did not make its way in detail into the narratives that were composed from the end of the eighth century. However, documents from Egypt reveal the reality of fiscal practices and Muslim landholdings during this process of codification and the interest the successive elites developed in the land of Egypt.

It is clear that it is not until the end of the first Islamic century that substantial Muslim settlement occurred in the Egyptian valley. Until that date, the fiscal system applied there was arranged around taxes assessed in money and taxes assessed in kind both to be paid by non-Muslims. Those are the categories explicit in the earliest Arabic fiscal documents in the first part of the Umayyad period. After the second decade of the eighth century, administrators of Muslim names appear throughout the countryside, subsequently landholders of the same profile and the first documents mentioning in Arabic the payment of the land and poll-tax occur. However, the details of the late Umayyad and Abbasid fiscal system are not entirely accessible to us as no extant documentation is available from this period, in particular fiscal registers such as the ones from Aphrodito. Until such documentation gets published or a thorough inves-

108 *Fa-fataḥa* [al-Zubayr] *al-ḥuṣn 'anwatan, wa-istabāḥa al-muslimūn mā fīhi wa-aqara 'Amr ahlahu 'alā innahum dhimma mawḍu' 'alayhim al-jizya fī riqābihim wa-l-kharāj fī ardihim wa kataba bi-dhālika ilā 'Umar b. al-Khaṭṭāb fa-ajāzahu*: al-Balādhurī, *Futūḥ al-buldān*, 211.

109 al-Balādhurī, 447–448.

tigation of the fragments of registers available to us is carried out, a lot of issues remain unclear. For instance, if and how taxes paid by Christians and Muslims differed, the nature of the first Muslim landowning communities, and, how the members of these communities acquired their lands.

As for the source material available to us, documentary and literary corpuses do correlate on a number of issues and events, such as the starting point of Muslim settlement in the Egyptian valley in al-Maqrīzī's fifteenth-century work which is confirmed by papyrological evidence. However, the explanation of that process appears quite differently in each corpus. Moreover, it seems that the most misleading part of this dialogue between literary and documentary sources is found in the vocabulary, especially the fiscal terms such as *kharāj*, *jizya* and *'ushr*. As we have seen, it is clear that until the end of the Abbasid period, the differentiation of *kharāj* and *'ushr* as taxes paid by non-Muslims and Muslims is absent from the Egyptian papyri. *Kharāj* kept a general meaning of 'tax assessed in money' and was used alongside with the technical meaning of 'land tax'. It is essential for further research to systematically contextualize the vocabulary used within the sources in which it is found, be it in Egypt or in other provinces of the early Islamic empire.

Finally, the only clearly identifiable group of Muslim landowners at present in the Abbasid countryside is the caliphal and military elite, who secured land revenues in Egypt in the aftermath of the great Abbasid civil war, a process that ultimately weakened Abbasid central power in the region. Other Muslim names appearing in relation to landholdings are mentioned in passing, but we know very little of their profile, their origin and how they acquired their land. This overview reveals the rare attempts at direct caliphal control in the Egyptian countryside through landholdings, corresponding to known moments of increased caliphal presence, under 'Abd al-Malik for instance or after the Abbasid *fitna*.

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# Monastic Control over Agriculture and Farming

*New Evidence from the Egyptian Monastery of Apa Apollo at Bawit  
Concerning the Payment of APARCHE*

Gesa Schenke

## 1 Introduction\*

Looking at the publications by Sarah J. Clackson<sup>1</sup> and Alain Delattre<sup>2</sup> of the rich documentary evidence from the monastery of Apa Apollo at Bawit in Middle Egypt, we encounter a largely self-sufficient monastic entity. Everything needed for a bearable life on earth could be supplied from within the monastery. Food and wine from land owned by the monastery and farmed or managed by members of the monastic community filled the tables and was apparently in such abundance that it could be used as payments in kind to people within and outside the community.<sup>3</sup> Presumably, community members were also educated within the monastery in crafts and skills, such as farming, building, carpentry, weaving, accounting, and writing, as well as nursing the sick in the monastery's own infirmary.<sup>4</sup>

\* This contribution has benefitted from the lively and enjoyable round table discussion held in Leiden, whose participants are hereby warmly thanked. Research for this article was undertaken as part of the ERC project *The Formation of Islam. The View From Below* (Leiden University 2009–2014). In the meantime, new texts concerning the monastery of Apa Apollo at Bawit and the collection of *aparche* have been published in Gesa Schenke, *Kölner ägyptische Papyri (P.Köln ägypt.)*, vol. 2, *Koptische Urkunden der frühharabischen Zeit*, Abhandlungen der Nordrhein-Westfälischen Akademie der Wissenschaften und der Künste, Papyrologica Coloniensia 9, no. 2 (Paderborn: Schöningh, 2016), 1–100 (the monastery of Apa Apollo at Bawit), esp. 47–66 (new texts concerning the *aparche*). Much of the German discussion there is based on this contribution.

- 1 Sarah J. Clackson, *Coptic and Greek Texts Relating to the Hermopolite Monastery of Apa Apollo* (Oxford: Alden Press, 2000) and Sarah J. Clackson, *It Is Our Father Who Writes: Orders from the Monastery of Apollo at Bawit* (Cincinnati: American Society of Papyrologists, 2008) [= *PMon.Apollo* and *P.Bawit* Clackson].
- 2 Alain Delattre, *Papyrus coptes et grecs du monastère d'apa Apollô de Baouît conservés aux Musées royaux d'Art et d'Histoire de Bruxelles* (Bruxelles: Académie Royale de Belgique, 2007) [= *P.BruX.Bawit*].
- 3 Wine, e.g. *P.BruX.Bawit* 4–10 and 22; oil, *P.BruX.Bawit* 11–12; bread, *P.BruX.Bawit* 14–16; dried meat, *P.BruX.Bawit* 13, 24, and 26; vegetables, *P.BruX.Bawit* 12.
- 4 ΠΝΔ ΝΝΕΤΩΩΝΕ (“the place for the sick”) cf. *P.BruX.Bawit* 1,2 and possibly 2,2.

Whether the monastery of Apa Apollo was organized in the form of a *coenobium* based on the Pachomian model or in a more loose arrangement is a question of much debate.<sup>5</sup> The archaeological remains show a village-like arrangement with a number of churches, kitchens, ovens, dining halls, storage facilities, a bath, possibly a school, a library, an infirmary, private living quarters, gardens, and fields,<sup>6</sup> all of which are reflected in the documentary sources. The frequent interactions between members of the monastery and laypeople in legal and financial matters<sup>7</sup> seem to speak for a more loosely knit type of monastic community. Monks and laypeople could function as witnesses for each other, make or receive payments in money or kind, lend or borrow money, and be employed for particular jobs, such as building or field work and land management.

The land owned by the monastery seems to have been very extensive so that it would have needed many monks to work it. From the evidence available, however, it appears that monks did not only personally cultivate monastic land in the Hermopolite nome,<sup>8</sup> but also managed its farming through leasing the land and employing local workers, much in the way of (great) landowners.<sup>9</sup>

## 2 Documenting the Payment of *Aparche*

In the first published collection of Coptic and Greek texts relating to the monastery of Apa Apollo at Bawit (*P.Mon.Apollo*), about a third of the texts therein, that is, more than 20 documents, are concerned with the payment of what is called the *aparche*, a Greek term that denotes the “first fruits” of the land’s yearly produce presented to an ecclesiastical or monastic institution.<sup>10</sup>

5 Cf. Clackson, *Coptic and Greek Texts*, 8, as well as the summary of opinions in Delattre, *Papyrus coptes et grecs*, 58–74.

6 For this, see most recently Delattre, *Papyrus coptes et grecs*, 45 (with note 87), 47–54 and 85, on ovens in Bawit.

7 Cf. the short summary in Clackson, *Coptic and Greek Texts*, 31 f.

8 The suggestion that the monastery owned land in the Fayyum (Clackson, *Coptic and Greek Texts*, 21 f.) has been refuted by Delattre, *Papyrus coptes et grecs*, 86.

9 The management of monastic land cultivation has been discussed by Ewa Wipszycka, “Resources and Economic Activities of the Egyptian Monastic Communities (fourth–eighth Century),” *The Journal of Juristic Papyrology* 41 (2011): 199–207. Landed property of the monastery of Apa Apollo at Bawit is discussed in Ewa Wipszycka, *Moines et communautés monastiques en Égypte (Ive–VIIe siècles)*, JJP Supplement XI (Warsaw: Journal of Juristic Papyrology, 2009), 545–565. See also Alain Delattre, “Une liste de propriétés foncières du monastère d’Apa Apollô de Baouît,” *Zeitschrift für Papyrologie und Epigraphik* 151 (2005): 163–165.

10 For a discussion of the term ἀπαρχή (“primal offering” or “first fruits”) in the context of

In the documents from Bawit, all assigned to the seventh and eighth centuries on the basis of the script, the *aparche* is due at the time of the harvest of a particular indiction year. In these texts, addressed to monastic representatives, monks accept the responsibility for specific fields for which they guarantee to obtain the payment of *aparche* as well as to “be responsible for” the amount of *pactum* (“rent”) or *demosion* (“land-tax”) due for this very plot of land. This procedure was organized by way of guarantees and contracts or receipts.

These *aparche* documents, known so far only from the monastery of Apa Apollo at Bawit, offer a glimpse into the monastery’s organization of farming and controlling the produce of their land. Moreover, a look into the microcosm of the Bawit monastery allows for an understanding of how the community’s land-taxes were collected – here we have to bear in mind that these texts have been considered a major source of evidence on tax collection in early Islamic Egypt.

Sarah Clackson, the editor of *P.Mon.Apollo*, called these documents *tithe collection guarantees* (*P.Mon.Apollo* 1–7) and *tithe collection contracts* (*P.Mon.Apollo* 8–14), while others were referred to as ‘other tithe and *pactum* collection texts’ (*P.Mon.Apollo* 15–23). The first category of such texts shows a monk of the monastery of Apa Apollo acknowledging to one or more of his fellow monks that he has received from them (responsibility over) a particular place in the countryside, from which he guarantees to obtain payment. The second category attests the handing over of such a place to a monk for the same purpose. As both parties in these documents are monks of one and the same monastery, the need to record this procedure in writing illustrates its importance. These guarantees and contracts are given for one specific indiction only, and must have, therefore, become numerous over time.

The nature and precise purpose of these documents have been the subject of debate, especially since no document has been preserved in its entirety.<sup>11</sup>

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monastic land cultivation see Wipszycka, “Resources and Economic Activities,” 205–206; Wipszycka, *Moines*, 559–561; Ewa Wipszycka, *Les ressources et les activités économiques des églises en Égypte du iv<sup>e</sup> au viii<sup>e</sup> siècle* (Brussels: Fondation égyptologique Reine Elisabeth, 1972), 70–71.

11 See the remarks by Tonio Sebastian Richter, “The Cultivation of Monastic Estates in Late Antique and Early Islamic Egypt: Some Evidence from Coptic Land Leases and Related Documents,” in *Monastic Estates in Late Antique and Early Islamic Egypt* (*P.Clackson*), eds. Anne Boud’hors, James Clackson, Catherine Louis and Petra Sijpesteijn (Cincinnati: American Society of Papyrologists, 2009), 210–212, as well as Richter’s review of Clackson, *Coptic and Greek Texts*: Tonio Sebastian Richter, “Ein neues Dossier zur Kloster-Papyrologie,” *Orientalistische Literaturzeitung* 99 (2004): 172–176. See also the summary in Delattre, *Papyrus coptes et grecs*, 96 f.

Additionally, a number of problematic assumptions have caused confusion. A model text for a “tithe collection guarantee”, piecing together the various preserved parts, has been suggested to run on the following lines:

I, brother NN, monk of the topos of the holy Apa Apollo of the mount of Titkooch in the district of Hermopolis, am writing to my brother NN and brother NN, monks of the same topos of the holy Apa Apollo. After we have agreed with one another, you have given me the place x, so that I collect its *aparche* for (the monastery of) Apa Apollo in the harvest of this year, the indiction year Y, – for its demosion/pactum which makes [number] *solidi*. Now then, by the will of God, I shall give it to you without judgement, without law, and without any objection. *After that the statements of witnesses follow.*

A “tithe collection contract” in turn would be phrased the other way around:

I, brother NN, monk of the topos of the holy Apa Apollo, am writing to my brother NN, monk of the same topos of the holy Apa Apollo. After we have agreed with one another, *I have given you* the place x, so that you collect its *aparche* for (the monastery of) Apa Apollo in the harvest of this year, the indiction year Y, – for its demosion/pactum which makes [number] *solidi*, *and so on.*

These two document types seem to be variations of each other rather than counterparts handed to each party, or the second type functioning as a receipt of the payment, i.e., the fulfilment of the guarantee given, as has been suggested.<sup>12</sup> They differ in one aspect only, that is, in their being phrased in opposite ways, the first from the perspective of the recipient of the responsibility for a place from which he is to collect the *aparche*, the other from that of the person who assigns this responsibility. This phenomenon reminds one of the phrasing of leases employing either the *misthosis* or *antimisthosis* formula, formulated either from the perspective of the lessee (*misthosis*) or that of the lessor (*antimisthosis*).<sup>13</sup>

12 Cf. Richter, “Ein neues Dossier,” 173.

13 For the latest discussion of *misthosis* and *antimisthosis* documents, see Florence Lemaire, “*Antimisthosis* in the Dioscorus Archive,” in *Proceedings of the Twenty-Fifth International Congress of Papyrology*, Ann Arbor 2007, ed. Traianos Gagos, American Studies in Papyrology (Ann Arbor: University of Michigan Press, 2010), 399–400, with notes 11 and 18.

The editor's decision to translate the Greek term *aparche* (meaning "first fruits") as "tithe" and to refer to the documents as "tithe collection guarantees" and "tithe collection contracts", gives the impression that the monks were giving a guarantee to collect a mandatory payment of 10% of the year's harvest from the tenants of certain plots. The editor then goes on to assume that the precise equivalent of this 10% was stated at the end of the document in *solidi* and was described as *pactum* ("rent") in some documents and as *demosion* ("land-tax") in others. Therefore, the term *aparche* has been identified with the term *demosion* or *pactum*, and *aparche* has been thought to be the rent due for Bawit land leases.<sup>14</sup>

To be sure, the documents never speak of any specific amount when they mention *aparche*, and we cannot assume that *aparche* was a precisely calculated percentage of whatever produce the land provided at the harvest of a given year. This would have been subject to a lease contract drawn up much earlier between the tenants of the land and the monastery as its lessor, specifying the type and amount of produce to be offered to the monks during the harvest.

What seems to have further hampered the understanding of the nature of these documents is the assertion that the monastery would not have asked their tenants for the payment of two different things, i.e., a fraction of the harvest as well as payment for rent (*pactum*) or land-tax (*demosion*). Therefore, the terms *aparche* and *pactum* (or *aparche* and *demosion*) were thought to refer to one and the same payment, for which a certain amount is always given in *solidi*.<sup>15</sup>

Such a hypothesis does not engage with the grammatical constructions employed in these formulas, nor does it take account of the realities on the ground.<sup>16</sup> The monastery as a whole was required to pay taxes on its land, i.e.,

14 Contested by Wipszycka on the grounds that the term *aparche* otherwise never occurs in land leases; see Ewa Wipszycka, "Le fonctionnement interne des monastères et des laures en Égypte du point de vue économique: à propos d'une publication récente de textes coptes de Bawit," *The Journal of Juristic Papyrology* 31 (2001): 185.

15 Clackson, *Coptic and Greek Texts*, 18b: "The taxes gathered by a monastery from its land-tenants can include *aparchê*, translated as 'tithe' (...). This interpretation is the most appropriate for the texts in this edition because they specify that the tithe is then paid out as a tax-rent designated *pactum* or *dêmosion* (...). It is unlikely that a monastery would have demanded a tithe from its land tenants in addition to a tax-rent payment." See also Sarah J. Clackson, "Archimandrites and Andrisimos: A Preliminary Survey of Taxation at Bawit," in *Akten des 23. Internationalen Papyrologenkongresses, Wien, 22.–28. Juli 2001*, ed. Bernhard Palme (Wien: Verlag der Österreichischen Akademie der Wissenschaften, 2007), 106: "The monks undertook to use whatever *aparchê* they collected, in the form of goods or money, to pay the *dêmosion* and *pactum* due from specific places assigned to them".

16 For this, cf. the note of Tonio Sebastian Richter in his review on Clackson, *Coptic and*

*demosion*. This term seems to be used interchangeably with the term *pactum* in these documents. Why the monastery should have paid the full amount of land-taxes without receiving at least a fraction of the produce has remained unexplained. It would seem only sensible for the monastery to demand from their tenants the amount in rent (*pactum*) that it owed to the state as land-tax (*demosion*)<sup>17</sup> in addition to a part of the harvest; otherwise there would be no gain for the monastery from the leasing of its property.

The monk who assumes responsibility for an allocated field's rent or land-tax payment seems to function much in the way of a tax collector. He undertakes to obtain the payments from tenants who farm monastic property, but if the tenants were unable to pay, he would be held financially liable for the missing amount. It is thus not the monastery as a whole, but individual members of the community who act as guarantors of the monastery's land-tax payment, ready to cover a lack of funds.

In addition to that financial guarantee, monks committed themselves to obtaining the *first fruits* from the leased land for the benefit of the monastery as a whole and as the legal owner of that land.<sup>18</sup>

The double occurrence of the Coptic preposition ζα- in connection with the verb ϸΩΚ in these documents suggests that the two different terms (*aparche* and *pactum/demosion*) occurring in these documents refer to two different kinds of payment. In the first instance the verb ϸΩΚ is used with *aparche* as the direct object followed by the preposition ζα- to designate the beneficiary (*P.Mon.Apollo* 1,10–11; 2,8; 3,5–6; 4,5; 5,x+10; 6,x+2; 9,6; 10,8–10; 11,4–8; 12,3; 14,4–5; 15,3–4). The verb ϸΩΚ possesses a large range of meanings, but none of them include “to collect (from other people)”. A more literal meaning for the construction ϸΩΚ <̄̅>ΤΕΦΑΠΑΡΧΗ ΖΑ ΑΠΑ ΑΠΟΛΛΟ would be “to

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*Greek Texts*, that e.g. in Talmud law a religious form of tithe payment in addition to farm rent is well known (Richter, “Ein neues Dossier,” 174). See also the remark by Wipszycka, “Resources and Economic Activities,” 206: “I would rather assume that the monastery tried to force the peasants who tilled monastic land to pay a tithe besides the rent.”

17 See already Clackson, *Coptic and Greek Texts*, 19b: “Both *pactum* and *demosion* are left untranslated, as they can mean ‘rent’ or ‘tax’ in this situation: the term tax-rent is appropriate because the tenants’ rent would pay the land taxes owed to the state.” with reference to Jean Gascou, “Les grands domaines, la cité et l’état en Égypte byzantine (recherches d’histoire agraire, fiscale et administrative),” *Travaux et Mémoires: Centre de Recherches d’histoire et de civilisation byzantines* 9 (1985): 15.

18 The summary given by Wipszycka, “Resources and Economic Activities,” 206, on the collection procedure documented in these *aparche* texts, suggesting that the individual monk would keep parts of the collected payment for himself, seems to be the direct opposite. Instead he is providing a service to his monastic community by supporting it financially, if need be.



obtain its *aparche* on behalf (of the monastery) of Apa Apollo". Following the reference to the indiction, in a number of documents the preposition  $\rho\alpha$ - occurs again, this time in connection with the term for the rent or land-tax payment and apparently grammatically unconnected with the former sentence (*P.Mon.Apollo* 1,12; 2,10; 3,7). Some of the *aparche* contracts make it clear that this is a second duty expected of the monk to perform, by employing the verb  $\dagger$ -/ $\tau\iota$ -, "to pay" (*P.Mon.Apollo* 6,x+3:  $\tau\iota$   $\pi\epsilon\gamma\pi\alpha\kappa\tau\epsilon$ ; *P.Mon.Apollo* 9,7:  $\dagger$   $\pi\epsilon\gamma\pi\alpha\kappa\tau\omicron\upsilon\upsilon$ ; *P.Mon.Apollo* 11,9–10:  $\tau\iota$   $\pi\epsilon\gamma\pi\alpha\kappa\tau\omega\upsilon\upsilon$ , and *P.Mon.Apollo* 13,3:  $\tau\iota$   $\pi\epsilon\beta\pi\alpha\kappa\tau\omega\upsilon\upsilon$ ) in the form of the conjunctive following the causative infinitive of the verb  $\sigma\omega\kappa$ : "in order for me/you to obtain its *aparche* on behalf (of the monastery) of Apa Apollo and to pay its rent."

In the documents lacking a second verb ( $\dagger$ -/ $\tau\iota$ -) but adding the preposition  $\rho\alpha$ - before the rent payment, one could consider that the construction  $\rho\alpha$   $\pi\epsilon\gamma\pi\alpha\kappa\tau\omicron\upsilon\upsilon$  was governed by the causative infinitive of the verb  $\sigma\omega\kappa$  mentioned earlier in the text, but with a change in the meaning indicated by that preposition. A particular use for  $\sigma\omega\kappa$   $\rho\alpha$ - is "to be responsible for" or "to pay for",<sup>19</sup> so that the alternative phrasing in these documents would be: "... in order for me/you to obtain its *aparche* on behalf (of the monastery) of Apa Apollo and in order for me/you to be responsible for/to pay for its rent."<sup>20</sup>

The *first fruit* payment (*aparche*), made in kind, would be directly for the benefit of the monastery as the owner of the land, while the money payment for *pactum* or *demosion* would cover the cost for the land-tax (*demosion*), which the monastery had to pay to the state.

### 3 The Land Leases behind the *Aparche* Documents

Since these *aparche* documents are concerned with obtaining the produce of land cultivated by tenants of the monastery and with securing through the tenants' rent (*pactum*) the amount of land-tax the monastery had to pay yearly for its properties, there must have been land leases contracted prior to this proce-

19 Walter C. Till, "Beiträge zu W.E. Crums Coptic Dictionary," *Bulletin de la Société d'Archéologie copte* 17 (1963–1964): 202:  $\sigma\omega\kappa$   $\rho\alpha$ - "für etwas aufkommen," with reference to *CPR* IV 111, 5. For a collection of the available evidence, see now Tonio Sebastian Richter, *Rechtssemantik und forensische Rhetorik: Untersuchungen zu Wortschatz, Stil und Grammatik der Sprache koptischer Rechtsurkunden* (Leipzig: Verlag Helmar Wodtke und Katharina Stegbauer GbR, 2002), revised edition (Wiesbaden: Harrassowitz, 2008), 258–259.

20 Just as in *P.Mon.Apollo* 25, where a monk has been successful in having the monastery redistribute one of two places he had under his care to another monk, "so that he (i.e. the other monk) is responsible for/pays for its *demosia*" (line 6:  $\epsilon\tau\tau\epsilon\beta\sigma\omega\kappa$   $\rho\alpha$   $\pi\epsilon\sigma\alpha\delta\eta\mu\omicron\sigma\iota\upsilon\upsilon$ ).

ture. The term *pactum* suggests that the lease ran for one year only, as seems to have been common practice.<sup>21</sup> Leases must have specified the amount of rent tenants had to pay, and perhaps hinted to an agreement over the amount and type of *first fruit* payments expected by the lessor, even if such an agreement was not part of the written lease.

Coptic land leases such as *CPR* IV 126 and 127 explicitly state that nothing apart from the agreed amount for *pactum* will be asked of the lessee, i.e., no hidden costs in the form of payment to any official body. That, however, seems to suggest, that such additional payments were quite common, perhaps even in the form of *first fruits*. Greek land leases of the Byzantine period not infrequently include a promise to perform some extra service in addition to the expected rent payment, which in most cases concerns a delivery of agricultural commodities.<sup>22</sup>

So far the only clear *misthosis* document from the Bawit monastery, *P.Mon. Apollo* 26, is one in which two of its own monks are the lessees of a plot of monastic land. This text differs from other known Coptic land-leases,<sup>23</sup> so much so that perhaps we have to posit that scribes of the Bawit monastery used formulas not common elsewhere. Next to the peculiar *peneiot petshai* and the *anok pason* formulae, we might be dealing with an unusual *misthosis* document and several idiosyncratic *aparache* documents requiring an additional payment of *aparache* besides the rent/tax paid for the lease. This is not in line with known formulas of Coptic land-leasing documents,<sup>24</sup> where presumably the amount paid for rent includes a margin of profit, so that no other charges are claimed. But if the rent paid to the monastery only included the amount required from the monastery as land tax, then the profit for the monastery as a landlord had to come through a different type of “gift” or payment most likely to be made in kind.

21 Cf. Richter, “Cultivation of Monastic Estates,” 211, where he states that “*pakton* generally means the rent to be paid for one-year leases.” For terms other than *pactum* in leases, cf. also Tonio Sebastian Richter, “Koptische Mietverträge über Gebäude und Teile von Gebäuden,” *The Journal of Juristic Papyrology* 32 (2002): 116–119, as well as Tonio Sebastian Richter, “Alte Isoglossen im Rechtswortschatz koptischer Urkunden,” *Lingua Aegyptia* 10 (2002): 389–399.

22 For a discussion of these texts, see Klaas A. Worp, “Deliveries for *CYNHΘEIA* in Byzantine Papyri,” in *Essays and Texts in Honor of J. David Thomas*, eds. Traianos Gagos and Roger S. Bagnall (Cincinnati, Ohio: American Society of Papyrologists, 2001), 51–68.

23 Cf. Richter, “Cultivation of Monastic Estates,” 209.

24 For a quick overview on Coptic land leases from the Fayyum, the Hermopolite nome, and the Theban area, their formulars and different terminology, see Richter, “Cultivation of Monastic Estates,” 205–207.

Amounts mentioned in *solidi* for the rent/land-tax payment in *aparche* documents vary greatly, presumably according to the type and size of land. Unfortunately they are rarely preserved, with only four documents retaining an amount: *P.Mon.Apollo* 3, nearly two *solidi*, *P.Mon.Apollo* 2, exactly 19 *solidi*, *P.Mon.Apollo* 10, nearly 18 *solidi*, and *P.Mon.Apollo* 11, nearly 16 *solidi*.<sup>25</sup> From these amounts we may infer that the monastery had large parts of their property leased to non-monastic tenants. This must have provided employment for many people in neighbouring villages, who had the chance to make up for lack of private land by cultivating such property. In doing so they were working “holy land”, helping to “feed the monks” through their labour, which could be seen as proper Christian behaviour.

A payment of *aparche* was not solely destined for the monastery of Apa Apollo. Other monasteries are mentioned as well, such as those of Apa Anoup and Apa Jeremias (*P.Mon.Apollo* 11), of Apa Makare (*P.Mon.Apollo* 3),<sup>26</sup> and Apa Mena (*P.Mon.Apollo* 16). In a contract from Djeme concerning the cultivation of land the payment for the scribe of the document is mentioned to be a tenth of the *aparche* (*O.Crum* ST 38).

If we assume that there had been an agreement between tenants and the monastery over a payment of *aparche*, the question arises just how much of a year’s harvest was defined as *aparche*. Was it a fraction of *first fruits* being handed over for the benefit of the monastic community, or perhaps even literally offered at the shrine of the monastery’s founding father? Or was it a way of referring to the produce of monastic land? That is, did the lessees work the land mainly for the benefit of the monastery or for their own? If the latter, which would be reasonable, the year’s harvest minus the *aparche* and rent payment would be for the benefit of the lessees only. But as the monastery’s management would need to obtain a wide range of products, it may have arranged with the lessees in advance what was to be planted and harvested, even though this is not stated in the documents.

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25 Cf. also Clackson, *Coptic and Greek Texts*, 21a. While *P.Mon.Apollo* 2 only preserves this large amount on the reverse of the document (for which no image is provided) it is not entirely clear whether it is indeed connected to the *aparche* text. *P.Mon.Apollo* 10 is badly damaged, but seems to refer to a number of places for which *pactum* is to be paid. Likewise, *P.Mon.Apollo* 11 refers not only to more than one place, but also to *pactum* payments for three different monasteries. Finally, in line 16f. one finds the statement that “all the brothers shall pay it,” which could well account for the high amount in *solidi* mentioned.

26 Cf. Clackson, *Coptic and Greek Texts*, 19 and 23, as well as Delattre, *Papyrus coptes et grecs*, 65, note 188.

#### 4 Conclusion

Tenants of land belonging to the monastery of Apa Apollo at Bawit seem to have paid a fraction of the year's harvest, referred to as *aparche* or *first fruits*, in addition to an amount of money for rent (or land-tax), referred to as *pactum* (or *demosion*). The properties mentioned in the Bawit documents are specific allocated places with one-year leases, in accordance with other Coptic leasing documents of the early Islamic period. Members of the monastic community who acknowledge that these two payments are due to the monastery seem to be members of the community in charge of obtaining produce and rent payments for the monastery, but ready to step in personally and to cover any financial loss on the part of their community. This seems to be the reason why the monastery's *diakonia* did not deal with tenants of monastic lands directly, but assigned the yearly responsibility to individual monks.<sup>27</sup> In this way, the monastery as a whole did not have to shoulder the (full) fiscal responsibility for its landed property, but enjoyed the security provided by some of its members.

Monasteries such as that of Apa Apollo at Bawit seem to have retained total control over their land as well as over the choice of who was to work and manage it. They were also powerful enough to demand extra compensation for providing land and the opportunity for local tenants to make a living. In that respect the monastery at Bawit seems to have functioned as an economic unit, much in the way of other large estate holders.

The interchange of the two terms *pactum* and *demosion*, both referring in these documents to a rent payment, might be explained by the fact that the amount paid to the monastery in rent was in fact what the monastery paid as land-tax to the state. While the world of the Apa Apollo community seems by-and-large free from any interference on the part of the new Muslim rulers, the frequent mention of tax-payments might, however, offer us a glimpse into the monastery's fiscal challenges under this new reign.

Apart from a few instances where people with Arab names occur in the Bawit documents as recipients of small commodities, such as wine (*P.Mon.Apollo* 45), boiled wine (*P.Hermitage Copt.* 16), or boiled wine and honey (*P.Camb. UL* inv. 1262, *P.Bruux. Bawit* 27),<sup>28</sup> the monastery of Apa Apollo at Bawit seems to have had little direct interaction with the new authorities. On the whole, the

27 A question raised by Wipszycka, "Resources and Economic Activities," 206.

28 See the recent overview of the published Bawit documents with summaries of their discussion and the latest 'Forschungsstand' given by Joanna Wegner, "The Bawit Monastery of Apa Apollo in the Hermopolite Nome and its Relations with the 'World Outside,'" *The Journal of Juristic Papyrology* 46 (2016): 147–274, especially 160–162 and 191–197 for a sum-

monastery seems to have stood firm as an independent and largely impenetrable unit opposing any outside authority and control for quite some time. As far as the current documentary evidence stands, it demonstrates the limits faced by the new administration in the seventh/eighth century to gain access to and control over such a close-knit and influential community. Disregarding the regular demands for taxes, authority in the Egyptian countryside seems to have remained largely in the hands of powerful local religious and economic institutions.

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## Caliphal Estates and Properties around Medina in the Umayyad Period

Harry Munt

In an article published in 1977, Meir J. Kister first drew scholars' attention to the important social and political implications of the Umayyad caliphs' accumulation of agricultural estates in the area around Medina.<sup>1</sup> In this investigation of the causes of the Battle of the Ḥarra – which took place in Dhū l-Ḥijja 63/August 683 between the Medinans and an army under the command of Muslim b. 'Uqba sent from Syria by the caliph Yazīd b. Mu'āwiya (r. 60–64/680–683) – Kister studied the testimony of a number of sources which led him to conclude convincingly that, “The battle of the Ḥarra is thus seen to be the result of a conflict between the owners of estates and property in Medina and the unjust Umayyad rulers who robbed them of their property.”<sup>2</sup> In spite of the attention paid to landholding patterns in other regions of the Islamic world, the important implications of Kister's conclusion, which draws attention to the importance that land ownership has played in the political history of Medina, have hardly been researched further.<sup>3</sup> Perhaps the most important ques-

1 Meir J. Kister, “The Battle of the Ḥarra: Some Socio-Economic Aspects,” in *Studies in Memory of Gaston Wiet*, ed. Myriam Rosen-Ayalon (Jerusalem: The Hebrew University of Jerusalem, 1977), 33–49. Kister was building in part upon the important earlier studies of Henri Lammens, *Études sur le règne du calife omayyade Mo'āwia 1<sup>er</sup>* (Paris: Paul Geuthner, 1908), 225–252; Henri Lammens, “Le califat de Yazīd 1<sup>er</sup>,” *Mélanges de l'Université Saint-Joseph* 5 (1910–1912): 210–225, 237–257; 6 (1913): 401–411; Šāliḥ Aḥmad al-'Alī, “Muslim Estates in Hidjaz in the First Century A.H.,” *Journal of the Economic and Social History of the Orient* 2 (1959): 247–261; Šāliḥ Aḥmad al-'Alī, “Milkiyyāt al-arāḍi fi l-Ḥijāz fi l-qarn al-awwal al-hijri,” *Majallat al-'arab* 3 (1389/1969): 961–1005. Some further useful data can also be found in Šāliḥ Aḥmad al-'Alī, “Studies in the Topography of Medina (During the first Century A.H.),” *Islamic Culture* 35 (1961): 65–92.

2 Kister, “Battle,” 49.

3 At least not for the Islamic period; that conflict over land was important in pre-Islamic tensions in the town has been demonstrated by Isaac Hasson, “Contributions à l'étude des Aws et des Ḥazrağ,” *Arabica* 36 (1989): 1–35; see also Michael Lecker, *Muslims, Jews and Pagans: Studies on Early Islamic Medina* (Leiden: Brill, 1995). Some further interesting material on land and estates around Medina in the Umayyad period can be found, for example, throughout Albert Arazi, “Matériaux pour l'étude du conflit de préséance entre la Mekke et Médine,” *Jerusalem*

tion that arises is, if the acquisition of estates around Medina by the Umayyad caliphs and their close relatives was so unpopular, why did they go to sometimes considerable lengths to acquire them? Were there simply large potential profits to be made, or should we seek alternative reasons?

The lack of further study into agricultural estates in the Ḥijāz in the Umayyad period is in no small part due to the paucity of decent sources. There is fairly little relevant archaeological, epigraphic and documentary material.<sup>4</sup> There are plenty of literary sources – Medina inspired a lively local historical tradition, and works of other genres discuss the town to varying extents – but these were mostly written long after the fall of the Umayyad family in Syria and usually discuss estates only incidentally. That said, there is some very interesting material preserved in these later sources; of particular interest we can single out Ibn Shabba's (d. 262/876) *Ta'rikh al-Madīna al-munawwara*,<sup>5</sup> and the numerous citations from Ibn Zabāla's (wr. 199/814) lost *Akhbār al-Madīna* preserved by later local historians such as al-Samhūdī (d. 911/1506).<sup>6</sup>

This paper makes use of the material that can be found scattered across these sources to investigate the phenomenon of Umayyad family landholding and estate acquisition in the Ḥijāz, focusing to some extent on the role played in these endeavours by the Umayyad caliphs themselves. In many ways, it will confirm how little we know rather than what we do know, but there are two principal objectives related to this volume's theme of authority and control. The first is to understand how the Umayyads' estates around Medina were acquired, administered and worked, and the second is to grapple with why Umayyad caliphs risked unpopularity in Medina by using their position of power to acquire their land in the region.<sup>7</sup> Was there an expected pay-

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*Studies in Arabic and Islam* 5 (1984): 177–235; Michael Lecker, "Biographical Notes on Ibn Shihāb al-Zuhrī," *Journal of Semitic Studies* 41 (1996): 50–57; Jairus Banaji, "Late Antique Legacies and Muslim Economic Expansion," in *Money, Power and Politics in Early Islamic Syria: A Review of Current Debates*, ed. John F. Haldon (Farnham: Ashgate, 2010), 169–170.

4 Some of the relevant archaeological and epigraphic evidence will be referred to later in this paper, but for some indication of what has been done and is being done, see the various issues of the journals *al-Aṭlāl*, *Proceedings of the Seminar for Arabian Studies* and *Arabian Archaeology and Epigraphy*.

5 Ibn Shabba, *Ta'rikh al-Madīna al-munawwara*, eds. 'Alī Muḥammad Dandal and Yāsīn Sa'd al-Dīn Bayān, 2 vols. (Beirut: Dār al-kutub al-'ilmiyya, 1417/1996).

6 al-Samhūdī, *Wafā' al-wafā' bi-akhbār dār al-muṣṭafā*, ed. Qāsim al-Sāmarrā'ī, 5 vols (London: Mu'assasat al-Furqān, 1422/2001). For a study of the citations from Ibn Zabāla's lost *Akhbār al-Madīna*, see Harry Munt, "Writing the History of an Arabian Holy City: Ibn Zabāla and the First Local History of Medina," *Arabica* 59 (2012): 1–34.

7 This paper focuses on the area around Medina and the northern Ḥijāz (i.e. not Mecca and al-Ṭā'if with their hinterlands), and only on agricultural – and very occasionally commercial –



off, in terms of the Umayyad family's ability to exercise their authority in the region, that compensated for the opposition such efforts at controlling the land engendered? A third, much looser aim is to see to what extent some general trends that can be seen in other regions of the world of late antiquity – for example, the more intensive and extensive exploitation of land for agriculture, and developments in patterns of landholding – impacted upon the western Arabian Peninsula in the early Islamic period. Such trends have frequently been linked to the abilities of certain groups to exercise authority over others, and it is important to begin to investigate what role landholding may have played in the Umayyad family's efforts to control a region as important as the Hijāz.<sup>8</sup>

### 1 Ownership, Produce and Profits

The most prolific acquirers of land around Medina throughout the period of Umayyad rule appear to have been the various branches of the Umayyad family itself, with the Zubayrids and Alids – that is the descendants of the Prophet's originally Meccan Companions al-Zubayr b. al-ʿAwwām (d. 36/656) and ʿAlī b. Abī Ṭālib (d. 40/661) – following behind them.<sup>9</sup> The families of the Meccan Companions ʿAbd al-Raḥmān b. ʿAwf (d. ca. 31/651–652) and Ṭalḥa b. ʿUbayd Allāh (d. 36/656), and their descendants, also appear as prominent estate owners. The relatives of other Meccan Companions, including ʿAmr b. al-ʿĀṣ (d. ca. 42/662–663), the conqueror of Egypt, and Saʿd b. Abī Waqqāṣ (d. 50s/670s), who led the conquest of Iraq, also had properties in the region. The relative lack of estates said to have been owned by Anṣārī families – that is the descendants

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possessions (i.e. not residential or administrative properties). On the southern Hijāz see, for example, Lammens, *Études*, 237–248; George C. Miles, “Early Islamic Inscriptions near Ṭāʾif in the Hijāz,” *Journal of Near Eastern Studies* 7 (1948): 236–242; Meir J. Kister, “Some Reports concerning Mecca: From Jāhiliyya to Islam,” *Journal of the Economic and Social History of the Orient* 15 (1972): 84–91.

8 On estates in late antiquity, see for example Jairus Banaji, *Agrarian Change in Late Antiquity: Gold, Labour, and Aristocratic Dominance*, 2nd ed. (Oxford: Oxford University Press, 2007), 171–189; Chris Wickham, *Framing the Early Middle Ages: Europe and the Mediterranean, 400–800* (Oxford: Oxford University Press, 2005), 153–302. On the intensification of agriculture and its spread into new lands in the late antique Near East, see also Michael Decker, *Tilling the Hateful Earth: Agricultural Production and Trade in the Late Antique East* (Oxford: Oxford University Press, 2009), 174–227.

9 For a concise discussion of some Alid properties, see Ibn Shabba, *Taʾriḫ al-Madīna*, 1:136–141.

of those who had lived in Medina before Muḥammad's *hijra* – is noticeable.<sup>10</sup> At the time of the *hijra* in 1/622, the Medinan Sa'd b. al-Rabi' (d. 3/625) was said to have owned the greatest number of properties in Medina (*akthar ahl al-Madīna māl<sup>an</sup>*),<sup>11</sup> but he granted half of his properties to the Meccan emigrant 'Abd al-Raḥmān b. 'Awf after the Prophet had declared the two of them to be "brothers."<sup>12</sup> We do hear about some Anṣārī estate owners, but they are relatively few and far between. For example, during the reign of al-Walid b. 'Abd al-Malik (r. 86–96/705–715), we read about estates belonging to the Anṣārī Abū Bakr b. Muḥammad b. 'Amr b. Ḥazm (d. 120/737–738), but only in the context of their confiscation by the authorities.<sup>13</sup>

These cultivated estates presumably did not cover Medina's entire hinterland, and we should note that much of the region's economic activity was pastoral and doubtless stock-raising took up much land. In fact, it is worth noting here that Medina's status as a sacred space, increasing over the Umayyad period, may have placed some restrictions upon agriculture around the town. Medina and its surroundings came by the late second/eighth and early third/ninth centuries at least to be recognized widely by many Muslims (the main exceptions whose opinions are known to us were scholars associated with the Iraqi Abū Ḥanīfa [d. 150/767]) to be a sacred enclave, specifically a *ḥaram*, and one of the accompanying rules restricted the usage of plants (variously defined) in that area (the boundaries were also debated).<sup>14</sup> Given the existence

10 For an overview of estate owners and their important properties in the Umayyad period, see al-'Alī, "Milkiyyāt," 972–1005; al-'Alī, "Muslim Estates," 255–260 and 249 on the lack of Anṣārīs said to have benefitted during Muḥammad's parceling out of the land of the expelled Banū l-Naḍīr (on which, see also Lecker, *Muslims*, 123). Kister has noted that the Anṣārīs also failed to gain from the parceling out of the Banū Qurayẓa's land; see his "The Massacre of the Banū Qurayẓa: A Re-examination of a Tradition," *Jerusalem Studies in Arabic and Islam* 8 (1986): 95–96.

11 It is worth noting here that some scholars understood *māl*, pl. *amwāl*, in a Medinan context as indicating specifically an "orchard" (*bustān*); for example, Ibn Ḥajar al-'Asqalānī, *Fath al-bārī sharḥ Ṣaḥīḥ al-Bukhārī*, new ed., eds. 'Abd al-'Azīz ibn Bāz and Muḥammad Fu'ād 'Abd al-Bāqī (Beirut: Dār al-kutub al-'ilmiyya, 1410/1989), 1:40 (*Kitāb al-istiḍhān*, bāb 16).

12 Ibn Sa'd, *Kitāb al-ṭabaqāt al-kubrā* (Beirut: Dār ṣādir, 1380–1388/1960–1968), 3:126.

13 Wakī', *Akhbār al-quḍāt*, ed. 'Abd al-'Azīz al-Marāghī (Cairo: Maṭba'at al-istiḳāma, 1366–1369/1947–1950), 1:138. There were, of course, other, non-Qurashī or Anṣārī land owners in the Ḥijāz, but they seem to be encountered less frequently in the sources; for some Sulamī agricultural properties, see Michael Lecker, *The Banū Sulaym: A Contribution to the Study of Early Islam* (Jerusalem: The Hebrew University of Jerusalem, 1989), 221–228.

14 For a discussion of many issues surrounding Medina's *ḥaram*, see Harry Munt, *The Holy City of Medina: Sacred Space in Early Islamic Arabia* (Cambridge: Cambridge University Press, 2014).

of estates within this area, however, it seems that these restrictions on plants in and around Medina did not pose a serious hindrance to agriculture in the area, even if they were widely accepted in the Umayyad period (and this itself is far from clear).<sup>15</sup>

Water supply has always been a problem for cultivation throughout the Hijāz, and the lack of rain has ensured that any cultivated land has been in areas with sufficient groundwater. Al-ʿAlī has noted that most of the cultivable estates were located along the important *wādīs*, which either approached the town from the south (Buṭḥān) or passed it by to the west (al-ʿAqīq) and north (Qanāt).<sup>16</sup> One traveler and geographer, al-Iṣṭakhrī (wr. ca. second quarter of fourth/tenth century), notes a number of estates in the vicinity of Uḥūd to the north of Medina, many of which were in ruins by his day;<sup>17</sup> these were presumably located along the Wādī Qanāt. The south of Medina, known as al-ʿĀliya or al-ʿAwālī because it is slightly higher than the area to the north (known as al-Sāfila), through which the Wādī Buṭḥān ran, appears to have had particularly good cultivable land in pre- and early Islamic times; still in the 1960s the village called ʿAwālī had the largest cultivated area in the region.<sup>18</sup> At least some of the Umayyad caliph Muʿāwīya's (r. 40–60/661–680) estates were in the ʿĀliya, in the territory of the Banū l-Ḥārith b. al-Khazraj, around the settlement of al-Sunḥ;<sup>19</sup> another was north of the town near the Wādī Qanāt.<sup>20</sup>

We read in several sources about estate owners excavating wells (*ābār*, sg. *bīʿr*) and *ʿuyūn* (sg. *ʿayn*), perhaps “flowing springs” but maybe also something

15 There is evidence that agricultural developments around Mecca in the Sufyanid period were more controversial; see for example Kister, “Some Reports,” 84–91. At least one eschatological tradition is relevant here, cited in al-Thaʿlabī, *al-Kashf wa-l-bayān (Taḥsīn al-Thaʿlabī)*, ed. Abū Muḥammad ibn ʿĀshūr (Beirut: Dār iḥyāʾ al-turāth al-ʿarabī, 1422/2002), 8:271: “How would it be for you if subterranean conduits were dug in Mecca?” (*kayf bi-kum idhā buʿijat Makka kaẓāʾim*).

16 As we will see below, the Wādī l-ʿAqīq to the west of Medina appears to have been particularly important for cultivation, and many prominent families are said to have had properties there (see further al-ʿAlī, “Studies,” 91). For a property in Qanāt belonging to Ṭalḥa b. ʿUbayd Allāh, see al-ʿAlī, “Muslim Estates,” 259.

17 al-Iṣṭakhrī, *Kitāb al-masālik wa-l-mamālik*, ed. M.J. de Goeje (Leiden: Brill, 1870), 18.

18 See esp. Lecker, *Muslims*, 1–3; Hasson, “Contributions,” 10–16. Al-Fīrūzābādī (d. 817/1415) was particularly gushing in his praise of the ʿĀliya's agricultural opportunities; see his *al-Maghānīm al-muṭāba fi maʿālim Ṭāba (qism al-mawāḍiʿ)*, ed. Ḥamad al-Jāsir (Riyadh: Dār al-Yamāma, 1389/1969), 286.

19 al-Wāqīdī in al-Samhūdī, *Wafāʾ al-wafāʾ*, 1:250, and Abū l-ʿArab, *Kitāb al-miḥan*, 2nd ed., ed. Yahyā Wahib al-Jabūrī (Beirut: Dār al-gharb al-islāmī, 1408/1988), 160; Kister, “Battle,” 38–39. For al-Sunḥ's location, see Lecker, *Muslims*, 6.

20 See al-ʿAlī, “Muslim Estates,” 251.

similar to an underground channel bringing water from an aquifer (*qanāt*).<sup>21</sup> We also read more explicitly about such irrigation channels (sing. *qanāt* or *khalīj*) as well as dams (sing. *sadd* or *ḍafīra*) being constructed.<sup>22</sup> According to al-Wāqidī (d. 207/822), cited by al-Samhūdī and Abū l-ʿArab (d. 333/944–945), one of Muʿāwiya’s estate managers, Ibn Mīnā (see further on him below), may have undertaken the construction of a channel to bring water to his master’s estates near al-Sunḥ.<sup>23</sup> The most interesting pieces of evidence we have for dam building in the Ḥijāz are two inscriptions commemorating the completion of dams (both times the word for dam is *sadd*) ordered by the caliph Muʿāwiya. One of these is more than two hundred miles south of Medina, near al-Ṭāʾif, and is dated to 58/677–678;<sup>24</sup> the other, which is undated but mentions Muʿāwiya by name, was found on one of two extant dams in the Wādī l-Khanaq, approximately six-to-ten miles southeast of Medina.<sup>25</sup> A mid-to-late third-/ninth-century literary source also tells us that Muʿāwiya had a dam (*sadd*) constructed across the course of a *wādī* in one of the volcanic tracts (*ḥirār*, sg. *ḥarra*) to the northeast of Medina.<sup>26</sup>

Muʿāwiya may not have been the first to have such dams constructed in the northern Ḥijāz: an archaeological survey of 1401/1981 investigated three dams in the region around Khaybar – about ninety miles north of Medina – and it

21 Several geographers noted the various methods of finding and using water in and around Medina; see, for example al-Iṣṭakhṛī, *Masālik*, 18; al-Yaʿqūbī, *Kitāb al-buldān*, ed. M.J. de Goeje (Leiden: Brill, 1892), 312–313.

22 ʿUrwa b. al-Zubayr (d. 94/712), for example, had dams and a famous well constructed on his estate in the ʿAqīq (see further below). On the archaeological evidence for water transport and conservation across the Middle East, see Marcus Milwright, *An Introduction to Islamic Archaeology* (Edinburgh: Edinburgh University Press, 2010), 64–70.

23 Abū l-ʿArab, *Miḥan*, 159–160; al-Samhūdī, *Wafāʾ al-wafāʾ*, 1:250; see also Ibn Qutayba (attrib.), *Kitāb al-imāma wa-l-siyāsa* (Cairo: Maṭbaʿat al-Nīl, 1322/1904), 1:325. For a summary of all these accounts, see Kister, “Battle,” 38–40. There is some confusion over what exactly Ibn Mīnā was doing in these reports. In many editions of these texts, Ibn Mīnā led a pasturing flock (*sarḥ*) to these estates. Kister amended this to *sharj*, which he understood as a “party [of workers].” The emendation to *sharj* appears to be correct, but it is interesting in this regard that another meaning of this word is “a place in which water flows from a stony tract such as is termed *ḥarra* to a soft, or plain, tract” (Edward W. Lane, *Arabic-English Lexicon* (London: Williams and Norgate, 1863–1893), 4:152; s.v. ‘*sh-r-j*’). Since Medina was surrounded on most sides by *harras*, this may well be the correct interpretation in this context.

24 For the text, see Miles, “Early Islamic Inscriptions,” 237.

25 Saad al-Rashid, *Dirāsāt fī l-āthār al-islāmiyya al-mubakkira bi-l-Madīna al-munawwara* (Riyadh: Muʿassasat al-Ḥuzaymī, 1421/2000), 32–60.

26 Lughda al-Iṣṭahānī, *Bilād al-ʿarab*, eds. Ṣāliḥ Aḥmad al-ʿAlī and Ḥamad al-Jāsir (Riyadh: Dār al-Yamāma, 1388/1968), 401.

has been suggested tentatively that although two were early Islamic, one of them was possibly a pre-Islamic structure.<sup>27</sup> That caliph did nonetheless display a marked interest in patronising their construction. We cannot always be sure what the primary purpose of these dams was. In many instances, a primary aim was presumably to prevent flash-flooding in the *wādīs*, but storing water for use in agriculture or pasturing would have been an obvious secondary benefit.<sup>28</sup> The same literary source who tells us about Mu‘āwiya’s dam in the volcanic tract northeast of Medina mentions specifically that “water would be kept back by [the dam], to which people would then bring their flocks to drink.”<sup>29</sup>

The difficulties that Medina’s cultivators faced in procuring enough water are illuminated in a report preserved by the Andalusī Ibn Ra’s Ghanama (fl. 620/1223–1224), which states that when there was a flash flood one day in Medina the inhabitants hurried out to direct the water to their properties, but Mu‘āwiya’s *mawālī* went out to divert as much of the water as possible to his estates; this led to a fight.<sup>30</sup> Excavations at some sites in the Ḥijāz have uncovered some of the ways through which the region’s inhabitants in the Umayyad and Abbasid periods tried to collect and store water. At al-Rabadha, approximately one hundred miles east of Medina, excavators found not only two reservoirs on the outskirts of the settlement, but also underground water tanks attached to some buildings within.<sup>31</sup> These constructions were not intended to provide water for the cultivation of land, but they demonstrate the lengths local residents had to go to in order to find and keep water. Further away at Fayd, two hundred and fifty miles northeast of Medina in Najd and a site occupied since at least the late second/eighth century, a number of water retention and utilisation structures have been found, including wells, dams, reservoirs and *qanāts*.<sup>32</sup> Al-Rabadha is also an interesting example of the limits of cultivation in the region around Medina. Although it can get very green there when it does rain, there appears to have been relatively little agricultural activity in this particular part of the Ḥijāz; instead the area around this settlement was set aside for much

27 Michael Gilmore, Mohammed Al-Ibrahim and Abduljawwad S. Murad, “Preliminary Report on the Northwestern and Northern Region Survey 1981 (1401),” *Atlāl* 6 (1982): 20.

28 See also Miles, “Early Islamic Inscriptions,” 236; Milwright, *Introduction*, 64.

29 Lughda al-Iṣfahānī, *Bilād al-‘arab*, 401.

30 Discussed by Kister, “Battle,” 45–46.

31 Saad al-Rashid, *al-Rabadhah: A Portrait of Early Islamic Civilisation in Saudi Arabia* (Riyadh: King Saud University, 1986), 41–48.

32 Fahd bin Saleh Al-Hawas, et al., “Preliminary Report on the Excavations of the Islamic Site of Faid, Hail Region, First Season, 1427 A.H./2006 A.D.,” *Atlāl* 20 (2010): 44–45, 49–50, 53–54.

of the Umayyad and early Abbasid period as a protected grazing land (*himā*), and the most important vegetation associated with the site was connected to pasturage.<sup>33</sup>

Our sources give us very little information about what was produced on the cultivated estates, but what data there is suggest that it was mostly dates, although other fruits and wheat were probably grown where possible.<sup>34</sup> Al-ʿAlī has used the fact that Mālikī legal texts mention various types of grains, vegetables, oils, perfumes, and fruits to suggest that these were cultivated in Medina, at least by the time of Mālik b. Anas (d. 179/795), but this may be making too much of the information on offer: after all, most extant Mālikī legal texts were not actually written or transmitted primarily in the Ḥijāz.<sup>35</sup> The geographer al-Muqaddasī (wr. late fourth/tenth century) noted that in his day among the special products (*khaṣāʾiṣ*) of Arabia were the *bān* trees and *ṣayḥānī* dates of Medina.<sup>36</sup> Apparently *qaraz*, a plant used in tanning, was grown in the Wādī l-ʿAqīq.<sup>37</sup> It is probable that the vast majority of the produce from the estates was sold locally (or at least within the Ḥijāz).<sup>38</sup> Dates, which seem to be Medina's most notable agricultural produce, are grown over much of the Middle East.<sup>39</sup> Since Medina was a sizeable importer of many of the foodstuffs it supposedly produced, especially from Egypt to the nearby port of al-Jār on the Red Sea,<sup>40</sup>

33 al-Rashid, *Rabadhah*, 4. On the *himā*, see al-Samhūdī, *Wafāʾ al-wafāʾ*, 4:83–85.

34 Other products which may have been cultivated around Medina include bananas, pomegranates, and peaches; see al-ʿAlī, “Milkiyyāt,” 968; Andrew M. Watson, *Agricultural Innovation in the Early Islamic World: The Diffusion of Crops and Farming Techniques, 700–1100* (Cambridge: Cambridge University Press, 1983), 51–54. That dates and wheat were cultivated in the Ḥijāz will become clear from the following discussion, but for another example of wheat cultivation see Lecker, “Biographical Notes,” 53.

35 al-ʿAlī, “Milkiyyāt,” 968.

36 al-Muqaddasī, *Aḥsan al-taqāsīm fī maʿrifat al-aqālīm*, 2nd ed., ed. M.J. de Goeje (Leiden: Brill, 1906), 98. For seeds of the *bān* tree as a Medinan export, see also Ibn al-Faḥīh (wr. ca. 289–290/902–903), *Mukhtaṣar Kitāb al-Buldān*, ed. M.J. de Goeje (Leiden: Brill, 1885), 25. The oil of the *bān* tree was apparently aromatic, and its seed had medicinal uses; see Lane, *Arabic-English Lexicon*, 1:278 (s.v. ‘b-w-n’).

37 Ahmad Khan, “The Tanning Cottage Industry in Pre-Islamic Arabia,” *Journal of the Pakistan Historical Society* 19 (1971): 92.

38 There is some interesting information regarding the pre-Islamic period about some of the agricultural produce of Ḥijāzī settlements being used to pay surrounding tribes for protection and safe conduct; see Michael Lecker, “Were the Jewish Tribes in Arabia Clients of Arab Tribes?” in *Patronate and Patronage in Early and Classical Islam*, eds. Monique Bernards and John Nawas (Leiden: Brill, 2005), 59–66.

39 For example, Eliyahu Ashtor, *A Social and Economic History of the Near East in the Middle Ages* (London: Collins, 1976), 43–44.

40 There are plenty of references in the literary sources to Medina importing grain from Egypt

but also from Syria via sea and land routes,<sup>41</sup> it is hard to imagine that it also exported very much of its local agricultural produce. Perhaps significantly, during the reign of Yazīd b. Mu‘āwiya (r. 60–64/680–683) the price of wheat in Medina is said to have been higher than in Syria.<sup>42</sup>

Whatever the market was – and the internal market in the Ḥijāz may well have been enough to create a significant demand for these foodstuffs, especially during the *ḥajj* season when pilgrims to Mecca would have been passing through – the sources provide some impressive figures for the yields of produce from the estates around Medina, and for the profits that could be made from selling it.<sup>43</sup> Ibn Sa‘d (d. 230/845), for example, reports that while Marwān b. al-Ḥakam (d. 65/685) was in charge of the estate at Fadak (see further below) during the caliphate of Mu‘āwiya, its produce sold for ten thousand dinars every year.<sup>44</sup> Al-Wāqidī claimed that Mu‘āwiya’s estates in Medina and its surrounding districts (*a‘rād*, sg. *‘ird*, a term used particularly for the administrative dependencies of Medina<sup>45</sup>) produced 150,000 *wasqs* of dates and 100,000 *wasqs* of wheat each year.<sup>46</sup> Now such figures may be too high, but there is

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via the ports of Clysmā (al-Qulzum) and al-Jār; see further Philip Mayerson, “The Port of Clysmā (Suez) in Transition from Roman to Arab Rule,” *Journal of Near Eastern Studies* 55 (1996): 125–126; Clive Foss, “Egypt under Mu‘āwiya,” *Bulletin of the School of Oriental and African Studies* 72 (2009): 20; Petra Sijpesteijn, *Shaping a Muslim State: The World of a Mid-Eighth-Century Egyptian Official* (Oxford: Oxford University Press, 2013), 76–77. There is also some papyrological evidence for grain ships leaving Clysmā (*CPR* XXII 44, perhaps late seventh or early eighth century CE), but this papyrus does not record their destination. *P.Lond.* IV 1346 – dated to 710 CE – also refers to grain shipments moving from Fuṣṭāṭ to Clysmā, but without indication of their final destination. Al-Muqaddasī, *Aḥsan al-taqāsīm*, 97, however, did note that in his day (i.e. late fourth/tenth century) al-Jār and Jedda were “the two storage houses of Egypt” (*khizānatay Miṣr*).

41 Alan Walmsley, “Production, Exchange and Regional Trade in the Islamic East Mediterranean: Old Structures, New Systems?” in *The Long Eighth Century*, eds. Inge Hansen and Chris Wickham (Leiden: Brill, 2000), 328; al-Muqaddasī (*Aḥsan al-taqāsīm*, 178) also called the southern Syrian port of Ayla “the storehouse of the Ḥijāz” (*khizānat al-Ḥijāz*). Pre- and very early Islamic Ḥijāzīs – including ‘Abd al-Raḥmān b. ‘Awf and ‘Abd Allāh b. Jud‘ān (fl. late sixth century CE) – were thought to have imported wheat from Syria, and in the same period traders from Syria are said to have come to Medina to sell grain; see Patricia Crone, *Meccan Trade and the Rise of Islam* (Oxford: Blackwell, 1987), 98, 104, 139–140.

42 Ibn Qutayba, *al-Imāma*, 1:326; Kister, “Battle,” 47–48.

43 See esp. the figures listed in al-‘Alī, “Muslim Estates,” 254–255. Lecker (“Jewish Tribes,” 66) suggests that Medina and other Ḥijāzī settlements in the pre- and early Islamic period had “a huge surplus of dates.”

44 Ibn Sa‘d, *Ṭabaqāt*, 5:388.

45 Abdullah Al-Wohaibi, *The Northern Hijaz in the Writings of the Arab Geographers, 800–1150* (Beirut: al-Risalah, 1973), 431.

46 Within Abū l-‘Arab, *Miḥan*, 159; al-Samhūdī, *Wafā’ al-wafā’*, 1:250; cf. al-‘Alī, “Muslim

some evidence to corroborate the picture that estates in the northern Ḥijāz could generate significant income: the well-known scholar Ibn Shihāb al-Zuhrī (d. 124/742) apparently made enough money from his land in the northern Ḥijāz to pay off the considerable debts he incurred through other activities.<sup>47</sup> Nonetheless, it has been noted that many other estate owners in the region appear in the sources in straitened financial circumstances (although little further evidence is given of how this came to be).<sup>48</sup>

At any rate, it is important to note that scholars by the third/ninth century did not see anything strange in the possibility that considerable sums of money could be made from estates in and around Medina. Enterprising individuals could perhaps make money there. We still should not, however, envisage land around Medina as being nearly as valuable as that in some other regions of the caliphate; it is surely not for nothing that ‘Uthmān b. ‘Affān (r. 23–35/633–656) is said to have offered a land-swap program whereby Medinans who had participated in the conquests could exchange their land in Arabia for land in Iraq.<sup>49</sup> Ṭalḥa b. ‘Ubayd Allāh was said to have made one thousand *dirhams* (per day?) from his estates in Iraq and ten thousand dinars (per year?) from his properties in Syria.<sup>50</sup>

It should be noted that this discussion concerns only agricultural produce from estates. Several properties around Medina are also said to have possessed precious metal mines, and these could have made much more money for estate owners if they were indeed in operation in the period under discussion.<sup>51</sup> On a

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Estates,” 251. In early Islamic times, one *wasq* was the equivalent of 252.3456 litres, or 194.3 kilograms; see Walther Hinz, *Islamische Masse und Gewichte umgerechnet ins metrische System* (Leiden: Brill, 1955), 53.

47 Lecker, “Biographical Notes,” 51.

48 al-‘Alī, “Muslim Estates,” 260.

49 al-Ṭabarī, *Ta’rīkh al-rusul wa-l-mulūk*, eds. M.J. de Goeje et al. as: *Annales quos scripsit Abu Djafar Mohammed ibn Djarir at-Tabari* (Leiden: Brill 1879–1901), 1:2854–2856; see further Albrecht Noth, “Eine Standortbestimmung der Expansion (*Futūḥ*) unter den ersten Kalifen (Analyse von Ṭabarī I, 2854–2856),” *Asiatische Studien* 43 (1989): 120–136. The sources do not seem to record the precise ratio at which Ḥijāzī land could be swapped for Iraqi land. On the vastly more significant prosperity of agricultural land in the Sawād in southern Iraq, see Hugh Kennedy, “The Feeding of the Five Hundred Thousand: Cities and Agriculture in Early Islamic Mesopotamia,” *Iraq* 73 (2011): 177–199.

50 William G. Millward, “The Adaptation of Men to Their Time: An Historical Essay by al-Ya’qūbī,” *Journal of the American Oriental Society* 84 (1964): 335. Ten thousand dinars per year as the income of an estate comes across as something of a topos from the literary sources of the third/ninth century.

51 Gene W. Heck, “Gold Mining in Arabia and the Rise of the Islamic State,” *Journal of the Economic and Social History of the Orient* 42 (1999): 364–395.



smaller scale, there was also a demand for steatite in Syria as well as in central and eastern Arabia, which could have been met from Ḥijāzī sources.<sup>52</sup>

As for who put in the hard work to generate all this produce, we very often simply do not know. Small property owners perhaps worked their own land,<sup>53</sup> but the larger property owners with whom I am concerned here clearly would not have run their estates by themselves. In any case, many of them – including, of course, the caliphs – were absentee owners.<sup>54</sup> Since the sources do not volunteer much information on this question, we have relatively little idea which of the various methods of organizing labor in other areas of the late antique and early medieval world – tenancy agreements of various kinds, wage labor, and slave labor<sup>55</sup> – were used by Ḥijāzī landowners, although since it has been suggested that sharecropping was fairly common across the Islamic world that may have played a significant role in and around Medina.<sup>56</sup>

Slave labor also seems to have played some part. There are a few references to prisoners of war taken captive during the conquests of the mid-to-late first/seventh century being sent to the Ḥijāz to work on properties there.<sup>57</sup> In one regularly recounted story, the caliph ‘Uthmān b. ‘Affān’s son, Sa‘īd (d. after 56/675–676), took hostages from Samarqand in return for that city’s good behavior.

52 For Syrian demand, see Walmsley, “Production,” 331–332. Fayd is a good example of a central Arabian early Islamic site at which a large number of steatite objects were found: al-Hawas et al., “Preliminary Report,” 73. As for the possible Ḥijāzī sources, the excavators at al-Rabadha located a steatite source roughly seven miles west of their site; see al-Rashid, *Rabadhah*, 77.

53 al-‘Alī, “Muslim Estates,” 253; for elsewhere in the Islamic world, see Ashtor, *Social and Economic History*, 38.

54 Chris Wickham has suggested (*Framing*, 241) that the Umayyad family themselves were responsible for a “certain revival of long-distance landowning” in the Near East, since they owned properties all over the region.

55 On these alternatives see, for example, Ashtor, *Social and Economic History*, 37; Wickham, *Framing*, 272–280; John F. Haldon, *Byzantium in the Seventh Century: The Transformation of a Culture*, 2nd ed. (Cambridge: Cambridge University Press, 1997), 132–141; Jairus Banaji, “Aristocracies, Peasantries and the Framing of the Early Middle Ages,” *Journal of Agrarian Change* 9 (2009): 59–91; Banaji, *Agrarian Change*, 190–212. For forced laborers being used to work on the maintenance of irrigation canals in Egyptian papyri from Mu‘āwiya’s reign (*P.Apoll.* 26, 27), see Foss, “Egypt under Mu‘āwiya,” 16; Sijpesteijn, *Shaping a Muslim State*, 173, n. 309.

56 For example, Claude Cahen, “Ḍay‘a,” in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill), [http://dx.doi.org/10.1163/1573-3912\\_islam\\_SIM\\_1763](http://dx.doi.org/10.1163/1573-3912_islam_SIM_1763); Ziaul Haque, *Landlord and Peasant in Early Islam: A Study of the Legal Doctrine of Muzāra‘a or Sharecropping* (Islamabad: Islamic Research Institute, 1977); Banaji, “Aristocracies,” 82. That various tenancy agreements may have been important in Umayyad Medina, see ‘Abd al-‘Azīz al-Dūrī, “Landlord and Peasant in Early Islam: A Critical Study,” *Der Islam* 56 (1979): 105; al-‘Alī, “Muslim Estates,” 253.

57 See also al-‘Alī, “Milkiyyāt,” 967–968; al-‘Alī, “Muslim Estates,” 252–253.

Breaking his agreement with the city, he then sent them on to Medina to work the land there.<sup>58</sup> Kister also recounts further traditions which speak of forced and slave labor exploiting prisoners of war among others in the Ḥijāz in Mu'āwiyā's time,<sup>59</sup> and at least one fourth-/tenth-century geographer noted the presence of slaves (*'abīd*) working on Medina's estates.<sup>60</sup> We do know that the Muslim armies of the first/seventh and second/eighth centuries tended to take large numbers of prisoners when they raided territories; in one rather spectacular example, narrative sources' accounts of many prisoners taken during two raids on Cyprus in the late 20s/640s and early 30s/650s are corroborated by two extant Greek inscriptions found on the island in 1974.<sup>61</sup> Anastasius of Sinai (d. ca. 700 CE) offers a relatively substantial amount of information about these prisoners' futures and notes that some of them ended up working in terrible conditions on estates near the Dead Sea.<sup>62</sup>

It is possible that slaves taken from East Africa may also have worked on the estates in and around Medina.<sup>63</sup> We hear almost nothing about these slaves in the sources, but in the early Abbasid period, in 145/762–763, they revolted in Medina. The most important source for this revolt, al-Ṭabarī (d. 310/923), mentions that those who rebelled were slaves (*'abīd*), but gives little further indication as to what work they performed.<sup>64</sup> The most notable point to come out of al-Ṭabarī's account is that these slaves do not seem to have revolted

58 al-Ya'qūbī, *Ta'riḫh*, ed. T. Houtsma as: *Ibn-Wādhih qui dicitur al-Ja'qūbī Historiae* (Leiden: Brill, 1883), 2:282; al-Balādhurī, *Kitāb Futūḥ al-buldān*, ed. M.J. de Goeje as: *Liber expugnationis regionum* (Leiden: Brill, 1866), 411–412; al-Ṭabarī, *Ta'riḫh*, 2:179; Muṣ'ab ibn 'Abd Allāh al-Zubayrī, *Kitāb Nasab Quraysh*, 4th ed., ed. E. Levi-Provençal (Cairo: Dār al-ma'ārif, n.d.), 111.

59 Kister, "Battle," 44–47. See also Lecker, "Biographical Notes," 52.

60 al-Iṣṭakhrī, *Masālik*, 18.

61 al-Balādhurī, *Futūḥ*, 152–153; Robert G. Hoyland, *Theophilus of Edessa's Chronicle and the Circulation of Historical Knowledge in Late Antiquity and Early Islam* (Liverpool: Liverpool University Press, 2011), 131–134; Denis Feissel, "Jean de Soloi, un évêque chypriote au milieu du VII<sup>e</sup> siècle," *Travaux et mémoire* 17 (2013): 227–234. For an interesting discussion of the status of Cyprus's inhabitants within emerging Islamic legal thought, see now Ryan J. Lynch, "Cyprus and Its Legal and Historiographical Significance in Early Islamic History," *Journal of the American Oriental Society* 136 (2016): 535–550.

62 Bernard Flusin, "Démons et sarrasins: l'auteur et le propos des *Diègèmata stèriktika* d'Anastase le Sinaïte," *Travaux et mémoire* 11 (1991): 400–404; Robert G. Hoyland, *Seeing Islam as Others Saw It: A Survey and Evaluation of Christian, Jewish and Zoroastrian Writings on Early Islam* (Princeton: Darwin Press, 1997), 100.

63 See also Meir J. Kister, "The Social and Political Implications of Three Traditions in the Kitāb al-Kharādj of Yahya b. Adam," *Journal of the Economic and Social History of the Orient* 3 (1960): 333–334.

64 al-Ṭabarī, *Ta'riḫh*, 3:265–271.

against their owners, but rather against the Abbasid troops in the town. They may have been laborers on the estates in and around the town, but they may just as well have performed other tasks for their owners.

We do have a little interesting information about how absentee owners went about ensuring the smooth operation of their Medinan properties. Mu‘āwiya appointed at least three officials to do the job for him. One of them was Ibn Mīnā, referred to as “the administrator of Mu‘āwiya’s estates” (*‘amil* [*‘alā*] *ṣawāfi* Mu‘āwiya; also *‘alā ṣawāfi al-Madīna li-Mu‘āwiya*; for the use of *ṣawāfi* here, see further below);<sup>65</sup> the second was ‘Abd al-Raḥmān b. Abī Aḥmad b. Jaḥsh, Mu‘āwiya’s “agent in charge of his estates in Medina” (*wa-kāna wakīlahu bi-dīyā’ihi bi-l-Madīna*).<sup>66</sup> The third is one otherwise unidentified al-Naḍīr, “Mu‘āwiya’s agent in Medina” (*wakīl Mu‘āwiya bi-l-Madīna*); it is clear that dealing with the caliph’s agricultural estates was at least part of his remit.<sup>67</sup> Mu‘āwiya’s dam inscription from Wādī l-Khanaq also mentions two people, Abū Mūsā and Kathīr b. al-Ṣalt, who oversaw its construction.<sup>68</sup> It is virtually impossible to identify the first of these individuals from the *kunya* “Abū Mūsā” alone, but Kathīr b. al-Ṣalt can be found in other sources.<sup>69</sup> He also oversaw the construction of the *minbar* in the prayer ground (*muṣallā*) in Medina for the caliph ‘Uthmān b. ‘Affān (r. 23–35/644–656).<sup>70</sup> Kathīr appears to have been either a caliphal official or an Umayyad family agent entrusted with sensitive operations Medina.<sup>71</sup>

65 al-Ya‘qūbī, *Ta’riḫh*, 2:297; Abū l-‘Arab, *Miḥan*, 159; al-Samhūdī, *Wafā’ al-wafā*, 1:250 (citing al-Wāqidi’s *Kitāb al-ḥarra*); erroneously spelt as Ibn Mithā’ in Ibn Qutayba, *al-Imāma*, 1:325.

66 al-Zubayr b. Bakkār (d. 256/870) within al-Samhūdī, *Wafā’ al-wafā*, 4:405.

67 al-Balādhurī, *Ansāb al-ashraf*, vol. 4, no. 1, ed. Iḥsān ‘Abbās (Beirut: Franz Steiner, 1400/1979), 132–133 (citing al-Wāqidi).

68 al-Rashid, *Dirāsāt*, 46, 51–52.

69 See esp. Ibn Sa’d, *Ṭabaqāt*, 5:13–14; al-Mizzī, *Tahdhīb al-Kamāl fī asmā’ al-rijāl*, ed. Bashshār ‘Awwād Ma’rūf (Beirut: Mu’assasat al-Risāla, 1402–1413/1982–1992), 24:127–131. A Kindī, Kathīr emigrated to Medina and was known to have had a “residential court” (*dār*) in Medina, southwest of the *muṣallā*, on which see al-‘Alī, “Studies,” 80.

70 Ibn Shabba, *Ta’riḫh al-Madīna*, 1:87–88.

71 He may have been a more general Umayyad official, since al-Mizzī (*Tahdhīb al-Kamāl*, 24:128) says that he was a chancery official for ‘Abd al-Malik b. Marwān (r. 65–86/685–705). Agents in charge of estate acquisition and management on behalf of Umayyad caliphs and their governors also appear in sources for other regions. Hishām b. ‘Abd al-Malik (r. 105–125/724–743) appointed one Ḥassān al-Nabaṭī to manage his Basran properties; see al-Balādhurī, *Futūḥ*, 368; al-Jahshiyārī, *Kitāb al-Wuzarā’ wa-l-kuttāb*, eds. Muṣṭafā al-Saqqa et al. (Cairo: Muṣṭafā al-Bābī al-Ḥalabī, 1357/1938), 61–62. Al-Jahshiyārī also informs us that Ishāq b. Qabiṣa oversaw Hishām’s estates (*dīyā’*) in Jordan, as well as being in charge of

The narrative accounts we get of Ibn Mīnā's role in Medina, always in the context of events leading up to the Battle of the Ḥarra, give a very basic indication of how Mu'āwiya's and Yazīd b. Mu'āwiya's estates in Medina were operated. According to al-Ya'qūbī (d. ca. 292/904–905), Ibn Mīnā usually collected the crops of wheat and dates every year.<sup>72</sup> If this report is accurate, then it would seem that Ibn Mīnā took a personal interest in the management of these estates around Medina, and that his Umayyad masters were interested in the direct collection of the agricultural produce of those estates rather than simply extracting rents from tenants. This in turn suggests that there was a secure market for those products, presumably local.

Finally, there is the matter of how estate owners, especially the Umayyad caliphs and their relatives, might have acquired their land. Bringing new land under cultivation was a popular way of acquiring land in other provinces of the caliphate in the early Islamic period,<sup>73</sup> and it appears to have been an important factor driving estate acquisition around Medina too. Mu'āwiya, for example, is frequently reported to have sought ways of bringing water to new lands, and constructed wells, dams, and canals to facilitate this;<sup>74</sup> the caliph Hishām b. 'Abd al-Malik's (r. 105–125/724–743) maternal uncle and governor of Medina, Ibrāhīm b. Hishām b. Ismā'īl (d. 126/743), also excavated a spring.<sup>75</sup> These activities in Medina are comparable to the better known examples of Umayyad family members' and their officials' amelioration of lands elsewhere in the caliphate, including the Syrian-Jordanian desert fringe as well as the Tigris and Euphrates valleys in the Jazīra.<sup>76</sup> It is not always clear for this period whether

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the caliph's *dīwān al-ṣadaqa* in general, but since Iṣḥāq was Hishām's governor of Jordan he surely delegated that job; see al-Jahshiyārī, *Wuzarā'*, 60; and on Iṣḥāq b. Qabiṣa more generally, see Ibn 'Asākir, *Ta'rikh madīnat Dimashq*, eds. 'Alī Shīrī and 'Umar al-'Amrawī (Beirut: Dār al-fikr, 1415–1421/1995–2000), 8:270–272.

72 al-Ya'qūbī, *Ta'rikh*, 2:297–298 (see also 278).

73 Ashtor, *Social and Economic History*, 60–63; al-Dūrī, "Landlord and Peasant," 101–102; Uzi Avner and Jodi Magness, "Early Islamic Settlement in the Southern Negev," *Bulletin of the American Schools of Oriental Research* 310 (1998): 46–49; Banaji, "Late Antique Legacies," 169–170.

74 Mu'āwiya's dams near Medina were discussed above. On his excavation of wells, see for example al-Samhūdī, *Wafā' al-wafā'*, 1:364, 3:194, 330, 332, 397, 4:402.

75 al-Samhūdī, 4:397, 478.

76 The best studied examples are the Umayyad *quṣūr* in Syria, on which see, for example, Jere L. Bacharach, "Marwanid Umayyad Building Activities: Speculations on Patronage," *Muqarnas* 13 (1996): 27–44; Garth Fowden, *Quṣayr 'Amra: Art and the Umayyad Elite in Late Antique Syria* (Berkeley: University of California Press, 2004); Denis Genequand, "Formation et devenir du paysage architectural omeyyade: l'appart de l'archéologie," in *Umayyad*

land owners usually had to buy this land first, before bringing it under cultivation. Sometimes they certainly appear to have done so. ‘Urwa b. al-Zubayr (d. 94/712), for example, who famously constructed a well, dams, and irrigation channels over his lands in the Wādī l-‘Aqīq, southwest of Medina, apparently had to buy the property first from ‘Abd Allāh b. ‘Ayyāsh (d. 78/697–698).<sup>77</sup>

As well as bringing new land under cultivation, caliphs and their governors could, of course, confiscate others’ estates. There are several examples of this happening in Medina during the Umayyad period and many more of its occurrence elsewhere. I mentioned already that one Anṣārī who did own lands in Medina, Abū Bakr b. Muḥammad b. ‘Amr b. Ḥazm, saw them confiscated by al-Walid b. ‘Abd al-Malik (r. 86–96/705–715).<sup>78</sup> The case of Fadak, an estate frequently confiscated from and restored to its supposedly rightful owners, was also widely discussed by Muslim scholars (see further below). All these Umayyad lands around Medina – and elsewhere in the caliphate – were no doubt in turn confiscated by the Abbasids after their seizure of power in the mid-second/eighth century.<sup>79</sup>

In spite of the use of confiscations and appropriations, Umayyad family members also frequently purchased properties in and around Medina. As is often the case, the evidence is most plentiful for Mu‘āwiya’s activities.<sup>80</sup> Caliphs and their representatives, however, do not always appear to have bought their properties fairly. “Distress sales,” where caliphs profited from purchasing estates from those in debt, may have been relatively common.<sup>81</sup> For a particularly good example of this, it is worth citing the reported complaint of a group of Medinans (comprising both Qurashīs and Anṣārīs) made to the

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*Legacies: Medieval Memories from Syria to Spain*, eds. Antoine Borrut and Paul M. Cobb (Leiden: Brill, 2010), 437–444; Antoine Borrut, *Entre mémoire et pouvoir: l’espace syrien sous les derniers Omeyyades et les premiers Abbassides* (Leiden: Brill, 2011), 412–435. For the Jazīra, see Chase F. Robinson, *Empire and Elites after the Muslim Conquest: The Transformation of Northern Mesopotamia* (Cambridge: Cambridge University Press, 2000), 78–80. Hishām b. ‘Abd al-Malik was famous for building irrigation works and bringing lands under cultivation, and the sums he spent on this apparently made him quite unpopular in some quarters; for example, Khalid Yahya Blankinship, *The End of the Jihad State: The Reign of Hishām ibn ‘Abd al-Malik and the Collapse of the Umayyads* (Albany, NY: State University of New York Press, 1994), 91.

77 al-Samhūdī, *Wafā’ al-wafā*, 4:16–17.

78 Wakī’, *Akhbār al-quḍāt*, 1:138. For another example involving Mu‘āwiya and his agent al-Naḍir, see al-Balādhurī, *Ansāb*, 132–133.

79 On early Abbasid seizure of lands in the Ḥijāz, see Arazi, “Matériaux,” 201–212.

80 al-Firūzābādī, *al-Maghānim*, 253–256; al-Samhūdī, *Wafā’ al-wafā*, 2:204, 3:21–23, 74, 95, 367–369, 4:31–35, 47, 165, 405.

81 See also the discussion in Banaji, “Late Antique Legacies,” 169–170.

governor ʿUthmān b. Muḥammad b. Abī Sufyān in the run up to the Battle of the Ḥarra in 63/683:<sup>82</sup>

You know that these properties all belong to us, but that Muʿāwiya preferred [others] over us when [handing out] our stipends (*ʿaṭā*), not even giving us a *dirham*, let alone anything more. So the time arrived when hunger afflicted us and he bought them from us for one-hundredth of their value.

This emphasis on “distress sales” was perhaps a *topos* (Muʿāwiya’s sometimes impious shrewdness certainly was), the intention of which was to disparage the practices of earlier Umayyad caliphs in Abbasid times. Nonetheless, as Nicola Clarke has nicely put it, “a *topos* can be a *topos* and still have a basis in events,” and so there may be something to the picture of Umayyads capitalising on the desperation of landholders in straightened circumstances.<sup>83</sup>

It is worth noting here that these lands held by the Umayyad family around Medina, even those owned by caliphs and their governors, appear to have been private properties rather than state lands, although in this early stage, of course, there may not have been much of a distinction between the two categories.<sup>84</sup> With this in mind, it should be highlighted that even though some sources refer to Muʿāwiya’s lands in the Ḥijāz as *ṣawāfi* – a term otherwise commonly employed, at least in reference to southern Iraq, to former Sasanian lands taken over by the Muslim state and theoretically administered by the caliphs on behalf of the Muslim community – it is still clear that they were his private properties.<sup>85</sup> As Kister noted, where some sources call these estates *ṣawāfi*, oth-

82 Ibn Qutayba, *al-Imāma*, 1:325; also Kister, “Battle,” 47.

83 Nicola Clarke, *The Muslim Conquest of Iberia: Medieval Arabic Narratives* (London: Routledge, 2012), 2.

84 Blankinship (*End of the Jihad State*, 85) has suggested that it may only have been under ʿUmar b. ʿAbd al-ʿAzīz and Hishām b. ʿAbd al-Malik that the first steps were taken to separate state finances from the caliph’s private wealth. On the other hand, such a separation may never have occurred fully in the Umayyad period, since rebels continue to complain right to the end of their rule about that family’s misappropriation of what they saw as the property and revenue of the Muslim community; see, for example, Abū Ḥamza al-Khārījī’s sermon, which was delivered in either Mecca or Medina in either 129 or 130/747, in Patricia Crone and Martin Hinds, *God’s Caliph: Religious Authority in the First Centuries of Islam* (Cambridge: Cambridge University Press, 1986), 129–132.

85 For a general discussion, see Ann K.S. Lambton, “Ṣafī (pl. *saḫāyā*), Ṣawāfi,” in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill), [http://dx.doi.org/10.1163/1573-3912\\_islam\\_SIM\\_6444](http://dx.doi.org/10.1163/1573-3912_islam_SIM_6444).

ers simply call them *amwāl*, “private property,”<sup>86</sup> and al-Ya‘qūbī explicitly states that Mu‘āwiya personally owned *ṣawāfi*.<sup>87</sup> Jairus Banaji has since also added the observation that since Medina would have had no pre-Islamic tradition of crown or state property, *ṣawāfi* almost certainly there refer to Mu‘āwiya’s personal estates.<sup>88</sup>

It would appear, therefore, that in spite of the stigma attached by some circles to the cultivation of the land,<sup>89</sup> and the relatively meagre profits to be made by doing so in the Ḥijāz compared to the potential for higher earnings in Syria, the Jazīra, Egypt and Iraq, the Umayyads – led by the caliphs from their family – sought from the reign of Mu‘āwiya onwards to acquire large properties for themselves in and around Medina. This is all the more interesting when we consider that they may not have done so until slightly later in Egypt, a much more promising area for profitable exploitation.<sup>90</sup>

## 2 For Profit or Control?

Members of the Umayyad family in the Marwanid era do not appear quite so frequently in the sources appropriating, buying, or cultivating land in and around Medina as Mu‘āwiya, but they certainly did from time to time seek to acquire properties in ways which brought them into conflict with other families in Medina. I have already mentioned ‘Urwa b. al-Zubayr’s estate in the Wādī

86 Compare, for example, al-Ya‘qūbī, *Ta’rīkh*, 2:297, with Ibn Qutayba, *al-Imāma*, 1:325; Abū l-‘Arab, *Miḥan*, 160; al-Samhūdī, *Wafā’ al-wafā*, 1:250.

87 al-Ya‘qūbī, *Ta’rīkh*, 2:278: *wa-kāna awwal man kānat la-hu l-ṣawāfi fi jamī‘ al-dunyā hattā bi-Makka wa-l-Madīna*. For further discussion, see esp. Kister, “Battle,” 41–43. It was, of course, a fairly common complaint among rebels that the Umayyads misappropriated wealth and property rightly belonging to the Muslim community; see above, n. 84.

88 Banaji, “Late Antique Legacies,” 170.

89 On this, see esp. Meir J. Kister, “Land Property and *Jihād*: A Discussion of Some Early Traditions,” *Journal of the Economic and Social History of the Orient* 34 (1991): 270–311.

90 On Muslims owning properties in Egypt, see Petra M. Sijpesteijn, “Landholding Patterns in Early Islamic Egypt,” *Journal of Agrarian Change* 9 (2009): 123–124, 128. Apparently, the first papyrological evidence for an elite Muslim holding agricultural land in Egypt comes in a document (*CPR* VIII, 82) from the Fayyūm dating to 699–700 CE, which mentions a vineyard belonging to the caliph (*amīr al-mu‘minīn*). Of course, the caliphs’ reluctance to encourage direct Muslim landholding in Egypt may have been due, as Sijpesteijn suggests, to the fact that it was easier for elites to make money from taxing land directly in the conquered provinces; since, according to the legal theory at least, land in the Ḥijāz only paid the lower *‘ushr* rate of taxation, such considerations are less likely to have been applied there. For the legal theory on the tax status of Ḥijāzī land, see Abū Yūsuf, *Kitāb al-kharāj* (Cairo: al-Maṭba‘a al-miriyya, 1302/1884–1885), 33–35, 39, 69.

l-‘Aqīq to the southwest of Medina in this paper.<sup>91</sup> ‘Umar b. al-Khaṭṭāb (r. 13–23/634–644) apparently granted (*aqṭa‘a*) this land to an Anṣārī called Khawwāt b. Jubayr (d. 40/660–661), but Marwān b. al-Ḥakam took it from him during the reign of Mu‘āwiyā and granted it instead to the aforementioned ‘Abd Allāh b. ‘Ayyāsh, from whom ‘Urwa later purchased it. ‘Urwa then started building dams (*ḍafā‘ir*), canals, and wells on the lands.<sup>92</sup> During al-Walīd b. ‘Abd al-Malik’s reign, ‘Urwa entered into a dispute with the owner of the neighboring land, the Umayyad ‘Abd Allāh b. ‘Amr b. ‘Uthmān b. ‘Affān (d. 96/714–715). ‘Abd Allāh complained to ‘Umar b. ‘Abd al-‘Azīz, the governor of Medina (in office ca. 86–93/705–712), and the latter had ‘Urwa’s new building works destroyed. What is interesting is what ‘Abd Allāh said to ‘Umar to get him to act on his behalf. According to one report, after alleging that ‘Urwa had built and dug where he had no right to do so, ‘Abd Allāh apparently told ‘Umar:<sup>93</sup>

Riders used to alight at Marwān [b. al- Ḥakam’s] well, but when ‘Urwa excavated his well and found that the water was sweet they chose the easy route and the sweet water and ceased stopping at Marwān’s well. ‘Umar was already upset about that, and in any case disliked the Banū l-Zubayr in general (*wa-kāna fi nafs ‘Umar ibn ‘Abd al-‘Azīz shay’ min dhālika ma‘a mā kāna fi nafsihi ‘alā jamī‘ Banī l-Zubayr*).

‘Umar b. ‘Abd al-‘Azīz, who was Marwān b. al-Ḥakam’s grandson, was worried about the threat ‘Urwa’s estate and infrastructure posed to Marwanid family interests.<sup>94</sup> The caliph al-Walīd b. ‘Abd al-Malik, however, sided against his relatives and interceded on ‘Urwa’s behalf; he was given permission to rebuild

91 On this estate, see esp. Yāqūt, *Mu‘jam al-buldān*, ed. Ferdinand Wüstenfeld as: *Jacut’s geographisches Wörterbuch* (Leipzig: F.A. Brockhaus, 1866–1873), 4:116–117; al-Firūzābādī, *al-Maghānim*, 342–345; al-Samhūdī, *Wafā‘ al-wafā‘*, 4:14–22. It is a little unclear who al-Samhūdī’s main source for this section was, but it was probably al-Zubayr b. Bakkār; other Zubayrid family authorities, including ‘Urwa and Hishām b. ‘Urwa (d. 146/763), are cited as further authorities.

92 ‘Urwa’s estate in the ‘Aqīq sounds relatively similar, albeit on a significantly smaller scale, to the remains at Umm al-Walīd, in the Balqā’ south of Amman, on which see Genequand, “Formation,” 441–442. For a rather overambitious attempt to identify the possible remains of some of these structures, see Khālid b. Muḥammad Askūbī, “Archaeological Survey of Western Al-Madinah al-Munawwarah, 1424 A.H.–2004 A.D. Season,” *Atlāl* 20 (1431/2010): 152–153.

93 al-Samhūdī, *Wafā‘ al-wafā‘*, 4:18.

94 Other reports in al-Samhūdī’s account (for example, at IV, 17) also explicitly suggest that ‘Abd Allāh b. ‘Amr tried to suggest that ‘Urwa’s estate and works were a threat to the Umayyad family’s interests in Medina.



his well and construct a new *qaṣr* (in this context, perhaps “villa”). ‘Urwa was so grateful that he appointed al-Walīd as the executor of his testament for his estate.

After ‘Urwa’s death, during the reign of Hishām b. ‘Abd al-Malik (r. 105–125/724–743), however, the governor of Medina, the aforementioned Ibrāhīm b. Hishām, tried to force ‘Urwa’s sons Yaḥyā and ‘Abd Allāh, who had inherited the estate after their father’s death in 94/712, into granting him some rights to their land; Ibrāhīm had ‘Urwa’s *qaṣr* destroyed and a camel’s corpse coated in tar (*qaṭrān*) thrown down the well.<sup>95</sup> It is possible that this time also it was the threat posed by ‘Urwa’s well to that controlled by the Marwanids that caused the governor to act. As did his predecessor al-Walīd, however, Hishām intervened on the Zubayrids’ behalf, against his own relatives, to have their full rights restored. ‘Urwa’s sons, Yaḥyā and ‘Abd Allāh, were not the only Zubayrids whose property rights Ibrāhīm b. Hishām infringed upon: when the latter built a residential court (*dār*) in the town, he encroached upon the rights of ‘Āmir b. ‘Abd Allāh b. al-Zubayr (d. ca. 125/742–743).<sup>96</sup>

As well as the Umayyads and the Zubayrids, the other largest property-owning family in the region were the Alids and they appear frequently in disputes too. There was, for example, a clash between them and certain Umayyad family members over a property – one of ‘Alī b. Abī Ṭālib’s *ṣadaqāt*, or “charitable endowments” – near Yanbu‘ called al-Bughaybigħa/al-Bughaybigħāt or al-Nu‘ayni‘a, although the exact details of this dispute are not clear.<sup>97</sup> Much

95 It seems that this conflict started with a dispute over property in al-Fur‘; see al-Samhūdī, *Wafā’ al-wafā*, IV, 20. On the location of al-Fur‘ in the Ḥijāz, and its economic importance and prominent landowners, see al-Wohaibi, *Northern Hijaz*, 69–71. For Yaḥyā’s and ‘Abd Allāh’s uneasy relationship with Ibrāhīm b. Hishām, see also for example al-Zubayrī, *Nasab Quraysh*, 246–247; Ibn ‘Asākir, *Ta’rikh madīnat Dimashq*, 31:17–19.

96 al-Samhūdī, *Wafā’ al-wafā*, 3:64–65; it is unclear who the ultimate source for this information is. I follow previous scholars in translating *dār* in this Medinan context as “residential court”, although for what precisely the term represents, see, for example, Kister, “Massacre,” 74, n. 39: *dār* “often denotes a compound building, sometimes of considerable dimensions, containing in certain cases stores, workshops, magazines and even markets.”

97 For al-Bughaybigħa, see Ibn Shabba, *Ta’rikh al-Madīna*, 1:136–138; al-Fīrūzābādī, *al-Maghānīm*, 59–60; al-Samhūdī, *Wafā’ al-wafā*, 4:164–166; al-Mubarrad, *al-Kitāb al-kāmil*, ed. William Wright (Leipzig: F.A. Brockhaus, 1874–1892), part 7, 555–558. For al-Nu‘ayni‘a, see Wakī’, *Akhbār al-quḍāt*, 1:152–154. The reason the details are not clear is that although it seems reasonably certain that al-Bughaybigħa and al-Nu‘ayni‘a are the same place (in Arabic, the two words are distinguished only by diacritical marks), reports about the former provide at least two different ownership histories, and Wakī’ provides a third for the latter. On this estate, see also Asad Q. Ahmed, *The Religious Elite of the Early Islamic Ḥijāz: Five*

more famous among Muslim scholars, however, was the controversy over the estate at Fadak. Fadak is an oasis in the northern Ḥijāz, two-to-three days journey north-east of Medina.<sup>98</sup> It was said to have been captured by the Muslims following a raid during Muḥammad's lifetime. According to one account of the controversy, Muḥammad's daughter Fāṭima (ancestor of two very important Alid family lines) had asked her father to grant her Fadak, but he declined and instead dedicated the proceeds to the upkeep of the poor and needy travelers (*ibn al-sabīl*).<sup>99</sup> The first four caliphs apparently stuck to this, but then Mu'āwiya granted the land to Marwān b. al-Ḥakam, his governor of Medina. Marwān passed it on to his two sons, 'Abd al-'Azīz (d. 85/704) and 'Abd al-Malik, the future caliph. Then it passed jointly to al-Walīd b. 'Abd al-Malik, Sulaymān b. 'Abd al-Malik (r. 96–99/715–717), and 'Umar b. 'Abd al-'Azīz (r. 99–101/717–720). Al-Walīd and Sulaymān, at 'Umar's request, gave him their portions, and 'Umar then promised to restore the money from Fadak to the purpose ordered by the Prophet.<sup>100</sup> After Yazīd b. 'Abd al-Malik (r. 101–105/720–724) had succeeded 'Umar as caliph, however, he confiscated Fadak again.<sup>101</sup> We should be suspicious of many of the details in this account – especially the claim that 'Umar b. 'Abd al-'Azīz returned the estate to its original purpose before his successor Yazīd re-confiscated it – but the general picture of Umayyad confiscations of this estate, which the Alids considered as theirs whether or not its proceeds were to go towards their own profit or the benefit of poorer members of

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*Prosopographical Case Studies* (Oxford: Unit for Prosopographical Research, 2011), 128–130.

- 98 Yāqūt, *Muḥjam al-buldān*, 3:855. It has been suggested that Fadak should be identified with the modern village al-Ḥā'it, roughly one hundred and twenty miles northeast of Medina; see Ḥamad al-Jāsir, *Fi shamāl gharb al-jazīra: nuṣūṣ, mushāhadāt, intibā'āt* (Riyadh: Dār al-Yamāma, 1390/1970), 295.
- 99 For a detailed discussion of the Fadak dispute see, for example, Ibn Shabba, *Ta'rikh al-Madīna*, 1:120–124; al-Samhūdī, *Wafā' al-wafā*, 4:416–419. For a recent discussion of reports about Fāṭima's claim regarding Fadak, see Tayeb El-Hibri, *Parable and Politics in Early Islamic History: The Rashidun Caliphs* (New York: Columbia University Press, 2010), 59–61. At 59, El-Hibri interprets these narratives as “a symbolic device used by narrators to allude to Fāṭima's (and the Hāshimites') claim to inheriting the Prophet's legacy and leadership (both political and religious).” This may be so, but later literary use of the episode does not necessitate that there was not a real issue over the ownership of Fadak, especially in the Umayyad period. Cf. however, 356–357, n. 78 of the same work, where El-Hibri does suggest that the Fadak narrative is an Abbasid invention.
- 100 Ibn Sa'd, *Ṭabaqāt*, 5:388–389; al-Balādhurī, *Futūh*, 32.
- 101 al-Ya'qūbī, *Ta'rikh*, 2:366; Yāqūt, *Muḥjam al-buldān*, 3:856. For an overview of the controversies over the ownership of Fadak well into the Abbasid period, see L. Veccia Vaglieri, “Fadak,” in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill), [http://dx.doi.org/10.1163/1573-3912\\_islam\\_SIM\\_2218](http://dx.doi.org/10.1163/1573-3912_islam_SIM_2218).

society, seems reasonable. The *ṣadaqāt* of ‘Alī were apparently also disputed within the wider Talibid family.<sup>102</sup>

There are plenty of other accounts of Umayyads involved in controversial land deals in and around Medina. ‘Umar b. ‘Abd al-‘Azīz is said to have bought an estate from the descendants of Bilāl b. al-Ḥārith al-Muzanī (d. before 60/680) in which precious mineral resources were later discovered. Bilāl’s descendants claimed that they had only sold ‘Umar the rights to the cultivable land, not to any non-agricultural minerals that may later have been discovered there (*innamā bi’nāka arḍ ḥarth wa-lam nabi’ka l-ma’ādin*). According to al-Balādhurī (d. ca. 279/892–893), ‘Umar apparently returned the proceeds of the minerals to Bilāl’s family willingly, but there may well originally have been more legal wrangling than this brief account suggests.<sup>103</sup> The Umayyads also appear to have stopped others from exploiting new lands by banning building projects (and thus preventing essential irrigation works) in certain areas around the town including, according to Ibn Zabāla (d. after 199/814), al-‘Arṣa down to the reign of al-Walīd b. ‘Abd al-Malik.<sup>104</sup>

Of all the information we read about Medinan estates, however, it is the accounts which report tensions between the Umayyads and the Zubayrids or Alids which are the most useful in seeking to understand why the caliphs were so concerned with acquiring and maintaining estates in and around Medina. These brief narratives suggest that the Umayyads were not interested in agricultural estates in the Ḥijāz solely because of the potential profits that could be made. They probably would not have bothered to acquire historically loss-making land, but since there were much larger profits to be made in several other provinces where the Umayyads either did direct or might have chosen to direct their attentions, profit alone cannot necessarily explain their interest in acquiring Medinan estates. Rather, this interest stemmed primarily from a desire to prevent their principal rivals for the caliphate – who themselves remained most securely propertied in the Ḥijāz<sup>105</sup> – acquiring too much landed property of their own.

102 See, for example, Amikam Elad, “The Struggle for Legitimacy of Authority as Reflected in the Ḥadīth of al-Mahdī,” in *‘Abbasid Studies 11: Occasional Papers of the School of ‘Abbasid Studies, Leuven, 28 June–1 July 2004*, ed. John Nawas (Leuven: Peeters, 2010), 45–46, n. 33.

103 al-Balādhurī, *Futūḥ*, 13.

104 Within al-Samhūdī, *Waḥfā’ al-waḥfā*, 4:30. Al-‘Arṣa was a valuable agricultural area to the west of Medina, on which see al-Firūzābādī, *al-Maghānim*, 252–258; al-‘Alī, “Studies,” 90.

105 Many other Medinan elite families, including the Alids and Zubayrids, did also seek estates outside of the Ḥijāz, particularly in southern Iraq; for a concise overview, see Millward, “Adaptation,” 335. They did not do so, however, as enthusiastically as the Umayyads – pre-

Medina was not, of course, any old town; its emergence as a holy city was taking gradual shape over the Umayyad period – in particular from the reign of al-Walīd b. ‘Abd al-Malik onwards – and into the Abbasid era.<sup>106</sup> This ever-widening recognition of Medina’s sanctity alongside Mecca’s, and with it the wider Ḥijāz’s emergence as an Islamic holy land, may have ensured that properties in and around Medina had a certain “sacred value” that encouraged land acquisition in the area. Francis E. Peters has suggested something similar for Mecca:

Properties around the *haram* may not have realized large monetary profits – merely keeping them in repair would have entailed a considerable expense – but they reaped, in the manner of holy places, an incalculable reward in visibility and prestige.<sup>107</sup>

It is actually quite hard, however, to use the notion of “sacred value” to account for the phenomena of large Umayyad estate ownership around Medina that we have been discussing here. For one thing, as I have just noted, it is only from the caliphate of al-Walīd b. ‘Abd al-Malik – so after all of Mu‘āwīya’s activities – that the process of Medina’s emergence as a holy city began to accelerate. The narratives of Mu‘āwīya’s estate acquisition activities in Medina do not give any indication that he placed an emphasis on the “sacred value” of his lands around the town; nor, for that matter, do the accounts of many later land disputes indicate that any such feelings were held by those participants. Some small properties may have been purchased by individuals with the intention of residing in *madīnat al-nabī*, “the Prophet’s City,” but it seems to me that agricultural estates are unlikely to have been sought after for this reason alone.

There are also third-/ninth-century statements that some first-/seventh-century Muslims happily gave up properties right next to the Prophet’s Mosque in Medina in return for land elsewhere that was more valuable. According to al-Walīd b. Hishām al-Qaḥdhamī (d. 222/837):

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sumably since, not controlling the caliphate and its official appointments, they had fewer opportunities – and the wealth of many Alids and Zubayrids over the second/eighth and third/ninth centuries remained firmly tied to properties in the northern Ḥijāz.

106 For a detailed study of Medina’s emergence and development as a sacred space and a holy city, see Munt, *Holy City of Medina*.

107 Francis E. Peters, *Jerusalem and Mecca: The Typology of the Holy City in the Near East* (New York: New York University Press, 1986), 114.

‘Uthmān b. Abī al-‘Āṣī al-Thaqafī bought the Shaṭṭ ‘Uthmān [in Basra] from ‘Uthmān b. ‘Affān in exchange for some property in al-Ṭā’if; it is also said that it bought it in return for a residential court (*dār*) of his in Medina, which ‘Uthmān b. ‘Affān brought within the mosque when he enlarged it.<sup>108</sup>

Medina was also the administrative and economic centre of the Umayyad Ḥijāz, a province to which many first-/seventh- and second-/eighth-century elites would have held a certain emotional attachment as their families’ original homeland. On a practical level, the fact that the Ḥijāz was the land of origin for many elite families ensured that many of them continued to hold most of their estates in that region. The Umayyads, however, were not an ordinary elite family. They controlled the office of the caliph, through which regional governors and other officials were often appointed, and this gave them unprecedented access to possibilities for acquiring land in other provinces beyond the Ḥijāz, possibilities not often open to other families. Their continuing interest in acquiring lands around Medina then still requires further explanation.

Several modern scholars have argued that land was the main basis for wealth and power, at least on the local level, in the pre-modern world.<sup>109</sup> The more land in a family’s possession, the less in the hands of their opponents and the more they could distribute to their own supporters to ensure their continuing loyalty. The Umayyads were not unaware of the importance of providing land for their supporters and taking it away from their opponents. The famous scholar and transmitter of reports about Muḥammad’s career, Ibn Shihāb al-Zuhri, was among those granted estates in the northern Ḥijāz by the Marwanid caliphs in

108 Within al-Balādhuri, *Futūḥ*, 262. On al-Walid b. Hishām al-Qaḥḍhamī, see Wadād al-Qaḍī, “The Names of Estates in State Registers before and after the Arabization of the ‘Dīwāns,” in *Umayyad Legacies: Medieval Memories from Syria to Spain*, eds. Antoine Borrut and Paul M. Cobb (Leiden: Brill, 2010), 255–280.

109 For example, Haldon, *Byzantium*, 129–130: “[P]ersonal wealth could only be secured beyond one generation through the acquisition of land. Landed property remained an essential element in securing one’s future and also in cementing one’s position within the establishment;” Walmsley, “Production,” 316: “Here we see trade could serve as a source of wealth, but absolute richness and an esteemed social position was obtained by owning land.” It should be noted, however, that as far as the early caliphate is concerned, some reservations about the social significance of land ownership beyond the local level have been expressed recently in a brief attempt to outline a model for the fiscal functioning of the caliphal state by Chris Wickham, “Tributary Empires: Late Rome and the Arab Caliphate,” in *Tributary Empires in Global History*, eds. Peter Fibiger Bang and Christopher A. Bayly (Basingstoke: Palgrave Macmillan, 2011): “Landowning brought local status and power, at the level of the city, but this did not carry across to the level of the state.”

return for his loyal support.<sup>110</sup> If anyone wanted to improve their own position of power in a given region at the expense of their opponents, somehow acquiring their land, whether legally or not, was one good way to go about it.

The basic usefulness of landholding for those who wished to achieve lasting wealth and power did not pass all Muslim scholars by. The Ḥanbalī jurist al-Khallāl (d. 311/923) offered two earlier opinions (among a great many others) which can suffice as examples here: the Medinan jurist Saʿīd b. al-Musayyab (d. 94/713) was quoted saying that man can only be good by striving to maintain property through which he can pay his debts and keep his honor, and the Iraqi traditionist-jurisprudent Aḥmad b. Ḥanbal (d. 241/855) encouraged the acquisition of estates and their proper management.<sup>111</sup> Prophetic *ḥadīths* were also circulated which supported this advice, as were traditions which disapproved of the ownership of land.<sup>112</sup>

In this light, it is very instructive that the two families with whom the Umayyads appear to have come into conflict over property around Medina most frequently – the Alids and Zubayrids – were among their most dangerous rivals for the caliphal office itself.<sup>113</sup> That the Ḥijāz was a region that required careful governance was acknowledged openly by political theorists at least by the mid-second/eighth century,<sup>114</sup> and the earliest Abbasid caliphs certainly resorted to confiscating the lands of their opponents for the caliphal office in the Ḥijāz. To give just one example: after ʿĪsā b. Mūsā (d. 167/783–784) had suppressed the revolts of the Hasanid Alids Muḥammad b. ʿAbd Allāh b. al-Ḥasan and his brother Ibrāhīm, in Medina and Basra respectively in 145/762–763, the caliph Abū Jaʿfar al-Manṣūr (r. 136–158/754–775) confirmed ʿĪsā’s confiscation of the Hasanids’ estates. Some of them were later returned during the caliphate of Abū Jaʿfar’s successor, Muḥammad al-Mahdī (r. 158–169/775–785).<sup>115</sup> With these actions, the early Abbasid caliphs may well have been following earlier

110 Lecker, “Biographical Notes,” 50–56.

111 Both are taken from within the wider discussion in Kister, “Land Property,” 293–294; see also al-Khallāl, *al-Ḥathth ʿalā l-tijāra wa-l-ṣināʿa wa-l-ʿamal*, ed. ʿAbd al-Fattāḥ Abū Ghudda (Aleppo: Maktab al-maṭbūʿat al-islāmiyya, 1415/1995), 50, 29–32 (respectively).

112 See the general discussion in Kister, “Land Property.”

113 On the Umayyads’ competition with these two families in the Ḥijāz, see also now Ella Landau-Tasseron, “Arabia,” in *The New Cambridge History of Islam*, vol. 1, *The Formation of the Islamic World, Sixth to Eleventh Centuries*, ed. Chase F. Robinson (Cambridge: Cambridge University Press, 2010), 405. For the Alid family in the Ḥijāz in particular, see now Ahmed, *Religious Elite*, 135–198.

114 For example, Ibn al-Muqaffaʿ, *al-Risāla fī l-ṣaḥāba*, ed. and trans. Charles Pellat as: *Ibn al-Muqaffaʿ, mort vers 140/757: “conseilleur” du calife* (Paris: G.P. Maisonneuve et Larose, 1976), 60–61.

115 al-Ṭabarī, *Taʾrīkh*, 3:257.

Umayyad administrative precedence;<sup>116</sup> ‘Abd al-Malik (r. 65–86/685–705), for example, is said to have confiscated some Zubayrid properties in the aftermath of his defeat of ‘Abd Allāh b. al-Zubayr in 73/692, although the same account stresses that he eventually returned them to Yahyā b. ‘Urwa b. al-Zubayr.<sup>117</sup>

Sometimes there may have been a particular ideological issue at stake, as well as simple ownership of land. We have seen that ‘Abd Allāh b. ‘Amr b. ‘Uthmān b. ‘Affān incited ‘Umar b. ‘Abd al-‘Azīz against ‘Urwa b. al-Zubayr by telling him that the latter was diverting travelers away from Marwān’s well, the Umayyad family’s water source. The provision of water to travelers and pilgrims was a prestigious role – one of the most important public “offices” of pre-Islamic Mecca was held to have been the *siqāya*, overseeing the provision of water – and the Umayyads were annoyed that a rival family was performing this task with more success than them.<sup>118</sup> A more obvious example of a specific concern involves the heir apparent (*walī al-‘ahd*) al-Walīd b. Yazīd during the caliphate of his uncle, Hishām b. ‘Abd al-Malik: al-Walīd ordered the trees on Ibn Shihāb al-Zuhrī’s estate in the northern Ḥijāz to be cut down because the scholar had tried to convince Hishām to replace him in the line of succession.<sup>119</sup>

There was, of course, a balancing act going on. If caliphs or their governors took too rash a step towards appropriating others’ property, open revolt might break out. The events leading up to the Battle of the Ḥarra made this perfectly clear and it has been suggested that the widespread participation of leading Qurashī families, especially the Zubayrids, in the Alid revolt of Muḥammad b. ‘Abd Allāh in Medina against Abbasid rule in 145/762 was due to their resentment at recent policies that had undermined their landed wealth.<sup>120</sup> As we have seen, the Umayyad caliphs al-Walīd b. ‘Abd al-Malik and Hishām b. ‘Abd al-Malik acted against members of their family’s interests and reined in

116 That early Abbasid caliphs may have had considerable respect for the administrative policies of some of their Umayyad predecessors, see, for example, Antoine Borrut, “La ‘memoria’ omeyyade: les omeyyades entre souvenir et oubli dans les sources narratives islamiques,” in *Umayyad Legacies: Medieval Memories from Syria to Spain*, eds. Antoine Borrut and Paul M. Cobb (Leiden: Brill, 2010), 46–50.

117 al-Zubayrī, *Nasab Quraysh*, 247.

118 Gerald H. Hawting, “The ‘Sacred Offices’ of Mecca from Jāhiliyya to Islam,” *Jerusalem Studies in Arabic and Islam* 13 (1990): 62–84. For the significance attached by Abbasid caliphs to this duty, see now Travis Zadeh, “The Early Hajj: Seventh-Eighth Centuries CE,” in *The Hajj: Pilgrimage in Islam*, eds. Eric Tagliacozzo and Shawkat M. Toorawa (Cambridge: Cambridge University Press, 2016), 44–45, 49–51, 56–57, 59–60, 62–64.

119 Lecker, “Biographical Notes,” 54.

120 Amikam Elad, “The Rebellion of Muḥammad b. ‘Abd Allāh b. al-Ḥasan (Known as al-Nafs al-Zakīya) in 145/762,” in *Abbasid Studies: Occasional Papers of the School of ‘Abbasid Studies, Cambridge, 6–10 July 2002*, ed. James E. Montgomery (Leuven: Peeters, 2004), 185.

their respective governors of Medina when they acted overzealously in infringing the property rights of ‘Urwa b. al-Zubayr and his sons. Their father, ‘Abd al-Malik, had tried hard to reconcile ‘Urwa to Umayyad rule after his successful defeat of the latter’s brother, ‘Abd Allāh b. al-Zubayr’s, rival caliphate in the Ḥijāz.<sup>121</sup> Al-Walīd and Hishām would not have wanted to see their father’s hard work brought to nothing. The balancing act had to be carefully maintained, but activities that gradually increased Umayyad-owned land around Medina while reducing the amount in the hands of the Zubayrids and the Alids served a clear purpose: it reduced the principal base of the wealth, and hence the potential political power, of two notable families who, had they been left alone to consolidate their position as prominent Ḥijāzī landholders, could have been even more serious rivals for the caliphal office. Landholding around Umayyad-era Medina was very much connected to questions of authority and control.

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121 Gregor Schoeler, “‘Urwa b. al-Zubayr,” in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill), [http://dx.doi.org/10.1163/1573-3912\\_islam\\_COM\\_1305](http://dx.doi.org/10.1163/1573-3912_islam_COM_1305).



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## Land Tenure, Land Tax and Social Conflictuality in Iraq from the Late Sasanian to the Early Islamic Period (Fifth to Ninth Centuries CE)

Michele Campopiano

Different sources have allowed us to study land tenure and land administration in late Sasanian and early Islamic Iraq. Narrative and juridical sources had already shed light on these aspects of social and economic life of the Middle East, as shown by studies such those of Michael Morony.<sup>1</sup> For the late Sasanian period, further assistance has come from new editions of the *Hazār Dādestān*, or *A Thousand Judgements*, commonly referred to as *Mādayān ī Hazār Dādestān*, or *Book of a Thousand Judgements*, a collection of Sasanian legal cases from the first half of the seventh century.<sup>2</sup> Numismatic and sigillographic evidence has also aided historians in reconstructing the administration of the empire.<sup>3</sup> In fact our position as historians of land tenure in early medieval Iraq differs little from that of our colleagues studying patterns of landholding in early medieval Europe where the sources, in terms of their quantity and nature, are comparable.<sup>4</sup> We can draw further comparison on the basis of surviving

1 Michael G. Morony, "Landholding in Seventh-Century Iraq: Late Sasanian and Early Islamic Patterns," in *The Islamic Middle East, 700–1900: Studies in Economic and Social History*, ed. Abraham L. Udovitch (Princeton: Darwin Press, 1981), 135–175; Michael G. Morony, "Landholding and Social Change: Lower al-'Iraq in the Early Islamic Period," in *Land Tenure and Social Transformation in the Middle East*, ed. Tarif Khalidi (Beirut: American University of Beirut Press, 1984), 209–222; Michael G. Morony and Khodad Rezakhani, "Markets for Land, Labour and Capital in Late Antique Iraq, AD 200–700," *Journal of Economic and Social History of the Orient* 57 (2014): 231–261.

2 See Maria Macuch, *Rechtskasuistik und Gerichtspraxis zu Beginn des siebenten Jahrhunderts in Iran: die Rechtsammlung des Farrohmard ī Wahrāmān* (Wiesbaden: Harrassowitz, 1993), 1–15. The edition and commentary by Maria Macuch represents the best tool we have to investigate this collection of legal cases but, since the author gives a transliteration rather than a transcription of the text, I will also refer to: Farraxvmart ī Vahrāmān, *The Book of a Thousand Judgments (a Sasanian Law-Book)*, ed. Anahit G. Perikhanian (Costa Mesa: Mazda Publishers, 1997). I used David N. MacKenzie, *A Concise Pahlavi Dictionary* (London: Oxford University Press, 1971) to check the transcription.

3 See, for example: Rika Gyselen, *La géographie administrative de l'empire sassanide: les témoignages sigillographiques* (Paris: Groupe pour l'étude de la civilisation au Moyen Orient, 1989).

4 For a general impression we can look at Chris Wickham, *Framing the Early Middle Ages*:

Pahlavi documents such as those of the Berkeley or Berlin archives,<sup>5</sup> which date back probably to the Early Islamic period,<sup>6</sup> or the thirty-two administrative and legal documents dated between 755 and 777 and originating in Khurasan, studied by Khan.<sup>7</sup> Further comparison can be established with the wealth of documents originating from late Antique and early Islamic Egypt, although we have to keep in mind this area was under Byzantine rather than Sasanian rule (being conquered by the Persian for just a few years).<sup>8</sup>

These sources have allowed us to develop our understanding of land tenure and land tax administration. As I have shown in a preceding paper, land tenure in early medieval Iraq should be analysed in connection with the evolution of land tax. I have demonstrated that the idea of the tributary mode of production, as defined by Byzantinist John Haldon,<sup>9</sup> can be used as an heuristic tool to analyse the predominant relations of production in early medieval Iraq.<sup>10</sup> In

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*Europe and the Mediterranean* (Oxford: Oxford University Press, 2005), 259–302 and 383–441. This book offers a wide comparison of rural societies and rural economies in the post-Roman world.

- 5 See for example: Michele Campopiano, "L'administration des impôts en Irak et Iran de la fin de l'époque Sassanide à la crise du califat Abbasside (vie–xe siècles)," in *Lo que vino de Oriente*, eds. X. Ballestin and E. Pastor, British Archaeological Reports International Series 2525 (Oxford: Archaeopress, 2013), 17–27.
- 6 The Pahlavi documents (from the seventh century) at the Bancroft Library at the University of California, Berkeley, which are being studied and edited by Philippe Gignoux and Rika Gyselen, will help to shed more light on aspects of the administration between the late Sasanian Empire and the early Islamic Period: Philippe Gignoux, "Aspects de la vie administrative et sociale en Iran du 7ème siècle," in *Contributions à l'histoire et la géographie historique de l'empire Sassanide*, ed. Rika Gyselen (Bures-sur-Yvette: Groupe pour l'étude de la civilisation au Moyen Orient, 2004), 37–48; Philippe Gignoux, "Une nouvelle collection de documents en pehlevi cursif du début du VII<sup>e</sup> siècle de notre ère," *Comptes-rendus de l'Académie des inscriptions et belles-lettres* 135, no. 4 (1991): 683–700; Dieter Weber, Myriam Krutzsch and Maria Macuch, *Berliner Pahlavi-Dokumente. Zeugnisse spätsassanidischer Brief- und Rechtskultur aus frühislamischer Zeit* (Wiesbaden: Harrassowitz, 2008).
- 7 Geoffrey Khan, *Arabic Documents from Early Islamic Khurasan* (London: Khalili Collections, 2007); Geoffrey Khan, "Newly Discovered Arabic Documents from Early Abbasid Khurasan," in *From al-Andalus to Khurasan: Documents from the Medieval Muslim World*, eds. Petra M. Sijpesteijn, Lennart Sundelin, Sofia Torallas Tovar and Amalia Zomeño (Leiden: Brill, 2006), 201–215.
- 8 See for example Petra M. Sijpesteijn, *Shaping a Muslim State: The World of a Mid-Eighth-Century Egyptian Official* (Oxford: Oxford University Press, 2013).
- 9 John Haldon, *The State and the Tributary Mode of Production* (London/New York: Verso, 1993), 65–67 and 75–87.
- 10 Michele Campopiano, "Alā l-misāḥa and muqāsama Land Tax: Legal Theory and Balance of Social Forces in Early Medieval Iraq (Sixth to Eighth Centuries)," *Journal of the Economic and Social History of the Orient* 54 (2011): 239–269.



this usage 'relations of production' should be understood as the ways in which the means of production are controlled, and the relationship between direct producers and those means, as well as between the producers and their own labor power. The tributary mode of production is based on a system of surplus extraction from peasant production that ultimately relies on coercion. 'Tax' and 'rent' are two possible forms taken by this coercive surplus extraction. Therefore, there is no economic difference between the two concepts: "For both sides of the couplet tax/rent are, in fact, expressions of the political-juridical forms that surplus appropriation takes, not distinct modes [of production]."<sup>11</sup>

This perspective also offers new insights into the relationship between patterns of surplus extraction, as expressed in the couplet tax/rent, and social conflicts. Social conflicts in the tributary mode of production can be caused by the contra-position of the exploiting classes and the exploited class (producers), from whom the surplus is extracted in the form of taxes and rents. Alternatively, conflicts may arise from the contra-position of different social groups *within* the ruling classes regarding access to the surplus in the form of rents or salaries paid from the taxes. The ruling class can appropriate land surplus by taking control of portions of land and therefore receiving rents paid by the peasants cultivating the land (for example in the Carolingian empire) or by redistributing taxes to a ruling group in the form of salary (as in the case of payment to Arabs after the conquest).<sup>12</sup>

Social conflicts cannot be defined solely on the basis of the socio-economic structure in which they arise, even if empirical analysis points to the inherent contradictions of this structure as the main background for these conflicts. The intellectual aspects of these conflicts, in terms of the various political or religious creeds that motivate violent rebellions or sublimate social conflicts into different systems of belief, should maintain a central position in our analysis. As Gramsci has pointed out, ideologies have considerable importance in shaping the ground upon which human groups organize themselves and acquire a consciousness of their position: they are the form while the material forces represent the content.<sup>13</sup> Social entities have to be created and visions of the world contribute to the construction of the social world, as Bourdieu has written.<sup>14</sup> We are somewhat better informed about the ideologies of social movements than about the economic and social forces prevailing in the period in question.

11 Haldon, *The State*, 77.

12 Haldon, 142–143, 203–218.

13 Antonio Gramsci, *Quaderni dal Carcere*, 4 vols. (Torino: Einaudi, 1975), 868–869.

14 Pierre Bourdieu, "The Social Space and the Genesis of Groups," *Theory and Society* 14 (1985): 23–744; Pierre Bourdieu, "Social Space and Symbolic Power," *Sociological Theory* 7 (1989): 14–25.

However, we can, with caution, move from theories to the material issues from which they arose. We need to consider the intellectual traditions within which these ideologies were shaped, and moreover, we need to proceed through a critical analysis of the sources we are using. In particular, in the case of early medieval Iraq, we must recognize that nothing, or almost nothing, remains of the writings of the many opposition groups who had lost their struggle for power: knowledge of their ideology was largely mediated by hostile sources – our sources originate in a male, urban, elite milieu. We do not have access to the voice of the subordinates. Hobsbawm was able to include an appendix containing the voices of his nineteenth- and twentieth-century rebels in his *Primitive Rebels*,<sup>15</sup> and the Italian anthropologist Ernesto de Martino was able to carry out fieldwork on the magic and religious thought of the subaltern peasantry of Southern Italy.<sup>16</sup> For us, similar operations (although methodologically problematic for every historian or anthropologist) are simply impossible.

On the basis of the general observations made in this introduction, I will try to delineate a general outline of the relationship between the evolution of land tenure and land tax, and social conflicts in early medieval Iraq between the late Sasanian period and the Zang (869–883) revolt. Moreover, my analysis will also consider how social conflicts provoked changes in the organization of land tenure and land tax. The social groups acting within a given economy and society cannot, of course, be seen as passive receptors of changes in patterns of land tenure and land tax administration. The very structure of the economy cannot exist without the groups that operate and maintain it: therefore processes of resistance and rebellion contribute to triggering processes of social and economic transformation.

## 1 Kings, Aristocracy and Peasants in the Late Sasanian Empire

From the fifth century CE land property in Sasanian Iraq seems to have become increasingly concentrated in large estates in the hands of the nobility.<sup>17</sup> In the fifth and sixth centuries, land sales increasingly included entire village estates

15 Eric J. Hobsbawm, *Primitive Rebels: Studies in Archaic Forms of Social Movement in the 19th and 20th Centuries* (Manchester: Manchester University Press, 1959), 175–193.

16 Ernesto De Martino, *La terra del rimorso: Contributo a una storia religiosa del Sud* (Milano: Il Saggiatore, 1961); Ernesto De Martino, *Sud e magia* (Milano: Feltrinelli, 1959).

17 Jairus Banaji, "Aristocracies, Peasantries and the Framing of the Early Middle Ages," *Journal of Agrarian Change* 9 (2009): 78–86; see also Khodadad Rezakhani and Michael G. Morony, "Markets for Land, Labour and Capital in Late Antique Iraq, AD 200–700," *Journal of Economic and Social History of the Orient* 57 (2014): 231–261.

and their populations, and were progressively less concerned with individual fields.<sup>18</sup> A subordinate peasantry cultivated these large estates according to different patterns of land tenure. Michael Morony has shown, through an analysis of the Babylonian Talmud, that the most common form of tenancy among Jews was sharecropping, with sharecroppers having a permanent lease of the land, although the presence of tenants who worked the land for a fixed annual quantity of produce is also attested. The latter were what Arabic sources called the *akkār*, those who could lose their right to work the land if they failed to pay their rent.<sup>19</sup> Forms of serfdom must have been common. Both the Talmud and Christian sources refer to entire villages and towns inhabited by 'slaves'.<sup>20</sup> According to the *Hazār Dādestān*, the ownership of 'slaves' (*anshahrīgan* in Middle Persian) and cattle (*stōr*) transferred with the ownership of the estate on which they worked.<sup>21</sup> Although the *anshahrīgan* and the *bandagan*, another word usually translated as 'slaves,' could be sold individually,<sup>22</sup> it is clear from this passage that a legal bond existed between an estate, its cattle (an important part of its capital), and its workforce.

Interestingly, according to the tradition reported by Abū Yūsuf (d. 798) after the conquest, caliph 'Umar b. al-Khaṭṭāb (634–644) initially wanted to redistribute the land of the Sawād (the rural area of Iraq) among the Muslims, calculating that each of them could have received three 'peasants' (in Arabic *fallāhūn*): thus a political constraint seemed to bind the peasantry to the land.<sup>23</sup>

Part of the surplus extracted from the peasantry was handed over to the state. Land tax seems to have been assessed on the basis of a share of the crops.<sup>24</sup> Tax assessment based on a share of the crops depended largely on the crucial role of the nobility in collecting the tax in the area under their control, in handing over a share of it to the central authorities, and on an available and lucrative market for the authorities.<sup>25</sup> This system did not allow for direct

18 Morony, "Landholding," 139.

19 Morony, 162–163.

20 Morony, 164.

21 Farraxvmar̄t ī Vahrāman, *The Book*, 62–63; Macuch, *Rechtskasuistik*, 24–39.

22 Macuch, *Rechtskasuistik*, 34–35; MacKenzie, *Pahlavi Dictionary*, *ad vocem*.

23 Abū Yūsuf, *Kitāb al-kharāj* (Cairo: Būlāq, 1886), 21.

24 Zeev Rubin, "The Reforms of Khusrō Anūshirwān," in *The Byzantine and Early Islamic Near East*, vol. 3, *States, Resources and Armies*, ed. Averil Cameron (Princeton: Darwin Press, 1995), 232; Vladimir G. Lukonin, "Political, Social and Administrative Institutions: Taxes and Trade," in *The Cambridge History of Iran*, vol. 3, part 2, *The Seleucid, Parthian and Sasanian Periods*, ed. Ehsan Yarshater (Cambridge: Cambridge University Press, 1983), 745–746.

25 Zeev Rubin, "Nobility, Monarchy and Legitimation under the Later Sasanians," in *The Byzantine and Early Islamic Near East*, vol. 6, *Elites Old and New in the Byzantine and Early Islamic Near East*, eds. John Haldon and Lawrence I. Conrad (Princeton: Darwin Press,

control by central government over tax collection and land administration: noblemen often refused to pay taxes, or asked for relief in exchange for their participation in wars.<sup>26</sup> The king had direct control over crown lands, which were usually placed under the authority of a city, often founded by the king himself.<sup>27</sup>

The socio-economic structure I have described could imply conflict between the rent-paying peasantry on one side and the nobility and the state on the other, or between the nobility and the state over the distribution of this surplus between tax and rent. The social unrest that occurred during the reign of King Kawād (r. 488–496 and 498–531), associated, particularly by Arabic and Persian sources, with the religious movement of the Mazdakites, indeed seems to have been related to conflicts between these different players over land-holding and the extraction of agricultural surplus. The Mazdakites had thought their name derived from the ‘heretic’ Zoroastrian Mazdak, who is believed to have predicated communal ownership of women and goods during the reign of Kawād.<sup>28</sup> The use of words such as heresy or orthodoxy in defining the relationship between the Mazdakite movement and other forms of Zoroastrianism has recently been convincingly challenged by Rezakhani, who points out how Zoroastrianism in late antiquity should not be seen as a monolithic orthodoxy, but as undergoing, in the late Sasanian and Early Islamic period, processes of transformation looking at defining an orthodoxy. The socio-religious nature of the movement remains ambiguous. Rezakhani writes:

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2004), 245; Franz Altheim and Ruth Stiehl, *Ein asiatischer Staat: Feudalismus unter den Sasaniden und ihren Nachbarn* (Wiesbaden: Limes-Verlag, 1954), 11.

26 Rubin, “Nobility,” 245; Altheim and Stiehl, *Ein asiatischer Staat*, 19.

27 Lukonin, “Institutions,” 723, 726–727; Nina V. Pigulevskaja, *Les villes de l'état iranien aux époques parthe et sassanide: contribution à l'histoire de la Basse Antiquité* (Paris and Den Haag: Mouton, 1963), 186–187; Altheim and Stiehl, *Ein asiatischer Staat*, 18–19.

28 On the Mazdakites, see Zeev Rubin, “Mass Movements in Late Antiquity—Appearances and Realities,” in *Leaders and Masses in the Roman World: Studies in Honor of Zvi Yavetz*, eds. Irad Malkin and Wolfgang Z. Rubinsohn (Leiden: Brill, 1995), 179–185; Patricia Crone, “Zoroastrian Communism,” *Comparative Studies in Society and History* 36 (1994): 447–462; Patricia Crone, “Kavād’s Heresy and Mazdak’s Revolt,” *Iran* 29 (1991): 21–42; Ehsan Yarshater, “Mazdakism,” in *The Cambridge History of Iran*, vol. 3, part 2, *The Seleucid, Parthian and Sasanid Periods*, ed. Ehsan Yarshater (Cambridge: Cambridge University Press, 1983), 991–1024; Otokar Klima, *Beiträge zur Geschichte des Mazdakismus* (Praha: Verlag der Tschechoslowakischen Akademie der Wissenschaften, 1977); Otokar Klima, *Mazdak: Geschichte einer sozialen Bewegung im Sassanidischen Persien* (Praha: Orientální ústav, 1957); Arthur Christensen, *Le règne du roi Kawād et le communisme Mazdakite* (Copenhagen: A.F. Høst og Son, 1925).

“Oddly, when one examines more closely the classical age of Mazdakism in the fifth and sixth centuries, one finds precious little evidence of its existence. As mentioned, there are virtually no sources from this time period which include Mazdak’s name; nor is there a movement attributed to a single religious reformer, as Mazdak is later portrayed. For instance, the sixth-century Monophysite chronicler John Malalas presents a certain Boundos, a purported Manichaean originally living in Rome, to have been responsible for establishing the movement. Later Zoroastrian and Islamic authors, most notably al-Ṭabarī, also mention an immediate forerunner of Mazdak, a certain Zaradusht Khurragan, as the original initiator of what came to be known as Mazdakism.” This kind of contradictions of the sources has led a scholar such as Gaube to deny his existence: Mazdak is a creation of the early Islamic period to which the fifth–sixth century socio-religious movement was attributed.<sup>29</sup>

Traditional views on the Mazdakite movement have viewed the Mazdakite uprising largely as a peasant uprising<sup>30</sup> and have considered Kawād to be in league with the Mazdakites and in support of them.<sup>31</sup> The latter point is debatable: sources show many differences in the development of events. Some sixth-century sources refer to social disorders in the time of Kawād: the Syriac chronicle attributed to Joshua the Stylite (compiled around 507), before Kawād’s second reign was over; Procopius’ account based on information gathered during the war of 527–531, in which he participated as Belisarius’ secretary; the history of Agathias, who died about 582 and who had access, not just to Procopius, but also to notes taken by a Christian interpreter from the Royal Annals of the Sasanids. As Patricia Crone has pointed out, the few extant sixth-century sources associate Kawād with women-sharing, but do not associate him with Mazdak.<sup>32</sup> For example, Pseudo-Joshua the Stylite writes concerning the reign of Kawād:

“And so, instead of speaking words of peace and salutation, as he ought to have done, and of rejoicing with him on the commencement of the sovereignty

29 Heinz Gaube, “Mazdak: Historical Reality or Invention?” *Studia Iranica* 11 (1982): 111–122.

30 Pigulevskaja, *Les villes*, 143–232; Klīma, *Mazdak*, 238–241.

31 This view is largely due to Klīma, Christensen and Nöldeke: Klīma, *Mazdak*, 131–148; Christensen, *Le règne*, 105–106; Theodor Nöldeke, *Aufsätze zur persischen Geschichte* (Leipzig: T.O. Weigel, 1887), 109. Kawād is associated with the Mazdakites, but with a different chronology (see discussion later) also by Rubin, “Mass Movements,” 184–185.

32 Joshua the Stylite, *Chronicle*, ed. and trans. William Wright as: *The Chronicle of Joshua the Stylite: Composed in Syriac A.D. 507* (Cambridge: Cambridge University Press, 1882), ch. 20; Procopius of Caesarea, *History of the Wars*, vol. 1, ed. Henry B. Dewing (Cambridge, MA/London: Harvard University Press, 1914), I, v, 1–2 (30–32); Averil Cameron, “Agathias on the Sasanians,” *Dumbarton Oaks Papers* 23 (1969): 128.

which had been newly granted him by God, he irritated the mind of the believing emperor Anastasius with threatening words. But when he heard his boastful language, and learned about his evil conduct, and that he had re-established the abominable sect of the magi which is called that of the Zaradushtakan, (which teaches that women should be in common, and that everyone could sleep with whom he pleases), and that he had wrought harm to the Armenians who were under his sway, because they would not worship fire, he despised him".<sup>33</sup>

Procopius writes similarly of Kawād: "But as time went Cabades became more high-handed in the administration and of the government, and introduced innovations into the constitution, among which was a law which promulgated providing that Persians should have communal intercourse with their women, a measure which by no means pleased the common people. Accordingly they rose against him, removed him from the throne, and kept him in prison in chains".<sup>34</sup>

Furthermore, Kawād's 'communism of the women' is associated with the first phase of his reign (488–496), after which he was briefly deposed by the nobility. The events concerning Mazdak seem to have taken place in the 520s or 530s. The rebellion appears to have been suppressed by Husraw, who took power in 531. Kawād probably allowed free carnal conjunction even for married wives, encouraging wife-sharing. The 'heretical' attitudes of Kawād seem to have generated discontent amongst the nobility. Common access to women represented, in any case, a menace both to the purity of noble lineages, and, in a much more practical way, to the repartition of possessions among the heirs of noble families, in particular in relation to landed property.<sup>35</sup> Some Zoroastrian practices, such as next-of-kin marriages, seemed to be practiced to maintain land property within the same lineage and to prevent the dispersion of landed property;<sup>36</sup> the pious foundations of the late Sasanian law (such as the foundation "for the soul" *ruwān ray*) were instituted for the same reason.<sup>37</sup> Therefore, the heresy of Kawād may be considered, to a large extent, to be an attempt to

33 Joshua the Stylite, *Chronicle*, ch. 20.

34 Procopius, *History of the Wars*, I, v, 1.

35 Crone, "Zoroastrian Communism;" Crone, "Kawād's Heresy," 23–30.

36 Touraj Daryaee, "Marriage, Property and Conversion among the Zoroastrians: From Late Sasanian to Islamic Iran," *Journal of Persianate Studies* 6 (2013), 91–100.

37 Maria Macuch, "Eine sasanidische Stiftung 'für die Seele'-Vorbild für den Islamischen *waqf*?" in *Iranian and Indo-European Studies: Memorial Volume of Otakar Klíma*, ed. Petr Vavroušek (Praha: Enigma, 1994), 163–180; Maria Macuch, "Sasanidische Institutionen in Früh-islamischer Zeit," in *Transition Periods in Iranian History: Actes du symposium de Fribourg-en-Brisgau (22–24 Mai 1985)* (Leuven: Peeters Publishers, 1987), 177–179.

weaken property rights to land, giving the crown the advantage over control of the land. As we shall see, Kawād also started a cadastral survey for a land tax reform, but this seems to have happened *after* the first deposition of the king by the magnates of the empire, who were disturbed by his reforms.

As Zev Rubin has pointed out, nothing prevents us from seeing a complex and long development and presence on the social and religious scene of the Sasanian empire of the Mazdakite movement. The movement may at first have received some support by Kawād. Rubin points out that, in the initial phase, the Mazdakite movement may have been directed just against that part of the nobility which opposed the reforms: “if the present interpretation is correct, the Mazdakite movement is just one other example of the exploitation of economic and social oppression of an afflicted peasantry by a powerful and well organized religious sect in order to undermine an existing order”.<sup>38</sup> Wiesehöfer has argued that a part of the aristocracy had probably joined the sect, and that the Mazdakites were involved in the struggle for succession on the Sasanian throne. Concerning Kawād’s accession to the throne, Wiesehöfer writes: “From the fact that, in our opening quotation, Pseudo-Joshua describes the new king as an anti-Roman friend to the Mazdakites only four years later, we may perhaps assume that the groups supporting Kawād were composed of those friendly to the Hephthalites and hostile to the Romans, on the one hand, and (even also aristocratic) followers of Mazdak on the other. Since the at time both the anti-Roman and the pro-Mazdakite policy represented something new and Kawād was overthrown by revolt of the nobility as early as 496 and replaced by his brother Jamasp (Zamasphes), we can further assume that the change of foreign policy carried out by the king and probably also his ideas of religious-social reform met with decisive resistance not only in Constantinople (and probably also by the Zoroastrian priesthood)”.<sup>39</sup> With the change of reign from Anastasius to Justin in Byzantium, the relationship between the two powers may have improved. Kawād even suggested that Husraw, of whom he wanted to assure the succession to the throne, might be adopted by Justin. This new policy may have encountered the opposition of anti-byzantine factions in Persia, among which was the troop commander Seorses, friend of the Hephthalites and Mazdakites. Seorses was tried and executed: the charges included that he may have neglected Persian traditions, venerated new gods, and buried his wife, which could point to the possibility of following Mazdakites.<sup>40</sup> Maz-

38 Rubin, “Mass Movements,” 189.

39 Josef Wiesehöfer, “Kawad, Khusro I and the Mazdakites: A New Proposal,” in *Trésors d’Orient*, ed. Philippe Gignoux (Paris: Peeters, 2009), 391–409, 400–401.

40 Wiesehöfer, “Kawad,” 402.

dakites would even have supported Kawus against Husraw for the succession to the throne. Wiesehöfer proposes that these events would have progressively radicalized the Mazdakite movement: so the suppression of the Mazdakite leadership and their noble support would have preceded a more popular insurrection, which is the one to which later sources refer. Social discontent and forms of rebellion continued in the kingdom of Husraw. Wiesehöfer's analysis takes into full account the sixth-century sources and solves the apparent problem that the more radical social aspects (except communism of women) is not mentioned there. However, Wiesehöfer has still to call for the existence of a more radical and popular phase. In my opinion, there is no contradiction between the possible involvement of factions of nobility and mass participation. The movement may have indeed started with a more religious and reforming agenda, and then became radicalized, as the social components of it may have varied.

A 'Mazdakite' rebellion, largely based in Iraq,<sup>41</sup> indeed seems to have exploded during the reign of Kawād, but was later suppressed by Husraw (r. 531–579), his son and successor. Neither the doctrine of the Mazdakites nor the chronology of the events of the rebellion is entirely clear, but the rebellion can be safely assumed to have targeted the aristocracy, and was based on a religious belief that claimed common ownership of women, abolished private property, and advocated economic equality among men.<sup>42</sup> In her recent book *The Nativists Prophets of Early Islamic Iran*, Patricia Crone refers to a persistent memory of Mazdakite rebellion even long after the conquest, as a memory of Mazdak himself, which seems to point indeed to the consolidation in the collective memory of the radical social clash. This is shown for example by the history of *Ta'rikh al-rusūl wa-l-mulūk* written by al-Ṭabarī (839–923), who writes that Mazdak incited in this the lowly people (*saḡala*) against the upper class (*'aliyya*).<sup>43</sup> Sixth-century sources allude to a condition of public unrest during the reign of Husraw: Agathias seems to describe the conditions of bitter social conflict and the probable presence of social banditry,<sup>44</sup> a typical expression of social rebellion and opposition in rural societies.<sup>45</sup>

41 Crone, "Kavād's Heresy," 33; Klima, *Mazdak*, 159–160; Christensen, *Le règne*, 99–100.

42 Rubin, "Mass Movements," 179–183; Mansour Shaki, "The Social Doctrine of Mazdak in the Light of Middle Persian Evidence," *Archív Orientální* 46 (1978): 289–306; Werner Sundermann, "Neue Erkenntnisse über die Mazdakitische Soziallehre," *Das Altertum* 34 (1988): 183–188; Klima, *Mazdak*, 183–214, 238–241.

43 al-Ṭabarī, *Annales quos scripsit Abū Djafar Mohammed Ibn Djarīr At-Tabarī*, ed. M.J. de Goeje et al, (Leiden: Brill, 1879–1901), 1:893.

44 Cameron, "Agathias," 168.

45 Eric J. Hobsbawm, *Bandits* (New York: New Press, 2000), 20–21.



From my perspective, two aspects of what appears to have been the social doctrine of Mazdak help us to form some hypotheses on the relationship between the Mazdakite movement and the social and economic structure of Sasanian Iraq. In his *Kitāb al-Milal wa-l-niḥal*, ash-Shahrastānī (1086–1153) attributes to Mazdak the idea that wealth and women should be available to everybody, like air, fire and pasture (*kalaʿ*).<sup>46</sup> The reference to pasture seems to appeal to the usage of common land among rural populations, and therefore to rural folk as the main subscribers to Mazdak’s ideology. Shaki’s analysis of Middle Persian sources which refer to Mazdak’s ‘heresy,’ and in particular to the *Dēnkard*, have also shed light on other interesting aspects of his social doctrine, and in particular on the nature of Mazdakite ‘communism.’ As we know, the *Dēnkard* is a religious encyclopedia first compiled by Ādurfarrbay ī Farroxzādān, a Mazdean priest in the age of Caliph al-Maʿmūn (813–833), by assembling earlier, more ancient materials.<sup>47</sup> The *Dēnkard* indicates that the Mazdakites recognized matrilineal lineages. Communal property would have been administered through these lineage groups, whose members received shares of communal property in usufruct (in the *Dēnkard*: *ō bar*).<sup>48</sup> The *Dēnkard* also add that the Mazdakites exalted the inferior (*ān ī keh*) and degraded the superior (*ān ī meh*).<sup>49</sup>

Mazdakite ‘communism’ seems to have been based on the common management of property using the structures of the peasant economy, such as enlarged familial groups and communal management of pasture, as a model for ‘communism’. The peasantry could have joined a rebellion against the nobility at the beginning of the sixth century as a reaction to the concentration of landed property and the strengthening of lordly rights over the land and its inhabitants that, as I mentioned at the beginning of this chapter, seems to take place from the fifth century in Sasanian Iraq. The egalitarian and communitarian character of the Mazdakite movement took as a model existing social structures of the countryside. At the same time the rebellion gave an ideological form to the discontent of the peasantry by building on social structures that were familiar to peasants.<sup>50</sup> This is not a unique phenomenon. Forms of peasant rebellion in the nineteenth and early twentieth centuries also used religious forms of expres-

46 al-Shahrastānī, *Kitāb al-milal wa-l-niḥal*, ed. W. Cureton (London: Society for the Publication of Oriental Texts, 1846), 193.

47 Carlo Cereti, *La Letteratura Pahlavi* (Milano: Mimesis, 2001), 41–78.

48 Shaki’s transliteration of the Middle Persian text: Shaki, “Social Doctrine,” 293–294 (quoted from 294).

49 Shaki, 296.

50 Similarly: Klima, *Mazdak*, 196.

sions or assumed a quasi-religious tone, and elaborated their vision of a future society on the basis of a projection of economic and social practices existing in their times.<sup>51</sup>

The crown also reacted to the increase in power and wealth of the aristocracy by trying to modify patterns of surplus distribution through a new system of tax assessment. A cadastre was started under Kawād and completed under Husraw Anōshag-ruwān. The cadaster provided the foundation for a reform of land tax assessment that led to stronger centralization of surplus extraction, with the bureaucracy more closely involved in the work of tax collection at every level. Tax was collected on the basis of a fixed amount of money or crops per unit of surface area. The tax rate varied according to the nature of the crops: for example tax rates for fields cultivated with wheat were different from rates for fields cultivated as vineyards.<sup>52</sup>

The *Hazār Dādestān* portrays a complex tax and administration system. The levying of taxes was in the hands of the state bureaucracy and the hierarchies of the Zoroastrian church: the *mowbed*, or ‘chief priest,’ and the *rad*, or ‘spiritual master,’ seem to have played significant roles in tax collection.<sup>53</sup> The ‘judge’ (*dādwar*) had an extremely important role in land administration as he was competent in what we would call ‘property rights:’ this meant he knew what (*če*), how much (*čand*), how (*čiyōn*), and in what form (*če-ēwēnag*) the land owners held the land.<sup>54</sup> This, of course, covers similar competences to those of a modern-day cadastral bureau. The judge had authority over the *tāsūg*, which seems to have been the smallest administrative division above the vil-

51 Hobsbawm, *Primitive Rebels*, 57–92, 99.

52 Ulrika Mårtensson, “Discourse and Historical Analysis: The Case of al-Tabarī’s History of the Messengers and the Kings,” *Journal of Islamic Studies* 16 (2005): 287–331; Rubin, “Reforms,” 227–297; Richard N. Frye, *The History of Ancient Iran* (Munich: Beck, 1984), 324–325; Mauro Grignaschi, “La riforma tributaria di Hosro I e il feudalesimo sassanide,” in *Accademia Nazionale dei Lincei: Problemi attuali di scienza e cultura: Atti del convegno internazionale sule tema La Persia nel medioevo* (Roma, 31 marzo–5 aprile 1970) (Rome: Accademia Nazionale dei Lincei, 1971), 87–138; Mostafa Khan Fateh, “Taxation in Persia: A Synopsis from the Early Times to the Conquest of Mongols,” *Bulletin of the School of Oriental and African Studies* 4 (1928): 723–743; for a general discussion of sources and description of the administration: Andrea Gariboldi, *Il regno di Xusraw dall’anima immortale. Riforme economiche e rivolte sociali nell’Iran Sasanide del VI secolo* (Milano: Mimesis, 2007), 178–179.

53 Farraxvmar t i Vahrāman, *The Book*, 294–297; Maria Macuch, *Das sasanidische Rechtsbuch Mātakdān i hazār Dāstān* (Teil II) (Wiesbaden: Kommissionsverlag Steiner, 1981), 51 (Middle Persian) and 189 (German translation); see also: Touraj Daryaee, *Sasanian Persia: The Rise and Fall of an Empire* (London: Tauris, 2009), 128–129.

54 Farraxvmar t i Vahrāman, *The Book*: 292–293; Macuch, *Das sasanidische Rechtsbuch*, 49–50 (Middle Persian) and 188 (German translation); see also Daryaee, *Sasanian Persia*, 133.

lage (*deh* in Middle Persian).<sup>55</sup> General financial functions seem to have been in the hands of the *āmārgar*, who was responsible for the reckoning and collection of taxes and for entries to – and disbursements from – the Royal Treasury, what was ‘coming to and from the Palace’ (in Middle Persian: *ō shahigan madan ud az shahigan*). The geographical extension of the powers of an *āmārgar* could vary, including one or more districts or provinces.<sup>56</sup>

Another consequence of Husraw’s policies was that landholding was increasingly seen as a grant from the sovereign. This evolution changed the balance of power within the Empire and influenced patterns of landholding and land administration in Sasanian society. Status was increasingly based on the position granted by central government in connection with public function, and less on status at birth. The *dahāqīn* (as they are called in Arabic sources, which often refer to them when discussing the situation of Iraq after the conquest), the ‘petty nobility’ of the Empire who owed their position to royal grants of village estates, played an important role in the tax collection.<sup>57</sup> It seems that the state was able to reclaim the land grant upon the death of the grantee.<sup>58</sup>

Patricia Crone views the Mazdakite rebellion as a consequence of the tax reform, since a tax based on a fixed amount of cash or crops would have removed any certainty regarding that part of the harvest that was left for the peasants’ survival, while payment in cash would have the additional disadvantage that the peasants were forced to sell their crops all *at the same time*, resulting in a price slump.<sup>59</sup> This view conflicts with the more commonly held opinion of the tax reform, and in general the centralized reforms of Husraw, as an outcome, rather than a cause, of the rebellion: their power crushed by the Mazdakites, the aristocracy would have accepted a ‘Husrawian’ restoration. As Zeev Rubin has pointed out in his important survey of Husraw’s reforms: “no better explanation than the Mazdakite revolt has so far been offered for Husraw’s success in implementing a reform which would have provoked a fierce opposition on the part of the nobility.”<sup>60</sup> Moreover, none of the sources refers to the

55 Daryaei, 125–126; Lukonin, “Institutions,” 727; Richard N. Frye, *The Golden Age of Persia: The Arabs in the East* (London: Butler & Tunner, 1975), 10.

56 Daryaei, *Sasanian Persia*, 132–133; Lukonin, “Institutions,” 726.

57 Daryaei, *Sasanian Persia*, 29, 147–148; Gariboldi, *Il regno di Xusraw*, 31–32; Lukonin, “Institutions,” 734; Altheim and Stiehl, *Ein asiatischer Staat*, 141.

58 Gariboldi, *Il regno di Xusraw*, 37–38; Farraxvmar ī Vahrāman, *The Book*, 188–189.

59 Crone, “Zoroastrian Communism;” Crone, “Kavād’s Heresy,” 33.

60 Rubin, “Reforms,” 230; “Moreover any attempt to describe the reforms of Khusro as oppressive already during his own reign flies in the face almost all the evidence we possess about it,” Rubin, “Mass Movements,” 184.

Mazdakite rebellion as a consequence of Husraw's reforms.<sup>61</sup> On the contrary, as Pourshariati has noted, the *Letter of Tansar* – an important source, the last redaction of which can be dated to the sixth century – sees the establishment, by the crown, of reforms to keep great aristocratic families in check, including a census of the aristocratic families, as *following* a period of popular discontent and rebellion. Pourshariati has pointed out that this text contains what she calls “a veiled description of the Mazdakite rebellion,” a description which is taken from the point of view of the ‘ideology’ of the crown.<sup>62</sup> According to the *Letter of Tansar*, the great aristocratic families (*ahl al-buyūtāt*) became a cause of social disorder because of their greed, and they even began to earn money like tradesmen. At the bottom of the social scale, the populace (*‘amma*) and even the slaves (*bandigān*) rebelled. The king (in the *Letter* the king is Ardashīr, but, as Pourshariati points out, it is definitely a reference to Husraw), suppressed the riots, although he also appointed an inspector to survey noble families and to investigate their revenues.<sup>63</sup>

This seems to confirm that behind the revolt there was a process of accumulation of wealth and power by the aristocracy, and that the tax reform was a measure used to increase the crown's control over surplus extraction from the land in the hands of the nobility: this reform appears to have been linked to paternalistic measures toward the peasantry. Some sources seem to imply that Husraw's tax reform also included counter-measures to make it easier for the peasantry to bear the tax burden and to involve the different layers of society in the process of tax assessment. An important account of the tax reform is found in the historical work *Ta'rikh al-rusūl wa-l-mulūk* written by aṭ-Ṭabarī. He states that the judges in each administrative district received a copy of the tax register in order to prevent extortion. They also had to inform the king about the condition of the land in order to remit taxes in the case of a crop failure.<sup>64</sup> Ibn al-Muqaffa' (d. 756/759), one of the most important translators of Middle Persian texts, stated that Husraw appointed officers to supervise crop failures and remit taxes in the case of shortages.<sup>65</sup> The *Sīrat Anūshirwān* presents the

61 For a survey, still indispensable to refer to Christensen, *Le règne*, 5–89. For Middle Persian sources: Daryaee, *Sasanian Persia*, 86–91; Shaki, “Social Doctrine.”

62 Parvaneh Pourshariati, *Decline and Fall of the Sasanian Empire: The Sasanian-Parthian Confederacy and the Arab Conquest of Iran* (London: I.B. Tauris, 2008), 85–90.

63 Pourshariati, *Decline*, 86–89; *The Letter of Tansar*, trans. Mary Boyce (Roma: Istituto Italiano per il Medio ed Estremo Oriente, 1968), 38–44.

64 al-Ṭabarī, *Annales*, 1:960–963.

65 Reported in the *Nihāyat al-‘arab fī akhbār al-Fars wa-l-‘arab*; we can read the Arabic text in: Grignaschi, “La riforma tributaria,” 135. On Ibn al-Muqaffa', see Ersilia Francesca, *Il Principe e i Saggi: Potere e giustizia nel medioevo islamico* (Monza: Polimetrica, 2005), 46–

most interesting account of the reforms of Husraw. The *Sīrat Anūshirwān* is a first-person narrative of the main deeds of Husraw, probably based on ancient Middle Persian texts,<sup>66</sup> preserved in the *Tajārib al-umam* written by Miskawayh (ca. 1030).<sup>67</sup> It illustrates some interesting elements which help us to understand how the process of tax collection worked. The fiscal prefect (*‘āmil* in Arabic or *āmārgar* in Middle Persian, as mentioned above), who was controlled by other functionaries chosen from the people to whom the king could grant his trust (and who are, later in the same text, called *amīn ahl al-balad*: the trustworthy amongst the people of the country), and the taxpayers (*ahl al-kharāǧ*) had the right to present complaints to the judge (*qādī*, probably the *dādwar* described above). The fiscal prefect, the judge, the *amīn ahl al-balad* and the region's scribe (*kātīb al-kūra*, or *shahr-dibīr*, a royal tax collector sent to the province<sup>68</sup>) reported to the royal department.<sup>69</sup> The taxpayers of each district gathered in the chief town with their leader (*qā'id*, probably the local lord), the judge and the *amīn* to discuss their problems with the king's representatives.<sup>70</sup> The judges also had to gather the inhabitants of the district without revealing their actions to the lords or fiscal prefects.<sup>71</sup> Delegates from the district, even from the peasantry, were able to report to the government.<sup>72</sup> Although the description of the tax reform in the *Sīrat Anūshirwān* is, to a large extent, ideological, it is, in broad terms, coherent with the structure of the Sasanian administration that emerged from the *Hazār Dādestān*: especially the duty of supervision that was accorded to the judges. This is a more general issue: I believe that caution in using later sources must be exercised, but we may still

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47; Cereti, *La letteratura pahlavi*, 189; Charles Pellat, *Ibn al-Muqaffā' (mort vers 140/757) "conseiller" du calife* (Paris: Publications du Département d' Islamologie de l' Université de Paris-Sorbonne, 1976); Dominique Sourdel, "La biographie d' Ibn al-Muqaffā' d' après les sources anciennes," *Arabica* 1 (1954): 307–323.

66 This narrative is related to the epic narratives of the *Xwadāy Nāmag* tradition: for a short but good overview and bibliography see: Cereti, *Pahlavi*, 191–192.

67 On Miskawayh and his works, see Mohammed Arkoun, *Contribution à l'étude de l' humanisme arabe au IVE/Xe siècle: Miskawayh (320/325–421) = (932/936–1030) philosophe et historien* (Paris: Vrin, 1970).

68 Daryaei, *Sasanian Persia*, 54.

69 Mario Grignaschi, "Quelques spécimens de la littérature sassanide conservés dans les bibliothèques d' Istanbul," *Journal asiatique* 254 (1966): 18; Arabic text (manuscript facsimile): *The Tajārib al-umam or History of Ibn Miskawayh*, preface and summary by L. Caetani (Leiden: Brill, 1909), 1190.

70 Grignaschi, "Quelques spécimens," 20–21; *The Tajārib al-umam*, 194.

71 Grignaschi, "Quelques spécimens," 22; *The Tajārib al-umam*, 195.

72 Grignaschi, "Quelques spécimens," 20–21; *The Tajārib al-umam*, 196. See also Rubin, "Reforms," 273.

compare them to earlier sources, possibly more or less contemporary to the events narrated, to understand what is the nature of the information they may have inherited, their strategy in transmitting them, and in general, to understand how reliable they may have been.

These paternalistic measures in any case did not change the very nature of the system of surplus extraction. On the contrary, they show the solidarity of interests between the aristocracy and the crown in reaffirming the continuity of surplus extraction through rents and taxes: Husraw is a reformer, but also a restorer. What the reforms show is a shift in the balance of power from the aristocracy to the crown, a shift that seems to have been facilitated by the eruption of social conflict through the Mazdakite rebellion. As Haldon points out, the relationship between the state and the ruling classes is always a contradictory and potentially antagonistic relationship: "tributary ruling classes and states function at the same level of primary appropriation, directly inducing the creation of surplus through their monopoly of various forms of non-economic coercion."<sup>73</sup> But both the aristocracies and the crown were interested in the continuity of the flow of surplus extracted through coercive means. Husraw's reforms ensured that continuity, although changing the pattern of surplus distribution as a result of the changing balance of power.

## 2 Land and Tax after the Arab Conquest

The large and heterogeneous Sasanian Empire was not homogeneously affected by Husraw's reforms: recent research, and in particular the important work of Pourshariati, has shown the complexity of the political relationships on which the existence of the Empire was based.<sup>74</sup> However, the hinterland of Iraq, where the Persian 'capital' Ctesiphon, the 'bread basket' of the Empire, was located, was more directly affected by the political and administrative reforms. The conditions of land tenure and surplus extraction under which Iraq was ruled after the Arab conquest seem to confirm this view. The land-tax assessment in Iraq after the conquest seems to have followed the general outline of Sasanian surplus collection, and the land tax remained the main source of income for the state. The main land tax, described in juridical sources as the tax imposed on the land of conquered populations who had not accepted Islam before the conquest and had not signed a special agreement (*ṣulḥ*),<sup>75</sup> was

73 Haldon, *The State*, 156.

74 Pourshariati, *Decline*.

75 Concerning continuity and change in the tax assessment system after the Arab conquest,

usually called *kharāj*.<sup>76</sup> The word *kharāj* is surely of pre-Arabic origin (perhaps from Akkadian *ilku*).<sup>77</sup> It passed to Arabic use probably through Sasanian administration. In the Hazār Dādestān we find the word *harg*, which likely indicates the land tax. In the documents of the Pahlavi archive in Berkeley we find a functionary called *frašn-hargarīg*, who probably had to identify the contributors subject to the land tax, since *frašn* means question and *hargarīg* is related to *harg*. The Bactrian documents studied by Sims-Williams, which are in some cases dated from the years 110 to 549 (we are unsure of which year, likely the Sasanian era starting with the reign of Ardashir in 223), use the word  $\omega\rho\rho\omicron$  (*uargo*), meaning rent.<sup>78</sup> *Kharāj* is compared or identified with rent in several later Arabic sources: Ash-Shāfiʿī wrote that *kharāj* means *ʿuġra*, rent.<sup>79</sup> The document from Khurasan studied by Khan, which dates from the Abbasid period between 755 and 777 (138–160 of the Islamic era), clearly uses the word *kharāj* to indicate the land tax. Khan also hypothesized that the term originated in the administration of the Eastern provinces, and then spread to other provinces such as Egypt.<sup>80</sup> Tax assessment on *kharāj* land mainly followed a system called *ʿalā l-misāḥa*: from a fixed portion of land (usually one *ġarīb*, i.e. 1592 m<sup>2</sup>),<sup>81</sup> a fixed amount of money and/or crops was collected.<sup>82</sup> According to many of our sources (which unfortunately all come from the Abbasid period), the impost assessed varied with the kind of crops.<sup>83</sup>

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see Campopiano, "L' administration;" Fred M. Donner, "The Islamic Conquests," in *A Companion to the History of the Middle East*, ed. Youssef M. Choueiri (Malden, MA: Blackwell, 2008), 28–51; Fred M. Donner, *The Early Islamic Conquests* (Princeton: Princeton University Press, 1981), 239–240.

- 76 Michele Campopiano "State, Land Tax and Agriculture in Iraq from the Arab Conquest to the Crisis of the Abbasid Caliphate (Seventh-Tenth Centuries)," *Studia Islamica* 3 (2012): 35–80; Ghaida Khazna Katbi, *Islamic Land Tax-Al'Kharāj: From the Islamic Conquests to the Abbasid Period* (London: I.B. Tauris, 2010), 6, 14–19.
- 77 Morony, "Landholding," 138; Guitty Azarpay et al., "New Information on the Date and Function of the Berkeley Middle Persian Archive," *Bulletin of the Asia Institute* 17 (2003): 17–29; Wilfred van Soldt, "The Akkadian Legal Texts from Ugarit," in *Trois millénaires de formulaires juridiques*, eds. Sophie Démare-Lafont and André Lemaire (Genève: Droz, 2010), 85–124.
- 78 Nicholas Sims-Williams, *Bactrian Documents from Northern Afghanistan*, vol. 1, *Legal and Economic Documents* (Oxford: Oxford University Press, 2001), 90–91, 108–109.
- 79 Muḥammad al-Shāfiʿī, *Kitāb al-umm*, 3 (Cairo, 1321), 251.
- 80 Khan, *Arabic Documents*; Khan, "Newly Discovered," 208–210.
- 81 Walther Hinz, *Islamische Masse und Gewichte* (Leiden: Brill, 1955), 55, 65–66.
- 82 Michael G. Morony, *Iraq after the Muslim Conquest* (Princeton: Gorgias Press, 1984), 100.
- 83 Frederik Løkkegaard, *Islamic Taxation in the Classical Period with Special Reference to Circumstances in Iraq* (Philadelphia: Porcupine Press, 1978), 102–103; al-Muqaddasī, *Kitāb Aḥsan at-taqasīm fi ma'rifat al-aqalīm*, ed. M.J. de Goeje as: *Descriptio imperii moslemici*,

Baber Johansen has argued that the Hanafite doctrine on land tax supported peasant ownership of land, because the payment of land tax proved the ownership of property rights. Therefore the Arab conquest would have favored peasant ownership of the land, in contrast to attempts to see them as simple serfs attached to the soil.<sup>84</sup> As the analysis of Michael Morony and a recent article by Jairus Banaji have pointed out, however, this is very difficult to believe. Both Morony and Banaji have shown how the landed elite of the Persian *dahāqīn* stood surety for the taxes on their land: their village estates represented the prevailing form of land tenure in post-conquest Iraq.<sup>85</sup> Village estates under the control of *dahāqīn* were the normal agricultural and taxation units at the time of the Arab conquest: *dahāqīn* helped in the collection of surplus and its transmission to the state in the form of taxes.<sup>86</sup> This situation is reminiscent of the administrative practices known for early Islamic Egypt, where village headmen belonging to the Christian elites carried on the fiscal and administrative instructions of the pagarch.<sup>87</sup> Yaḥyā ibn Ādam (758–818) affirms the Sawād was in the hands of the Nabateans who paid the *kharāj* to the Persians. When the Muslims came, they left the Sawād to the Nabateans and *dahāqīn* as they were, and imposed *ḡizyah* on the heads of the men and the *kharāj* on the land.<sup>88</sup> For the Arabs, the *dahāqīn* played an important role in explaining the fiscal practices of the previous regime: for example, the caliph Muʿāwiya (r. 661–680) is reported to have consulted them on the conditions for taxation and about where the register of crown lands was kept.<sup>89</sup>

The Arabs initially settled in Iraq as warrior minorities in garrison cities, such as Kufa or Basra, receiving payments (*ʿaṭāʾ*) from the land tax.<sup>90</sup> Arab set-

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auctore Shams ad-dīn Abū Abdallah Mohammed ibn Ahmed ibn abī Bekr al-Bannā al-Basshārī al-Moqaddasī (Leiden: Brill, 1906), 133; Ibn Khurdābih, *Kitāb al-Masālik wa-l-mamālik*, ed. M.J. de Goeje as: *Liber viarum et regnorum auctore Abu'l-Kasim Obaidallah Ibn Abdallah Ibn Khordadbeh et Excerpta e Kitab al-Kharadj auctore Kodama ibn Djaʿfar* (Leiden: Brill, 1889), 14.

84 Baber Johansen, *The Islamic Law on Land Tax and Rent* (London/New York/Sydney: Croom Helm, 1988), 7–19.

85 Banaji, "Aristocracies;" Morony, "Landholding," 139. See also Bas van Bavel, Michele Campopiano and Jessica Dijkman, "Factor Markets in Early Islamic Iraq, c. 600–1100AD," *Journal of the Economic and Social History of the Orient* 57 (2014): 262–289.

86 Daryaei, *Sasanian Persia*, 29, 147–148; Morony, "Landholding;" Altheim and Stiehl, *Ein asiatischer Staat*, 141.

87 Sijpesteijn, *Shaping a Muslim State*, 88–89.

88 Ibn Ādam, *Kitāb al-kharāj*, ed. Theodoor W. Juynboll as: *Le livre de l'impôt foncier de Yaḥyā Ibn Ādam* (Leiden: Brill, 1896), 23 (Arabic text).

89 al-Yaʿqubī, *Taʾrikh*, ed. M.Th. Houtsma as: *Historiae* (Leiden: Brill, 1883), 2:258.

90 Hugh Kennedy, "Military Pay and the Economy of the Early Islamic State," *Historical*



tlers inscribed on a payroll known as *dīwān* were entitled to these payments on the basis of their contribution in fighting for the Muslim cause. These payments were not, or at least not explicitly, salaries paid for service in the army, although they evolved into military wages.<sup>91</sup> The surplus of the Sawād, the rural area of Iraq, represented a crucial source of income for the conquerors.<sup>92</sup> The conquerors, although themselves socially differentiated due, for example, to different positions within the clans or their connection with the ruler etc., nonetheless represented the exploiting classes, in the sense that they lived off the surplus (in the form of tax or rents) extracted from the producing population of Iraq. Conflicts among sub-sections of the conquering elite were often related to the distribution of surplus among them: the opposition of the *qurrā'*, professional reciters of the Qu'ran, to 'Uthmān (r. 644–656), for example, originated from their desire to control the surplus of the Sawād.<sup>93</sup> Even when they adopted an egalitarian rhetoric,<sup>94</sup> early Islamic factions' struggles in Iraq often rested on control of the surplus extracted from the peasantry of the Sawād in the form of salaries or through rent by acquiring stronger property rights on landed estates.

Conflicts in surplus appropriation among different sectors of the ruling class in Iraq exploded after the affirmation of Umayyad power. Mu'āwiya seems to have paid close attention to the reclamation of the domains of the Sasanian kings, investigating, as mentioned above, where the register of Sasanian crown land was kept. Under his reign, crown lands from Iraq and neighboring regions are reported to have yielded a 100,000,000 dirhams in revenue, according to al-Ya'qūbī, whereas the land tax from the Sawād and al-Kūfa is reported to have been 120,000,000 dirhams.<sup>95</sup> Extension of the crown land would have meant a reduction of the land from which the salaries were paid, since the yield of the crown land did no longer go to the *dīwān* but to the caliph's personal treasure

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*Research* 75 (2002): 155–169; Hugh Kennedy, *The Armies of the Caliphs: Military and Society in the Early Islamic State* (London/New York: Routledge, 2001), 60–74; Donner, *Early Islamic Conquests*, 237–239.

91 Kennedy, "Military Pay," 162.

92 Campopiano, "State, Land Tax and Agriculture," *Studia Islamica* 3 (2012): 35–80; Hugh Kennedy, "The Feeding of the Five Hundred Thousand: Cities and Agriculture in Early Islamic Mesopotamia," *Iraq* 73 (2011): 177–199.

93 Muhammad A. Shaban, *Islamic History: A New Interpretation*, vol. 1, A.D. 600–750 (A.H. 132) (Cambridge: Cambridge University Press, 1971), 67. See also Martin Hinds, "Kūfan Political Alignments and Their Background in the Mid-Seventh Century AD," *International Journal of Middle East Studies* 2 (1971): 346–367.

94 Louise Marlow, *Hierarchy and Egalitarianism in Islamic Thought* (Cambridge: Cambridge University Press, 1997), 93–116.

95 al-Ya'qūbī, *Ta'rikh*, 2:277–278.

chest. Estates from crown lands (*sawāfi*) were often apportioned to be granted as gifts for members or clients of the ruling family (on which they paid tax at a lower rate, *‘ushr*), which often represented an elite within an elite. This process began to expand under the governor ‘Abd Allāh b. Amīr b. Qurayz (in office 650–656), who granted land to many of his relatives and *mawālī*.<sup>96</sup> These grants were often related to projects of revivification of dead lands, from which lower tax rates were extracted, usually in the form of *‘ushr*, the tithe assessed on the land of the believers and amounting to half that of the *kharaḡ* paid on other land. Such estates were often granted in the area near Basra, and were developed through slave labor, such as the Zanġ, African slaves.<sup>97</sup>

Political influence was a key issue in both acquiring and extending these concessions. An interesting example is provided by al-Balādhurī (d. 892) who described the reclamation project of Maslama (d. 738), the son of the Umayyad caliph ‘Abd al-Malik, in southern Iraq during the reign of al-Walīd (r. 705–715).<sup>98</sup> Maslama proposed the investment of money in a reclamation project, the cost of which was estimated to be about 3,000,000 dirhams. Maslama asked that the land that remained under water was given to him as *qaṭī’a* in order to revive it. The reclamation project was successful, farmers were brought in to work this land, and many other people entrusted their estates (*diyā’a*) to Maslama for ‘protection’.

Extension of the crown lands and land grants reduced the surplus available for payments to people inscribed in the *dīwān*, and led to conflicts with Kufan and Basran Arabs. Opposition to the Umayyads and their *protégés* was often expressed in religiously justified rebellions. In particular, Kharijite groups played an important role in their opposition to the early Umayyad caliphs: during the reign of Mu‘āwiya there were sixteen Kharijite uprisings in Iraq.<sup>99</sup>

96 Morony, “Landholding and Social Change,” 211–213; Donner, *Early Islamic Conquests*, 242–243.

97 Alexandre Popovic, *La révolte des esclaves in Iraq au III<sup>e</sup>/IX<sup>e</sup> siècle* (Paris: Geuthner, 1976), 60–62.

98 al-Balādhurī, *Kitāb Futūh al-buldān*, ed. M.J. de Goeje as: *Liber expugnationis regionum, auctore imāmo Ahmed Ibn Jahja Ibn Djabir al-Belādsorī* (Leiden: Brill, 1866), 294. This event has been broadly discussed by Hugh Kennedy, “Elite Incomes in the Early Islamic State,” in *The Byzantine and Early Islamic Near East*, vol. 6, *Elites Old and New in the Byzantine and Early Islamic Near East*, eds. John Haldon and Lawrence I. Conrad (Princeton: Darwin Press, 2004), 21–22.

99 Thomas Sizgorich, *Violence and Belief in Late Antiquity: Militant Devotion in Christianity and Islam* (Philadelphia: University of Pennsylvania Press, 2009), 196–230; William F. Tucker, *Mahdis and Millenarians: Shī‘ite Extremistes in Early Muslim Iraq* (Cambridge: Cambridge University Press, 2008), 3; Morony, *Iraq*, 468–478; William Montgomery Watt, “Khārijite Thought in the Umayyad Period,” *Der Islam* 36 (1961): 216–217.

Iraq was also a harbor for Alid movements. Among these movements we can recall the one led by al-Mukhtār (d. 687) which brought on a rebellion that expelled the governor ‘Abd Allāh b. Mutī’ from Kufa in 685. The non-Arab Muslim *mawālī* were the mainstay of al-Mukhtār’s movement, but he was also able, for a short period, to attract the support of Kufan *ashrāf*.<sup>100</sup> The instability of Iraq had already led to the location of Syrian troops, the main supporters of the Umayyads, in Iraq and the establishment of a new garrison town, Wāsiṭ.<sup>101</sup> The Syrian troops had to be paid from the land tax income which was now partially diverted, at the expense of Iraqi Arabs.<sup>102</sup>

The extension of crown lands, the diffusion of land grants for Umayyad *protégés* and the presence of the Syrians exacerbated the hostility of Iraqi Arabs and *dahāqīn* (afraid of losing their land to the new elites). This motivated the massive participation in the revolt led by Ibn al-Ash’ath (d. 704) against the Umayyad governor al-Ḥaḡḡāḡ (in office 694–714) in 701, when rebels seized the crown lands and destroyed the register. Both Kufans and Basrans joined the rebellion; the *qurrā’*, who advocated that the early conquerors of Iraq were the only ones entitled to its revenues, were among the most motivated supporters of the revolt. This uprising led to the battle of Dayr al-Ġamāḡim, culminating in victory for al-Ḥaḡḡāḡ.<sup>103</sup> It is probable that Kufans stopped receiving their payments from tax collection after this rebellion.<sup>104</sup>

While extending the crown lands and land grants for family members, the Umayyads also tried to strengthen central control over surplus extraction from the remaining *kharāj*-paying lands, probably with the aim of compensating income losses due to the lower tax-rates paid by the beneficiaries of land grants. For this reason, land surveys were effectuated. We know, for example, that a land survey in Northern Mesopotamia was carried out in 691–692,<sup>105</sup> and that a land survey of the Sawād was conducted in 105/723–724 by the governor ‘Umar b. Hubayra (in office 720/721–724) at the request of Yazīd II (r. 720–724).<sup>106</sup> These attempts at the centralization of surplus extrac-

100 Tucker, *Mahdis*, 16–33; Morony, *Iraq*, 491–492.

101 Khalid Y. Blankinship, *The End of the Jihad State: The Reign of Hisham Ibn ‘Abd al-Malik and the Collapse of the Umayyads* (New York: SUNY Press, 1994), 58–59.

102 Kennedy, *Armies*, 40.

103 Kennedy, 39–40; Morony, “Seventh-Century Iraq,” 161–162.

104 Kennedy, *Armies*, 40.

105 Chase F. Robinson, *Empire and Elites after the Muslim Conquest: The Transformation of Northern Mesopotamia* (Cambridge: Cambridge University Press, 2000), 44–50.

106 Wadād al-Qāḏī, “Population Census and Land Surveys under the Umayyads (41–132/661–750),” *Der Islam* 83 (2006): 365. A similar process has been observed by Elton E. Daniel for Khurasan: “It is more likely that Umayyad attempts to survey land, draw up cadastres, and enforce the land tax led to dissent than their alleged impiety”; *The Political and Social*

tion from *kharāj*-paying lands were bound to create more discontent among the Iraqi Arabs and especially the Kufans. Once more the situation is comparable to Egypt, where Ummayyad centralization policies also caused discontent and revolts.<sup>107</sup> This was a consequence of the evolution of landholding at the end of the seventh and, especially, in the first half of the eighth century. We can infer from our sources that an elite of Arab landholders had been formed on *kharāj* lands, through land purchases and the conversion of previously non-Muslim elites. Some anecdotes also confirm that Muslim landlords were purchasing land after the conquest. For example, Yaḥyā b. Ādam reports that a *dihqān* approached ‘Abd Allāh b. Mas‘ūd (d. 652/653), a companion of the prophet Muḥammad, asking him to buy his land. The ‘Abd Allāh accepted, provided that the old landlord would stay as a steward on the property and continue to pay *kharāj* on the land.<sup>108</sup> The fiscal rescript, attributed to ‘Umar II (r. 717–720), affirms that conversion to Islam exempted individuals from the poll tax but not from the *kharāj*, while the *mawālī* asked to pay *‘ushr*.<sup>109</sup> The caliph also stressed that the property of people who had converted would remain *ḥay’* if they accepted Islam after the conquest.<sup>110</sup> Later sources tend to attribute prohibition of the sale of *kharāj* land to ‘Umar I: Yaḥyā b. Ādam, for example, wrote that ‘Umar forbade to Muslims the acquisition of *kharāj* land (*arḍ al-kharāj*)<sup>111</sup> and Abū ‘Ubayd (d. 838) said that the purchase of the land of the *ahl al-dhimma* was prohibited by ‘Umar I.<sup>112</sup> This seems to be an attempt to distinguish these policies from those of the Umayyads because of their infamy after the Abbasid revolution; to put them on the shoulders of ‘Umar I would have given them legitimacy.<sup>113</sup> Previous schol-

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*History of Khurasan under Abbasid Rule 747–820* (Minneapolis and Chicago: Bibliotheca Islamica, 1979), 196.

107 Sijpesteijn, *Shaping*, 94–105.

108 Ibn Ādam, *al-Kharāj*, 39 (Arabic text).

109 Abdul Aziz Duri, “Notes on Taxation in Early Islam,” *Journal of the Economic and Social History of the Orient* 17 (1974): 138–140.

110 Hamilton A.R. Gibb, “The Fiscal Rescript of ‘Umar II,” *Arabica* 2 (1955): 1–16.

111 Ibn Ādam, *al-Kharāj*, 39.

112 Abū ‘Ubayd, *Kitāb al-Amwāl*, ed. al-Ṭab‘ah (Beirut: Dār al-Ḥadāthah, 1989), 156–157.

113 A similar case has been examined by Chase Robinson for Northern Mesopotamia: even Syriac sources, such as Michael the Syrian, sometimes attribute the land survey of 691–692, which is reported to have caused so much hardship for the taxpayers, to ‘Umar I; Robinson, *Empire and Elites*, 44–50; compare with *The Chronicle of Zuqnān, parts III and IV. A.D. 488–775*, trans. A. Harrak (Toronto: Pontifical Institute of Medieval Studies, 1999), 147–148. See also Moshé Sharon, “The Military Reforms of Abū Muslim, their Background and Consequences,” in *Studies in Islamic History and Civilization in Honour of Professor David Ayalon*, ed. Moshé Sharon (Leiden: Brill, 1986), 115.

arship has not emphasised that all the elements discussed above point to the emergence of a Muslim landed elite and a concentration of landed property in its hands from at least the beginning of the eighth century. This process may have been influenced by the need to acquire a stable source of revenue, independent from changes in the political system that could influence the patterns of distribution of the surplus through salaries or other grants by substituting one group of beneficiaries for another, as happened with the end of the payment of salaries to the Kufans. This evolution is extremely important: it means that significant sections of the Muslim elite depended on the appropriation of surplus through rents, rather than on its redistribution via the state by payments of salaries. This change will play, as we will see in the next part, a crucial role in determining reforms of tax assessments in the Sawād in the early Abbasid period.

So far we have discussed conflicts concerning the repartition of surplus among the elites in terms of salaries or land ownership (and therefore rents). However, this surplus originated from peasant producers who appear to have been a politically subordinate class, working the estates of large landlords, and from whom surplus, in the form of taxes, rents and labor, was extracted through coercion, in substantial continuity from the late Sasanian period through to the arrival of the Abbasids.<sup>114</sup> The fact that legal theorists have discussed whether the peasants of the Sawād should be considered slaves seems to be an attempt to find a rationalization, in legal terms, for the conditions of Iraqi peasantry.<sup>115</sup> According to Abū ‘Ubayd, ‘Umar I forbade the purchase of slaves from among the *dhimmī* (*raqīq ahl al-dhimma*) because these people were *ahl kharāǧ*, people of the land tax, i.e. people subjected to the extraction of land tax.<sup>116</sup> The people of the Sawād were also called slaves (*ariqqa*) in a tradition reported by al-Ṭabarī in the *Kitāb Ikhtilāf al-fuqahā*’ and attributed to Sharīk b. ‘Abd Allāh al-Nakha’ī during the caliphate of al-Manṣūr (r. 754–775).<sup>117</sup>

114 This also was ultimately the view of Michael Morony: “On the other hand, apart from a general tendency for both the daaḳin and the peasants to take liberties in the confusion immediately after the conquest, it is clear that the attachment of a servile labour force to the land it worked (*raqīq al-ard*) merely survived in Muslim Iraq from the late Sasanian period on the estates of the daḥāqin” (Morony, “Seventh-Century Iraq,” 165).

115 Morony, 165.

116 Abū ‘Ubayd, *al-Amwāl*, 157.

117 Joseph Schacht, ed., *Das Konstantinopler Fragment des Kitāb ihtilāf al-fuqahā’ des Abū Ġa’far Muḥammad ibn Ġarīr aṭ-Ṭabarī* (Leiden: Brill, 1933), 225. See also Chase F. Robinson, “Neck-Sealing in Early Islam,” *Journal of the Economic and Social History of the Orient* 48 (2005): 412–417; Paul G. Forand, “The Status of the Land and Inhabitants of the Sawād during the First Two Centuries of Islām,” *Journal of Economic and Social History of the Orient* 14 (1971): 33.

Social conflictuality between peasantry and the ruling classes seems to have been expressed specifically through fleeing the lands they cultivated and on which they had to pay taxes and rents. Peasant flights from the lands they cultivate is an expression of social conflict strictly linked to the nature of coercive surplus extraction. Under al-Hajjāj, force was used in order to bring them back to the land.<sup>118</sup> When he seized power in 744, caliph Yazīd III (r. 744) promised not to impose excessive taxes on non-Muslims because otherwise they would flee their lands.<sup>119</sup> The Syriac *Chronicle of Zūqnān*, written at the end of the eighth century at the monastery of Zūqnān, near Amida (currently Diyarbekir on the Tigris in Turkey)<sup>120</sup> describes how, in 772–773, an agent was sent over the entirety of Northern Mesopotamia to return every fugitive taxpayer to his region, under caliph al-Manṣūr.<sup>121</sup>

### 3 From the Advent of the Abbasid to the Zang Revolt

The advent of the Abbasid revolution did not radically change patterns of landholding and land tax assessment, nor the social conflicts related to them. As in the previous centuries, conflicts among the elites were often related to problems of the redistribution of the surplus collected, by way of rents and taxes, from peasant production. It is interesting to see how Ibn al-Muqaffa', in his *Risāla fī l-ṣaḥāba*, suggests to the caliph al-Manṣūr that he should rely on the local Iraqis for government, because of their erudition and piety. He also reminds the caliph of the damage wrought on the local population by the Syrian troops, and of the risk presented in assigning responsibility for tax collection to the Khurāsānī troops who could take advantage of their position to increase the tax burden.<sup>122</sup>

Large sections of Iraqi Muslims once more felt that they were excluded from the inner ring of power, the politico-military elite represented by the Khurāsānī, the central bureaucracy and by Abbasid protégés. Conflicts between civil servants and the military arose from the administration of tax collection.

118 Forand, "The Status," 28.

119 al-Ṭabarī, *Ta'rikh*, 2:1834–1835.

120 Mistakenly attributed in the past to Dionysius of Tell-Mahre (*The Chronicle of Zuqnān*, 1). On the importance of this source for the history of Northern Mesopotamia, see Robinson, *Empire and Elites*, 44–47.

121 *The Chronicle of Zuqnān*, 257–258.

122 Francesca, *Il Principe*, 12–15 (edition of the Arabic text of the *Risāla*); Muhammad Q. Zaman, *Religion and Politics under the Early Abbāsids: The Emergence of a Proto-Sunnī Elite* (Leiden: Brill, 1997), 82–85.

As Hugh Kennedy points out: “since the civil administration collected taxes which paid the soldier’s salaries, there was ample cause of disagreement,”<sup>123</sup> but Iraqi Muslims also expressed their resentment over the increasing burden represented by the Abbasid elites. In some cases they did this by committing in large numbers to Alid uprisings, such as that led by Muhammad b. ‘Abd Allāh (d. 762), “The Pure Soul” (*al-naḥs al-Zakiyya*), in 762, which a large number of Basrans (who did not have a strong Alid tradition, in contrast to the traditional Alid ‘nest’ of Kufa) joined.<sup>124</sup> The Alid program, with its egalitarian claims and ‘messianic’ expectations of the re-establishment of justice on earth, represented a strong ideological glue for the expression of malcontents among Islamic population.<sup>125</sup> The Alid rebellion of Abū Saraya (d. 815) in 815 was also largely supported by the Kufans. However, this last rebellion was probably greeted with less enthusiasm by the wealthy leaders of the community, the *ashrāf*, among which the landholding elite should probably be counted, and was more largely supported by the urban populace.<sup>126</sup>

The necessity to maintain good relationships between the new dynasty and the landholding elite of Iraq led to the redefinition of the system of surplus distribution. The land tax reform was based on a new system of tax assessment on *kharāj* land in Iraq. According to al-Balādhurī, at the end of the reign of al-Manṣūr the Muslims of Iraq asked for a change in tax assessment: “Yahyā ibn Ādam said, concerning the *muqāsama* in the Sawād: the people (*nās*) asked for this from the ruler in the last period of the caliph al-Manṣūr’s reign.”<sup>127</sup> Under al-Mahdī (r. 744–785), the new taxation system was enforced. Under this form of tax assessment, the *muqāsama*, instead of a fixed amount of money or crops, the taxpayers had to pay a share of the crop: one half of the crop for land irrigated by flooding, a third for land irrigated by waterwheel, and one quarter for land irrigated by animal-turned wheels, according to al-Māwardī (972–1058).<sup>128</sup> According to Qudāma b. Ja‘far (873–932/948), the system was introduced thanks to the support of Abū ‘Ubayd Allāh,<sup>129</sup> the first author of

123 Hugh Kennedy, *The Age of the Caliphs: The Islamic Near East from the Sixth to the Eleventh Century* (London/New York: Longman, 1986), 139.

124 Tucker, *Mahdīs*, 57; Hugh Kennedy, *The Early Abbasid Caliphate: A Political History* (London: Croom Helm, 1981), 200–203.

125 Tucker, *Mahdīs*, 120–132.

126 Kennedy, *Early Abbasid Caliphate*, 208–210.

127 al-Balādhurī, *Futūḥ*, 271.

128 al-Māwardī, *al-Aḥkām al-sultāniyya wa-l-wilāyyā al-dīniyya* (Beirut: Dār al-Kutub al-‘Ilmiyya, 1980), 221.

129 Qudāma b. Ja‘far (873–932/948), Qudāma Ibn Ja‘far, *Kitāb al-kharāj*. Part seven and excerpts from Abū Yūsuf’s *Kitābal-Kharāj*, translated and with introduction and notes by

a book on *kharāj*, who was appointed under al-Manṣūr to the retinue of his heir al-Mahdī, and was the vizier under the government of the latter (probably appointed in 775, died 786–787).<sup>130</sup> This information supports the idea of an agreement between the Muslim Iraqis (the ‘*nās*’ of Balādhurī’s text) and a scholar who held a key position in the imperial administration (the vizier). Scholars who have investigated the economic views of Abū Yūsuf (d. 798) have explained his support of *muqāsama* as making it more bearable for the farmers.<sup>131</sup> This is an important element: the local elite would definitely have preferred to avoid peasants fleeing from the land because of an excessive tax burden: Ibn al-Muqaffaʿ, for example, complains of the oppressive effects of the ‘*alā l-misāha*’ system and of the absence of clear regulation for the farmers.<sup>132</sup> However, we should not forget the larger economic and social context in which the surplus extraction was situated: the dependent peasantry was mainly working the land of the Iraqi Muslim landed elite: the surplus extracted had to be shared between the landed elite, who was taking rent, and the state, which was taking taxes. Moreover, the Abbasids, who had been in power for about twenty years, had to maintain good relations with the Iraqi Muslims, who had offered valuable support to them in their rise to power. The *muqāsama* would have implied a less stable tax income for the state compared to the fixed amount of cash or crops collected under the ‘*alā l-misāha*’ system,<sup>133</sup> but it would have given the landlords the opportunity to share risks with the state in case of a bad harvest. This is the reason why some jurists, such as Abū ‘Ubayd Allāh and Abū Yūsuf, supported the *muqāsama*.<sup>134</sup> The use of a tax based on a share of the

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Aharon Ben Shemesh (Leiden: Brill, 1965), 118 (Arabic text). This is also what Ibn al-Ṭiqṭaqa writes: al-Ṭiqṭaqa, *al-Fakhrī*, trans. C.E.J. Whitting (London: Luzac & Company, 1947), 176–177; ‘Abd al-Qādir Muḥammad Māyū and Aḥmad ‘Abd Allāh Farhūd, *al-fakhrī fī l-ādāb as-sulḥāniyya wa-l-duwwal al-Islāmiyya* (Aleppo: Dār al-Qalam al-‘Arabī, 1997), 179–180.

130 Sabatino Moscati, “Abū ‘Ubayd Allah,” in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill, 1960), 1:157–158.

131 Ramon Verrier speaks of a more just and fair taxation; Ramon Verrier, *Introduction à la pensée économique de l’Islam du VIII<sup>e</sup> au XV<sup>e</sup> siècle* (Paris: Harmattan, 2009), 69; “with the adoption of a proportional rate, variations in the price of grain will not significantly affect the burden on farmers;” Mohammed Nejatullah Siddiqi and Shaikh M. Ghazanfar, “Early Medieval Islamic Economic Thought: Abu Yousuf’s (731–798AD) Economics of Public Finance,” in *Medieval Islamic Economic Thought: Filling the Great Gap in European Economics*, ed. Shaikh M. Ghazanfar (New York: Routledge/Curzon, 2003), 216.

132 Francesca, *Il Principe*, 21 (Arabic text).

133 Also, Qūdama b. Jaʿfar affirms that the ‘*alā l-misāha*’ would have protected the state against price fluctuations: Qūdama b. Jaʿfar, *Kitāb al-Kharāj*, 40 (English translation); 119 (Arabic text). Also al-Ṭabarī seems to be conscious of the stabilising effects of the ‘*alā l-misāha*’; Mārtesson, “Discourse,” 287–331.

134 Qūdama b. Jaʿfar, *Kitāb al-Kharāj*, 40–41 (English translation); 119 (Arabic text); Abū Yūsuf,



crops seems therefore mainly founded in the logic that a rationalization of the surplus distribution between landlord and state prevented conflicts between them. This attitude would have been in marked contrast to the more severe fiscal policies of the Umayyads, who drew up cadasters to firmly establish fiscal duties on the basis of the *‘alā l-misāḥa* tax assessment. However, the *muqāsama* system of tax assessment was not necessarily less oppressive for the peasants than the *‘alā l-misāḥa* system: it all depended on the share of the produce that was left in their hands.

Besides maintaining good relations with the Muslim landholders, the Abbasids also pursued land policies similar to those of the Umayyad in terms of grants of ‘dead’ land and the extension of crown lands. Landed estates previously granted to Umayyad protégés were given to people close to the Abbasids, as can be seen to have happened in southern Iraq, where the land was granted to people connected to the dynasty, who revived this land, and to expand cash crops through slave labor.<sup>135</sup> These developments established the socio-economic background of the great Zang̃ revolt of 868–883.

The Zang̃ revolt represents an interesting case within our overview of land tenure and social conflicts for different reasons. Slave labor represents intrinsic sociological and economic differences to the economic structure we have seen in most of Iraq which was based essentially on the coercive extraction of taxes and rents from producing peasants. Slavery in Islamic countries in the Middle Ages was essentially domestic slavery. However, the case of the Zang̃ was different. They were employed to remove the crust of natron from the surface of the land, in order to reclaim the land for cultivation. They did not pay rents to the landlord: they are owned and fed by the landlord or by his leaseholders. They did not have the right to a share of the crops: crops are owned by the landlord or by his leaseholders. The landlords received their land grants because of their political connections, and could also keep slaves in subjection because the system of tax collections funded armies that would protect their interests. In southern Iraq, Zang̃ rebellions are known to have happened as early as 689–690 and 694.<sup>136</sup>

Many of the large estates in southern Iraq were planted with sugar cane. Sugar cane is a crop that needs to be watered frequently, resulting in saliniza-

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*al-Kharāj*, 102–103 (English translation); Abū Yūsuf, *al-Kharāj*, 29 (Arabic text); see Johansen, *Islamic Law*, 54.

135 Morony, “Landholding and Social Change,” 215–217.

136 Popovic, *La révolte*, 62–63; see also Alexandre Popovic, “La révolte des Zandj, esclaves noirs importés en Mésopotamie: Problème des sources et perspectives,” *Cahiers de la Méditerranée* 65 (2002): 159–167.

tion of the soil. Slaves removed the salty soil in order to keep the land of southern Iraq cultivable, leading to a severe worsening of working conditions.<sup>137</sup> The deterioration of their working conditions, and the probable increase in the number of slaves employed, as 'desalinization' works were doubtlessly very labor intensive, paved the way to the religious propaganda of 'Alī b. Muḥammad (d. 883), the leader of the Zang̃ rebellion.

As Alexander Popovic has illustrated, it seems that there was not an innovative social doctrine in the teachings of 'Alī b. Muḥammad. While the 'Master of the Zang̃' seems to have proclaimed the divine duty of punishing the masters of the slaves and improving the social conditions of the disgraced, his social message seems to have been limited to a 'reversal of fortune: the Zang̃ themselves would eventually become rich and even acquire slaves of their own. With its claims of social equality for all humans, the Mazdakite rebellion, which drew its support from the peasantry, offers a radically different ideological solution. It is possible that this ideological difference arose from the different social backgrounds of the two rebellions. The Mazdakite rebellion was probably supported by a peasantry from whom surplus was extracted in a coercive way, but within whose society the traditional ties of a peasant economy were relatively strong (economic organization based on lineage structures, collective exploitation of common land, etc.). Therefore, a plan of social reform based on these structures would have been 'organic' to fit the social reality of this peasantry. Zang̃ slaves did not represent the totality of the rank-and-file of the so-called Zang̃-revolt,<sup>138</sup> but they, and slaves of other backgrounds, were definitely the mainstay of the rebellion. This mass of 'déracinés' slaves, deprived of the social ties existing in peasant societies, but regimented in labor units under the cruel authority of their masters, would have not conceived any other social structure than the one in which they lived as victims: their program of social reform was simply to reverse their position from slaves to masters. Some peasant villages joined their rebellion, but the Zang̃ often raided rural settlements and they also probably continued with the pre-existing structures of tax collection, in order to turn the surplus extraction to the advantage of their 'state'.<sup>139</sup> When, in 878, the Zang̃ took al-Nu'māniyya and Jarjarāyā, the rural population of the Sawād, terrified by the rebels, fled toward Baghdad.<sup>140</sup>

137 al-Ṭabarī, *Ta'riḫh*, 3:1747–1750; see also Popovic, *La révolte*, 64–66.

138 Ghada H. Talhami, "The Zanj Rebellion Reconsidered," *The International Journal of African Historical Studies* 10 (1977): 443–461.

139 Popovic, *La révolte*, 161–162, 164–165.

140 al-Ṭabarī, *Ta'riḫh*, 2:1932.

However, despite the lack of any significant project of fundamental social reform, the Zang̃ rebellion did contribute to changes in patterns of land exploitation in southern Iraq. The practice of reviving dead lands and tilling them through slave labor slowly came to an end. Social conflict once more proved to be one of the key factors in the evolution of economic structures.<sup>141</sup>

#### 4 Conclusions

As it has been stated in the introduction, this volume explores the ways in which control was established in outside urban settlements in the late Antique and early Islamic world. The extraction and distribution of agricultural surplus was an important part of this control: the study of land tax and of land tenure is therefore crucial for the goals of this book. This chapter has shown how different land tax and land tenure systems could generate social conflicts which resulted in forms of resistance and rebellion which challenged political and economic control of the countryside. The concept of the tributary mode of production offers a valid intellectual framework to understand the recurring patterns of social conflicts in pre-industrial societies in which the political structures derived their financial support mainly from agriculture and the extraction of agricultural surplus based on direct or indirect coercive means. As my analysis has tried to show, social conflictuality within this economic structure could arise between the ruling elite and the peasant producers over surplus extraction, or in connection with patterns of surplus distribution among the elites receiving the surplus. These patterns have fundamental consequences for the organization of state administration and in defining the characteristics of the ruling elite. The appropriation of surplus production remains, in any case, the foundation for the existence of any ruling elite and any polity in a society resting on similar economic foundations. These economic foundations are not peculiar to the Middle East, but can be found in different societies across space and time. The tributary mode is therefore a unifying concept, offering us the chance to discard such distinctions as 'feudal' or 'Asiatic' (or their equivalent) modes of production, distinctions which often rest on Orientalist paradigms. This will therefore enable us to compare social structures and social conflicts across cultural boundaries and geo-ideological constructions.

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141 Popovic, *La révolte*, 180–181.

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# Land Reclamation and Irrigation Programs in Early Islamic Southern Mesopotamia

## *Self-Enrichment vs. State Control*

*Peter Verkinderen*

The countryside is in the first place the locus of agriculture. Since taxation of agricultural lands amounted for the lion's share of the early Islamic empire's income, and its city-based culture was largely dependent on food (and other products) produced in the countryside, it was imperative for the empire to try and keep the countryside under control.

This paper will focus on a rather small region in southern Iraq, the area between the Persian Gulf and the great marshland called al-Baṭā'ih. The epicenter of this region was the city of Basra, which was founded by the invading Muslims as a base for their expeditions into southern Iraq and beyond. They established their camp on the edge of the desert plateau, ca. 20km west of the present-day Shaṭṭ al-'Arab (which was called the "One-eyed Tigris," *Dijla al-'Awra'*, at the time), and this encampment soon grew to become a *miṣr*, a garrison city, and one of the main metropolises of the early Islamic empire.

Rural areas are heavily underrepresented in early Islamic non-documentary sources, and documentary sources from the early Islamic period are available in great quantities only for Egypt. For Iraq, close to no documentary source material has survived. However, what Iraq lacks in documentary sources is partly made up for by the extraordinary amount of attention the legal literature spends on the status of the land of the Sawād and related questions. The region of Basra in particular forms an interesting case study for the relation between the empire and the countryside because we are blessed with, in addition to the legal sources, three independent narrative sources from the Abbasid period that give us an unusually detailed insight into the exploitation of countryside of this region: Ibn Sarābiyūn's (d. after 333/945) description of the canals on both banks of the Dijla al-'Awra'; al-Balādhurī's (d. 279/892) list of land grants and estates in the same region, focused on the Umayyad and early Abbasid period; and al-Ṭabarī's (d. 310/923) account of the Zanj rebellion (255–270/870–883) that was centred in exactly the same region. The level of detail in these three sources is to my knowledge unrivaled in the narrative sources for any rural area

of the early Islamic empire, and taken together, they allow us to reconstruct the evolution of rural exploitation in the area.

The large investments in agriculture in the area evidenced in these sources were probably driven partly by the demand for foodstuffs for the booming city of Basra.<sup>1</sup> But this paper argues that the investments were most of all a win-win partnership between the state and the investors: the investors were promised a high return because of a reduced tax rate for land reclamation (and the proximity of Basra as a large outlet for the produce of the land) and full ownership of the lands they reclaimed, and in return, the state received additional tax incomes from previously unproductive lands, and plentiful food supplies for one of its main cities. Probably equally importantly, controlling the access to these lucrative investments could be used by the state to reward loyal supporters and buy the loyalty of others.

## 1 Land Ownership and the Muslim/Arab Conquest of Iraq

What the Arabs called al-‘Irāq or al-Sawād<sup>2</sup> is the upper part of a basin created by subduction of the Arabian plate under the Eurasian plate. The Persian Gulf occupies the largest part of this basin, but the northern part has become filled in by sediments brought down from the surrounding mountains by major rivers like the Euphrates, Tigris, and Karun. This alluvial land is very fertile, but because of the very hot and arid climate, agriculture is only possible through irrigation.<sup>3</sup> Consequently, extending the area under cultivation requires heavy investment to construct irrigation canals.

The Sasanians invested much in irrigation in Iraq and neighboring Khūzistān. They are credited with the construction of large dams and irrigation systems<sup>4</sup> – although it is possible that at least some of the irrigation systems

1 Hugh Kennedy, “The Feeding of the 500,000: Cities and Agriculture in Early Islamic Mesopotamia,” *Iraq* 73 (2011): 177–199.

2 al-Sawād, which literally means “the blackness,” is more or less synonymous to al-‘Irāq; the term refers to the dark color of the cultivated land of the alluvial plain (in contrast to the light color of the surrounding desert).

3 Pieter Buringh, *Soils and Soil Conditions in Iraq* (Baghdad: Ministry of Agriculture, 1960), 42.

4 See among many other works: Diederik Lucas Graadt van Roggen, “Notice sur les anciens travaux hydrauliques en Susiane,” *Mémoires de la Délégation en Perse* 7 (1905): 168–207; Ahmad Sousa, *Rayy Sāmarrā’ fī ‘ahd al-khilāfa al-Abbāsīyya* (Baghdad: Maṭba‘at al-Ma‘ārif, 1948); Robert M. Adams, *Land Behind Baghdad: A History of Settlement on the Diyala Plains* (Chicago/London: University of Chicago Press, 1965); Robert M. Adams, “Settlement and Irrigation Patterns in Ancient Akkad,” in *The City and Area of Kish*, ed. McGuire Gibson

ascribed to them (both by medieval Muslim and modern authors) pre- and postdate the Sasanians.<sup>5</sup> A combination of exhausting struggle with the Byzantine empire, internal political chaos, incursions by the Arabs/Muslims and natural disaster caused a breakdown of part of the irrigation system of the Sawād at the end of the 620s. Dams broke, the Tigris changed its course, huge expanses of cultivated land were inundated and became marshes, and the area around the former course of the Tigris became a desert.<sup>6</sup>

The collapse of the southern part of the irrigation system of Iraq coincided with the collapse of the Sasanian state and the conquest by the Muslims. If the conquest narratives are to be believed, the conquest of the Sawād took place in three major pushes, coinciding with three major battles: after coercing the Christian Arab towns west of the Euphrates into truces with the Muslims, they defeated a major army of the Sasanians at al-Qādisiyya, opening up the entire Sawād between the Euphrates and the Tigris. Then after taking the Sasanian capital Ctesiphon (called al-Madā'in by the Arabs), located on the Tigris, they also broke through this second riverine barrier. Finally the Muslims chased the Sasanian king and his army out of Iraq after defeating them at Jalūlā.<sup>7</sup> The conquest of the southern part of Iraq and Khūzistān took place in a parallel but separate movement; no major battles are known there, which makes it more difficult to reconstruct the conquest.<sup>8</sup>

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(Coconut Grove, FL: Field Research Projects, 1972), 182–208; Robert M. Adams, *Heartland of Cities: Surveys of Ancient Settlement and Land Use on the Central Floodplain of the Euphrates* (Chicago/London: University of Chicago Press, 1981).

- 5 See for example Mehrnoush Soroush, "Irrigation in Khuzistan after the Sasanians: Continuity, Decline or Transformation?" in *The Long Seventh Century: Continuity and Discontinuity in an Age of Transition*, edited by Alessandro Gnasso (Oxford: Oxford University Press, 2015), 269–290.
- 6 Ibn Rusta, *Kitāb al-A'lāq an-nafisa* (written ca. 290–300/903–913), ed. Michael Jan de Goeje (Leiden: Brill, 1892), 89f.; Ibn al-Faqīh al-Hamadhānī, *Kitāb al-Buldān* (written ca. 290/902–903) (Mashhad ms.), ed. Zacharias van Laer (Brussels: author's edition, 1985), 2:296; Qudāma b. Ja'far (d. ca. 319/932), *Kitāb al-Kharāj*, ed. Michael Jan de Goeje (Leiden: Brill, 1967), 240; Yāqūt al-Rūmī, *Mu'jam al-buldān* (Beirut: Dār Šādir, 1977), 1:451, 2:179. See also Werner Nützel, "The End of the South Mesopotamian Civilizations Caused by the Bursting of the Dykes of the Euphrates and Tigris in 629AD," *Sumer* 38 (1982): 144–151; and, more recently, Peter Verkinderen, *Waterways of Iraq and Iran in the Early Islamic Period: Changing Rivers and Landscapes of the Mesopotamian Plain* (London: I.B. Tauris, 2015), 50–54.
- 7 The precise chronology of the conquest of central al-'Irāq is unclear; the Battle of al-Qādisiyya is dated to the years 13/635, 14/636 and 16/637–638 by different sources; the siege of al-Madā'in is said to have lasted for two or 28 months; but at least all sources agree that the Battle of Jalūlā took place after the fall of al-Madā'in, according to some as early as the end of the year 16/638, according to others only in the year 19/640. See Fred M. Donner, *The Early Islamic Conquests* (Princeton: Princeton University Press, 1981).
- 8 See Donner, *Conquests*; Chase F. Robinson, "The Conquest of Khūzistān: A Historiograph-

With the Sasanian overlords driven out of the plain, Iraq was quite literally decapitated. The basic structure of society survived, however: most of the inhabitants were sedentary peasants called *al-nabaṭ* or *al-anbāṭ* in the Arabic sources, an ethnically diverse, Aramaic-speaking group. Most of these were probably attached to the soil they cultivated, which was organized in village estates (Pers. *dēh*) granted by the state to a primarily Persian landholding lower nobility (Ar. *dahāqīn*, sg. *dihqān* < Pers. *dēhīk*, *dēhkānān*). The population of the cities was also predominantly Aramaic-speaking.<sup>9</sup>

The ownership of the lands of the Sawād seems to have been a hotly debated legal question in the Umayyad period, probably because it had far-reaching consequences for the income the state derived from the land tax. We find the traces of these debates in our earliest legal sources, which date from the early Abbasid period. It appears that Umayyad jurists tried to rationalize and codify existing divergent fiscal practices related to the Sawād lands, and by the early Abbasid period, a system of three categories of land was firmly in place.<sup>10</sup>

Firstly, *ṣulḥ* (“treaty”) lands, kept in full ownership of the inhabitants, in return for a fixed tax, specified in a treaty with the Muslims. According to the jurists, only a very few localities in the Sawād like al-Ḥīra, Bāsimmā, and al-Anbār (all located on the western edge of the Sawād, and in the hands of sedentary Arabs before the conquest) had such a treaty.

Most of the Sawād, however, was considered to have been conquered by force (*‘anwatan*). These lands were reportedly temporarily distributed among the tribes that took part in the conquest, but soon after – apparently under ‘Umar b. al-Khaṭṭāb (r. 13–23/634–644) – they were put under control of the state; reasons given for this in the sources are concern with the livelihood of later generations of Muslims, and fear for internal fighting over the dis-

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ical Reassessment,” *Bulletin of the School of Oriental and African Studies* 67 (2004): 14–39; Hugh Kennedy, *The Great Arab Conquests* (Philadelphia: Da Capo Press, 2007); Parvaneh Pourshariati, *The Decline and Fall of the Sasanian Empire* (London: I.B. Tauris, 2008).

9 See Michael Morony, *Iraq after the Muslim Conquest* (Princeton: Princeton University Press, 1984); Michael Morony, “Landholding and Social Change: Lower al-‘Irāq in the Early Islamic Period,” in *Land Tenure and Social Transformation in the Middle East*, ed. Tarif Khalidi (Beirut: American University in Beirut, 1985), 209–222.

10 See the works on *kharāj* by the jurists Abū Yūsuf (d. 182/798) and Yaḥyā b. Ādam (d. 202/818) (Abū Yūsuf, *Kitāb al-Kharāj* (Cairo: al-Maṭba‘a al-Salafiyya, 1933) and Yaḥyā b. Ādam, *Kitāb al-Kharāj*, ed. and trans. Aharon Ben Shemesh as: *Taxation in Islam 1: Yaḥyā ben Ādam’s Kitāb al-Kharāj* (Leiden: Brill, 1958)); and the discussion of the concepts of *kharāj*, ‘*ushr*, *fay*’, and *ghanima* in the compendia of Qudāma and al-Māwardī (d. 450/1058). Interesting discussions can be found in Werner Schmucker, *Untersuchungen zu einigen wichtigen Bodenrechtlichen Konsequenzen der Islamischen Eroberungsbewegung* (Bonn: Selbstverlag des Orientalischen Seminars der Universität Bonn, 1972); Morony, *Iraq*; and Donner, *Conquests*.

tributed lands.<sup>11</sup> An underlying reason may have been that many peasants who worked these lands and had been attached to the soil, and many local noblemen (*dahāqīn*) who owned the land, had fled, rendering the uncultivated lands worthless as a source of liquid income for the conquerors.<sup>12</sup> The farmers and *dahāqīn* of these lands, still according to the jurists, were given a protected status (*dhimma*), and a land tax (*kharāj*), comparable to the Sasanian land tax, was imposed on the land.<sup>13</sup> The collection of the tax was left in the hands of the *dahāqīn*, who probably fulfilled the same function under the Sasanians.<sup>14</sup>

The precise status of this category of land was a contested affair throughout the early Islamic period, mirroring conflicting interests of the state, the descendants of the conquerors, and converts to Islam: al-Māwardī (d. 450/1058), who gives an overview of the main legal opinions to this question, states that the 'Irāqī jurists said the land was returned to the hands of the owners (i.e., the *dahāqīn*), who could dispose of it as they wished as long as *kharāj* was paid on it, but (still according to al-Māwardī) some Shāfi'ī jurists claimed that the land was kept in the hands of the state, and the *kharāj* was a kind of rent paid to the state, which implies the land could not be sold.<sup>15</sup> Other questions arose around these *kharāj* lands, to which the jurists came up with conflicting answers: if the owner of a piece of land converted to Islam, should he still pay the *kharāj*, or rather the lighter *'ushr* tax? And similarly, if *kharāj* land was bought by a Muslim, did he have to pay *kharāj* or *'ushr*?<sup>16</sup>

Finally, there were the *ṣawāfi* (sg. *ṣāfiya*), the "crown lands," lands that did not belong to a private owner after the conquest (anymore), and were supposedly confiscated by the caliph 'Umar b. al-Khaṭṭāb for the Islamic state: this category includes marshes and other uncultivated areas, lands that belonged

11 See Schmucker, *Untersuchungen*, 101–123, for an overview of the arguments.

12 This reason is reflected in admonitions ascribed to 'Umar I to the conquerors to treat the peasants well and his reported attempts to bring them back to the lands they had fled. See Schmucker, *Untersuchungen*, 101–123.

13 The classical study on the *kharāj* is Frede Løkkegaard, *Islamic Taxation in the Classic Period* (Copenhagen: Branner og Korch, 1950). For a more recent take on the *kharāj*, see Ghaida Khazna Katbi, *Islamic Land Tax al-Kharāj: From the Islamic Conquests to the 'Abbāsīd Period* (London: I.B. Tauris, 2010).

14 See Michele Campopiano's article in this volume.

15 al-Māwardī, *al-Aḥkām al-sultāniyya*, ed. Maximilianus Enger (Bonn: Adolphus Marcus, 1853), 302f.

16 Most jurists judged that *kharāj* still was to be paid, in order not to reduce the state income. For a good overview of the jurists' questions related to the *kharāj*, and their conflicting answers to these questions, see the chapters 12–14 of al-Māwardī's *al-Aḥkām al-sultāniyya*.

TABLE 15.1 Legal status of lands in al-Sawād

<i>ṣulḥ</i> lands	<i>ʿanwa</i> lands			
Treaty, not conquered	Conquered by military force			
Village estates		<i>ṣawāfi</i>		
Pre-islamic landholding system maintained		Lands without private owner (owners fled or were killed during conquests; marshes; public places)		
		State lands	Private estates	Barren land
Agriculturally diversified		Mono-culture of labor-intensive cash crops		Uncultivated (but: fishing, hunting, reed gathering)
Relatively self-sufficient		Market-oriented		
Held by pre-islamic owners (Arabs)	Held by pre-islamic owners (non-Arab <i>dahāqīn</i> )	Held by the state	Granted to private persons	Held by the state
	Worked by servile renting tenants	Worked by sharecroppers or slaves	Worked by renting tenants or slaves	Worked by free elements?
Paid a fixed amount of taxes as prescribed in the treaty	Paid <i>ḥarāj</i> , collected by <i>dahāqīn</i>	Paid between 1/3 and 1/2 of the crops to the state	Paid <i>ʿuṣr</i> (tithe) to the state	No taxes
Only very few Arab towns on the w edge of the Sawād: al-Ḥīra, al-Anbār, Ullais, etc.	Majority of the Sawād lands; mostly in Sawād al-Kūfa and Middle Tigris	Scattered through Sawād, but enlarged mainly by reclamation from the Baṭīḥat Wasīṭ	Mostly reclaimed land around al-Baṣra	Mostly al-Baṭāʾiḥ

ADAPTED FROM MORONY, IRAQ



to people who were killed or fled during the conquest war (including the Sasanian royal family and high nobility), and public spaces like mints, post stations, and water cisterns.<sup>17</sup>

## 2 Dead Lands and Land Grants

The *kātib* Qudāma (d. ca. 319/932) and the geographer Ibn Ḥawqal (d. after 378/988) tell us that the entire area of Basra, which is the focus of this study, was considered “dead land” (*mawāt*),<sup>18</sup> a specific type of *ṣawāfi* (crown lands) that was not cultivated and did not have any other function. These lands were considered property of God and thus of the state by the legal scholars.<sup>19</sup>

Because they were barren, dead lands did not yield tax money for the treasury. In order to make money from these lands, the state could invest in reclaiming them by digging irrigation canals and drains, and have the land cultivated for the state by sharecroppers or slaves. Interestingly, this kind of state investment is known from other areas of the Sawād,<sup>20</sup> but not mentioned in the area of Basra. Here, the only canal-digging activities explicitly said in the sources to be state enterprises were efforts to bring drinkable water to the city of Basra.<sup>21</sup>

Another solution to raise its income from the *ṣawāfi* was found. Dead lands were granted to private persons, who would then invest their own money in reclaiming the land and cultivating it. In return for this service, the investor

17 Yahyā b. Ādam, *Kharāj*, tr. 45 f., ed. 197–199; Qudāma b. Jaʿfar, *Kitāb al-Kharāj*, ed. and trans. Aharon Ben Shemesh as: *Taxation in Islam 2: Qudāma b. Jaʿfar’s Kitāb al-Kharāj, part seven, and excerpts from Abū Yūsuf’s Kitāb al-Kharāj* (Leiden: Brill, 1965), F. 85<sup>v</sup>. On the administration of these *ṣawāfi* after the conquest, see Morony, *Iraq*, 68–70.

18 Qudāma, *al-Kharāj*, F. 85<sup>v</sup> (*fa-inna al-Baṣra kulluhā kānat yawmaʿidhin sibākhan (...) wa-al-sibākh mawāt*); Ibn Ḥawqal, *Kitāb Ṣūrat al-ard*, ed. Johan Hendrik Kramers (Leiden: Brill, 1938), 236.

19 al-Māwardī, *Aḥkām*, 308.

20 One of the more striking examples is Abū Aḥmad al-Muwaffaq’s investment in the ruined al-Šilḥ and al-Mubārak districts near Wāsit, with the explicit aim of financing the war against the Zanj. The investment included the digging of canals and the providing of seeds and cattle to the poorest of the cultivators (*al-akara wa-al-tunnāʾ wa-al-muzārīʿin*) (al-Qāḍī al-Tannūkhī, *Nishwār al-Muḥāḍara*, ed. ʿAbūd al-Shaljī (Beirut: Dār Ṣādir, 1971–1973), 8:153–155).

21 E.g. Ibn al-Faqīh, *Buldān* (Mashhad ms.), 1:41; al-Balādhurī, *Kitāb Futūḥ al-buldān*. ed. Michael Jan de Goeje as: *Liber expugnationis regionum* (Leiden: Brill, 1968), 369; Yāqūt, *Buldān*, 5:305; Ibn Rusta, *Aʿlāq*, 89; Ibn Ḥazm al-Andalusī, *Jamharat ansāb al-ʿarab*, ed. Évariste Lévi-Provençal (Cairo: Dār al-Maʿārif, 1948), 97.

did not have to pay the land tax (*kharāj*), only the much lighter *ʿushr* (tithe).<sup>22</sup> This was a win-win situation: the state did not have to spend huge amounts of money and labor on the reclamation of lands, while it did receive tax money from lands that previously did not make any money. An additional advantage for the government would be that it could use grants of these dead lands to gain the support of powerful persons, or reward them for their continuing support. For the reclamer this was a very interesting investment, because it promised a high profit since the tax on the reclaimed lands was lower than on *kharāj* lands, and, perhaps even more importantly, he received the land in full ownership, which meant it could be sold, inherited, mortgaged, etc. This was not always the case for other kinds of land in Iraq.

Such piece of dead land granted to a private person was called a *qaṭīʿa*.<sup>23</sup> Al-Māwardī contrasts the early Islamic *qaṭīʿa* with the land grant type that was current in his own time, the *iqṭāʿ*, by which only the right was granted to appropriate the tax income of a certain area subject to *kharāj*, and only for a limited amount of time; the land itself stayed in the possession of its owners, and could not be sold, mortgaged etc. by the grantee.<sup>24</sup>

Al-Māwardī nuances the claim by Ibn Ḥawqal and Qudāma that all of Basra's land was *ʿushr* land. In his account, it is "land that has been revived of the *mawāt* (dead lands) and *sibākh* (salt flats) of Basra" that is all *ʿushr* land.<sup>25</sup> He also writes that the only reason why these lands were subject to *ʿushr* is that they consisted of reclaimed land, refuting the theories of a number of other jurists (including Abū Ḥanīfa (d. 150/767) and Abū Yūsuf (d. 182/798)) that the rea-

22 How did the reclamation of land work in practice? Al-Māwardī (*Aḥkām*, 308f.) sets three conditions for land to be considered reclaimed: (1) the land needs to be marked off by heaping soil along its boundaries; (2) it needs to be supplied with water if it is too dry, or drained if it is too wet; and (3) it needs to be leveled and ploughed. Only after the third step was finished, the land was considered reclaimed. If the reclamer waited for more than 3 years before finishing the reclamation, he lost his title to the land.

23 See Cahen's article "Iḳṭāʿ" in the *Encyclopaedia of Islam* for a more detailed discussion of the evolution of the *iqṭāʿ* system (Claude Cahen, "Iḳṭāʿ," in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill), [http://dx.doi.org/10.1163/1573-3912\\_islam\\_SIM\\_3522](http://dx.doi.org/10.1163/1573-3912_islam_SIM_3522)). Note that *qaṭīʿa* is often wrongly translated by the word "fief" of the European feudal system, which was quite different from the Early Islamic system. The corresponding European technical term for land that is held in absolute ownership is "allod" or "allodium" (Hugh Kennedy, personal communication, 28 October 2009).

24 For this reason, al-Māwardī calls the *iqṭāʿ* of his time *iqṭāʿ istighlāl* (usufruct grant) and the early Islamic system *iqṭāʿ tamlīk* (grant of which the grantee gets the full ownership, *mulk*).

25 al-Māwardī, *Aḥkām*, 311f.

son was the fact that the entire area was irrigated by *‘ushr* water.<sup>26</sup> Indeed, not the entire area of Basra can have been dead/*‘ushr* land. At the time of the conquest, a number of towns (the most important being al-Ubulla and al-Madhār) were located in the area, and these must have been surrounded by fields. One special case, mentioned by al-Balādhurī (d. 279/892), relates to some lands in al-Furāt (the name for the east bank of the Dijla al-‘Awrā’), where *kharāj* land had become *‘ushr* land after the conquest. The Umayyad governor al-Ḥajjāj b. Yūsuf (in office 75–95/694–714) later turned it back into *kharāj* land, and the land kept oscillating between *‘ushr* and *kharāj* status until the Abbasid caliph al-Mahdī (r. 158–169/775–785) turned it into *‘ushr* land once and for all.<sup>27</sup> Nevertheless, *kharāj* lands appear to have been a marginal phenomenon in the Baṣra area.

Let us now leave the theories of the jurists behind, and focus on the geographical and historical sources.

### 3 Reconstructing the Chronology of the Investments: a Geographical Approach

The first of these accounts is a description of the Dijla al-‘Awrā’ by the fourth/tenth-century geographer Ibn Sarābiyūn (d. after 333/945). He lists the ten main canals on the west bank of the river, including the distances between the canals.<sup>28</sup> Six of these canals can be identified by way of modern toponymy and traces of ancient canals on satellite images. The approximate location of the other three is easily found by the distances mentioned by Ibn Sarābiyūn.<sup>29</sup>

26 The basis for the other jurists’ views is that according to one of the tax rules, lands irrigated with water from the main rivers and from pre-Islamic canals were to be considered *kharāj* land. In the Basra area, however – the jurists say – all of the canals were dug after the conquest. Moreover, the water from the Tigris and Euphrates discharged into the al-Baṭā’ih marshes, where it lost its *kharāj* character. From the Baṭā’ih, the water seeped into the Dijla al-‘Awrā’, the former Tigris estuary, from where it was pushed into the canals by the tide. Since the sea nor the marshes are *kharāj* waters, all of the lands of Basra were only subject to *‘ushr*. al-Māwardī does not deny all this is true, but stresses the principle that reclaimed land is subject to *‘ushr*, not *kharāj*, irrespective of the source of its irrigation water.

27 al-Balādhurī, *Futūḥ*, 368.

28 Ibn Sarābiyūn, *Kitāb ‘Ajā’ib al-aqālim al-sab‘a*, ed. Hans von Mżik (Leipzig: Otto Harasowitz, 1929), 136f.

29 See Verkinderen, *Waterways*, 75–100; and Fig. 15.1.

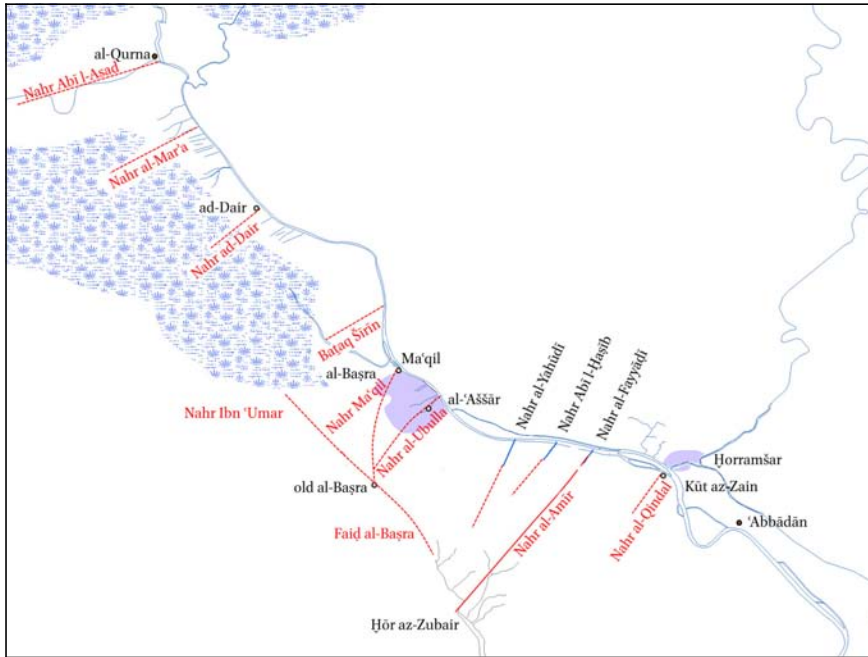


FIGURE 15.1 The main canals on the West bank of the Dijla l-'Awra' (black and blue: modern names and watercourses; red: Early Islamic canals)

A quick look at these canals (from north to south) and their dates is revealing:

- The Nahr Abī al-Asad was the main connection between the marshes and the Dijla al-'Awra'. It was named after a commander of the Abbasid caliph al-Ma'mūn, but Yāqūt states this Abū al-Asad only widened an existing channel.<sup>30</sup>
- The Nahr al-Mar'a may have been pre-Islamic, because it is mentioned in the accounts of the conquests as the location of a castle of a female landowner.<sup>31</sup>
- The Nahr al-Dayr existed already before Nahr Ibn 'Umar was dug in 126/744,<sup>32</sup> and probably already in the pre-Islamic period, since the canal was

30 Yāqūt, *Buldān*, 5:395; Ibn 'Abd al-Ḥaqq al-Baghdādī, *Marāḡid al-Itṭilā'*, ed. 'Alī Muḥammad al-Bijāwī (Cairo: Dār al-ma'rifa, 1954), 1399.

31 al-Balādhurī, *Futūḥ*, 340; al-Ṭabarī, *Mukhtaṣar ta'rikh ar-rusul wa-al-mulūk wa-al-khulafā'*, ed. Michael Jan de Goeje (Leiden: Brill, 1964), series 1, 2025f., 238r; Khalifa b. Khayyāt, *Ta'rikh*, ed. Muṣṭafā Najīb Fawwāz and Ḥikmat Kishli Fawwāz (Damascus: Dār al-kutub al-'ilmiyya, 1995), 86; Yāqūt, *Buldān*, 1:431, 5:323. Of course, it cannot be ruled out that the story about the female landowner is a result of folk etymology.

32 al-Balādhurī, *Futūḥ*, 370.

- named after a pre-Islamic monastery called Dayr al-Dihdār that was located at its entrance.<sup>33</sup>
- The Bathq Shīrīn is said to be named after a slave girl of the Persian king Kistrā Abarwīz,<sup>34</sup> which would imply that it predates Islam. At the very least, it existed before the Basran governor ‘Adī b. Arṭāh (in office 99–101/718–720) dug a canal from Bathq Shīrīn to Basra in order to improve the water supply to the city.<sup>35</sup>
  - The Nahr Ma‘qil was one of the main canals that connected the city of Basra to the Dijla al-‘Awra’. It was reportedly dug by Ziyād b. Abihi when he was the deputy of governor Abū Mūsā (in office 17–29/638–650) or when he was governor of Basra himself (in office 45–53/666–672).<sup>36</sup>
  - The Nahr al-Ubulla was Basra’s other main canal, and was dug by governor Abū Mūsā al-Ash‘arī (in office 17–29/638–650)<sup>37</sup> and Ziyād b. Abihi, deputy of governor ‘Abd Allāh b. ‘Āmir (in office 29–35/650–656).<sup>38</sup>
  - The Nahr Ibn ‘Umar, also known as the Fayḍ al-Baṣra, was dug by ‘Abd Allāh b. ‘Umar b. ‘Abd al-‘Azīz (son of the caliph ‘Umar II, and governor of Basra, in office 126–127/744–745) in the year 126/744.<sup>39</sup>
  - The Nahr al-Yahūdī probably predates the Nahr Nāfidh which belonged to the governor ‘Abd Allāh b. ‘Āmir (in office 29–35/650–656).<sup>40</sup>
  - The Nahr Abī al-Khaṣīb was named after a *mawlā*, client, of the Abbasid caliph al-Manṣūr (r. 137–158/754–775).<sup>41</sup>
  - The Nahr al-Amīr was dug at the order of al-Manṣūr.<sup>42</sup>
  - The Nahr al-Qindal used to be a natural creek. Al-Mundhir b. al-Zubayr b. al-‘Awwām (d. 61/680) had a *qaṭī’a* along it. He was the brother of the Zubayrid

33 Yāqūt, *Buldān*, 2:509, 5:320; al-Baghdādī, *Marāṣid*, 558, 560.

34 al-Balādhurī, *Futūḥ*, 367; Yāqūt, *Buldān*, 5:321.

35 Yāqūt, 5:321.

36 al-Balādhurī, *Futūḥ*, 358; al-Balādhurī, *Ansāb al-ashraf*, ed. Suhail Zakkar and Riyāḍ Ziriklī (Beirut: Dār al-fikr, 1996), 2:331f.; Yāqūt, *Buldān*, 5:324; al-Baghdādī Ibn ‘Abd al-Ḥaqq, *Marāṣid*, 1406.

37 Ibn al-Faqīh al-Hamadhānī, *Kitāb al-Buldān*, ed. Michael Jan de Goeje (Leiden: Brill, 1885), 189f.; al-Balādhurī, *Futūḥ*, 356f.; Yāqūt, *Buldān*, 5:316f.

38 al-Balādhurī, *Futūḥ*, 357; Yāqūt, *Buldān*, 2:65, 5:316f.

39 al-Hamadhānī, *Buldān* (Mashhad ms.), 1:41; al-Balādhurī, *Futūḥ*, 369; Ibn Rusta, *A‘lāq*, 89; Yāqūt, *Buldān*, 5:305; al-Baghdādī *Marāṣid*, 1399; al-Ḥāzimī, *Mā ittafaqa lafzuḥu wa-iftaraqa musammāhu fi al-amākin wa-al-buldān al-mushtabiha fi al-khaṭṭ*, ed. Fuat Sezgin (Frankfurt am Main: Institute for the History of Arab and Islamic Science, 1986), 97.

40 al-Ṭabarī, *Tārīkh*, 3:2022; al-Balādhurī, *Futūḥ*, 360; Yāqūt, *Buldān*, 5:324; al-Baghdādī, *Marāṣid*, 1407.

41 al-Balādhurī, *Futūḥ*, 362; Yāqūt, *Buldān*, 5:305.

42 al-Balādhurī, *Futūḥ*, 362; Yāqūt, *Buldān*, 5:317; al-Baghdādī, *Marāṣid*, 1400.

(counter-)caliph ‘Abd Allāh b. al-Zubayr (64–72/683–692) and Muṣ‘ab, who was governor of Basra (in office 67–71/686–691). It was dammed by the Abbasid governor Sulaymān b. ‘Alī (in office 133–139/751–756).<sup>43</sup>

The date of the northernmost canal, Nahr Abī al-Asad, is not known, except that it predates al-Ma’mūn’s reign. The next three canals may predate Islam. Those closest to the city of Basra were dug in the first years after the city was founded, in order to bring sweet drinking water to it. Finally, the three southernmost canals were constructed only under the Abbasids. The chronological and geographical spread of the canal building activities suggests that most of the west bank of the river was brought under extensive cultivation during the first 150 years of Islam.<sup>44</sup> Unfortunately, the information about the four canals that Ibn Sarābiyūn mentions on the east bank of the Dijla al-‘Awrā is less complete; we can only date one canal, the Nahr al-Mubārak, which was reportedly dug by governor Khālid al-Qasrī (in office ca. 105–120/723–738),<sup>45</sup> and none of the canals can be located with certainty.<sup>46</sup>

#### 4 Who is Who in the Land-Owning Business? al-Balādhurī’s List of Estates near Basra

A second important source is al-Balādhurī’s list of the canals and estates of Basra,<sup>47</sup> which is based mainly on the works of al-Walīd b. Hishām b. Qaḥdham (known as al-Qaḥdhamī, d. 222/837), ‘Alī b. Muḥammad al-Madā’inī (d. 225/840), and a small number of other Basran *akhbārīs*, and is heavily concentrated on the Umayyad period. The list contains ca. 150 places in the area of Basra of which al-Balādhurī tries to identify the persons after whom they were named. The list is not ordered by a single clear principle. It starts with the two main

43 al-Balādhurī, *Futūḥ*, 363; al-Balādhurī, *Ansāb al-ashraf*, ed. ‘Abd al-‘Azīz al-Dūrī (Beirut: Deutsche Morgenländische Gesellschaft, 1978), 123.

44 The entire area between these canals (each of which was between 15 and 20 km long), measures about 1500 km<sup>2</sup>. For an overview of the area covered by traces of these canals and fields, mapped from satellite imagery, see Verkinderen, *Waterways*, plate 4a.

45 al-Hamadhānī, *Buldān* (Mashhad ms.), 1:63; Yāqūt, *Buldān*, 5:50 f.; al-Baghdādī, *Marāṣid*, 1225.

46 It is therefore more difficult to make an estimate of the total area under cultivation on the east bank in this period. On satellite imagery, fossil traces of cultivation very similar to those on the west bank that have been identified as probably belonging to the early Islamic period, can be seen stretching out for a distance of ca. 70 km, with a maximum inland extent of ca. 12 km. Cf. Verkinderen, *Waterways*, 73–75, and plate 4a.

47 al-Balādhurī, *Futūḥ*, 356–372.

canals dug by the first governors of Basra in order to provide the city with fresh water, Nahr Ma‘qil and Nahr al-Ubulla, followed by further developments of the area around these two canals. But after that, a geographical or chronological order is not to be found; rather, the *akhbār* are ordered by association, or sometimes simply juxtaposed; from time to time some *akhbār* are clustered thematically.

Michael Morony has used this source to trace the social history of a new landlord class created in Basra through land grants by the authorities.<sup>48</sup> Some caution is needed when using this list for a study of landholding though. Only in a minority of cases the places are explicitly labeled *qaṭī‘a*. More often, the place is said to be named after or to have belonged to the person after whom it was named, without stating the relation of the person with the land. After all, al-Balādhurī mentions, besides *qaṭā‘i‘*, also canals dug to convey drinking water to the city, dead lands revived without permission of the authorities, and *awqāf*, pious endowments. Moreover, places in the list are not necessarily named after the receiver of the land grant. Some of the lands are explicitly said to have been named after the person tasked with the practical reclamation of the land, a person who later bought the property, or persons otherwise connected to the place. Consequently, we cannot automatically identify any of the unspecified place names as a *qaṭī‘a* belonging to the person after which it was named. Only in a very limited number of cases, al-Balādhurī offers information about the history of the estate. Other questions, however, remain open: Did it stay in the family? Was it confiscated when the family fell out of grace with the rulers or at the time of a regime change? Was it sold to someone else? To make things even more complicated, most of the places are called *X-ān* (a typically Basran way to derive a *nisba* adjective from a personal name, e.g. Dāwūdān)<sup>49</sup> or *Nahr x*, both of which can refer to a canal or a canal and the estate that was located along it, and sometimes more than one estate was located on a canal.

Keeping this caveat in mind, the list offers a wealth of information about landholding in the Basra area. It is very instructive to take a look at who gives and who receives land grants in the Basra area. The only persons explicitly said to grant lands in the list are Umayyad-period governors of Basra,<sup>50</sup> their

48 Morony, “Social Change.”

49 See Yāqūt, *Buldān*, 1:189.

50 ‘Abd Allāh b. ‘Āmir (in office 41–44/661–664), Ziyād b. Abī Sufyān (in office 45–53/665–673), al-Ḥajjāj b. Yūsuf (75–95/695–714). For a list of governors of al-Baṣra, see Charles Pellat, *Le milieu baṣrien et la formation de Ḡāḥiḏ* (Paris: Adrien-Maisonneuve, 1953).

deputies,<sup>51</sup> and the caliphs.<sup>52</sup> In a very limited number of cases, a piece of land was granted by person who is not a governor or caliph (e.g. the army commanders al-Muhallab and ‘Uthmān b. Abī al-‘Āṣī), but in these cases the granter probably received the *qaṭī’a* from the caliph or governor, and passed part of it on to family and/or friends.<sup>53</sup> Thus, al-Balādhurī’s text suggests that after a period during which the powerful governors Ibn ‘Āmir, Ziyād, and al-Ḥajjāj had the right to grant dead lands, this privilege became concentrated in the hands of the caliphs by the end of the first/seventh century.

The grantees form a more heterogeneous group. In more than 80% of the places in the list, an owner of the place can be identified – even if we cannot be sure they had received the land as a grant. Governors and their families and *mawālī* form a large subgroup.<sup>54</sup> Another group of grantees fulfilled other important functions in the (provincial) government: judges (*qāḍīs*),<sup>55</sup> guard/police chiefs (*aṣḥāb al-shurṭa*),<sup>56</sup> army commanders (*amīrs*).<sup>57</sup> Even the Barmakids, the powerful vizier family serving the Abbasids, held an important grant in Basra (an estate called Sayḥān), as did some of the caliphs (Hishām b. ‘Abd al-Malik, al-Manṣūr). Other categories of people with a high standing

51 Ziyād b. Abīhi/Abī Sufyan (under ‘Abd Allāh b. ‘Āmir’s governorship), ‘Ubayd Allāh b. Abī Bakra (in office 61–64/681–684).

52 ‘Umar (r. 13–23/634–644), ‘Uthmān (r. 23–35/644–656), Mu‘āwiya (r. 41–61/661–680), Yazīd b. Mu‘āwiya (r. 60–64/680–683), ‘Abd al-Malik b. Marwān (r. 65–86/685–705), Sulaymān (r. 96–99/717–717), Yazīd b. ‘Abd al-Malik (r. 101–105/720–724), Hishām b. ‘Abd al-Malik (r. 105–125/724–743), Abū al-‘Abbās (r. 132–136/750–754), al-Manṣūr (r. 137–158/754–775), al-Mahdī (r. 158–169/775–785), Hārūn al-Rashīd (r. 170–193/786–809), al-Ma‘mūn (r. 198–218/813–833).

53 E.g., al-Muhallabān was given by al-Muhallab to his wife (al-Balādhurī, *Futūḥ*, 360); and Ḥafṣān, Umayyatān, Ḥakamān and Mughīratān were given by ‘Uthmān b. Abī al-‘Āṣī to his sons (al-Balādhurī, *Futūḥ*, 362).

54 ‘Abd Allāh b. ‘Āmir, Ziyād b. Abīhi and his half-brothers Abū Bakra (d. ca. 52/672) and Nāfi‘ (d. 50/670), ‘Umar b. ‘Ubayd Allāh b. Ma‘mar b. ‘Uthmān (in office 64–68/683–687), Ḥumrān b. Abān (in office ca. 71/691), Khālīd b. ‘Abd Allāh b. Khālīd al-Asīd (in office 72–73/691–693), al-Ḥajjāj b. Yūsuf, Yazīd b. al-Muhallab (in office 96–99/715–717), ‘Adī b. Arṭāh (in office ca. 95–96/713–715), ‘Umar b. Hubayra (in office 102–105/720–724), ‘Abd Allāh b. ‘Umar b. ‘Abd al-‘Azīz (in office 126–127/744–745), Sufyān b. Mu‘āwiya b. Yazīd b. al-Muhallab (in office 132/749), and the Abbasids Sulaymān b. ‘Alī b. ‘Abd Allāh (in office 133–139/750–756) and his son Muḥammad (in office 160–163/776–779).

55 e.g. ‘Umayra b. Yathribī al-Ḍabbī (under ‘Abd Allāh b. ‘Āmir), Khālīd b. Ṭulayq b. Muḥammad b. ‘Amrān (in office 167/783–784).

56 Yazīd b. ‘Umar al-Usayyidī (in office ca. 86–93/705–711), Shaybān b. ‘Abd Allāh al-Aḥmasī (in office under ‘Ubayd Allāh b. Ziyād), ‘Ubayd b. Qusayṭ (in office under al-Ḥajjāj). For a list of the *shurṭa* commanders of Basra, cf. Michael Epstein, “*Shurṭa* Chiefs in Baṣra in the Umayyad Period: A Prosopographical Study,” *al-Qanṭara* 31 (2010): 103–147.

57 E.g. al-Muhallab b. Abī Ṣufra, Aslam b. Zur‘a al-Kilābī (d. after 61/680).



but not necessarily governmental positions were also regular recipients of land grants: tribal leaders,<sup>58</sup> companions of the prophet Muḥammad<sup>59</sup> and other figures with religious standing,<sup>60</sup> family members, *mawālī* and supporters of the caliphs.<sup>61</sup> In general, most if not all of these individuals seem to be closely related to those in power, and very few if any are linked to their political opponents. It is hard to tell if this reflects a bias of our sources to the milieu in which they were written, or a reality.

The relation between landholding and government functions is ambiguous. On the one hand, high officials are obvious candidates to receive land grants as rewards for their service, but on the other hand, persons from the landholding elite which was created in this way became more eligible for government service through their social and political networks. Especially successful in collecting land grants were the families of Ziyād b. Abīhi, Abū Bakra, Abū al-ʿĀṣī al-Thaqafī (the leading family of the tribe Thaqif), the Muhallabids, and the great Abbasid governors' family of Sulaymān b. ʿAlī. These and some other families gradually formed an urban-based landholding elite. This elite was pretty stable, although some of the landholding families lost their properties after falling out with the authorities, or after the Abbasids took over from the Umayyads.<sup>62</sup> The Muhallabids, for example, saw all their possessions confiscated by Yazīd b. ʿAbd al-Malik (r. 101–105/720–724), and they ended up in the hands of Yazīd's brothers' sons. Under the first Abbasid caliph, Abū al-ʿAbbās (r. 132–136/750–754), these Marwanid possessions were again confiscated. Some of these were returned to a branch of the Muhallabid family, other estates were granted to Abū al-ʿAbbās' uncle, Sulaymān b. ʿAlī, who was made governor of Basra (in office 133–139/750–756). Most of the other old landholding families of Umayyad times must have managed to hold on to their possessions after the Abbasid takeover as well. The Abbasids do not appear to have confiscated other lands than those that belonged to the grandsons of ʿAbd al-Malik.<sup>63</sup>

58 E.g. the family of Abū al-ʿĀṣī al-Thaqafī, Suwayd b. Manjūf.

59 E.g. Maʿqil, Abū Bakra, Anas b. Mālik.

60 E.g. Jubayr b. Ḥayya (d. under ʿAbd al-Malik b. Marwān), Kulthūm b. Jabr (d. 130/747).

61 E.g. the Umayyad Asīd family; and *mawālī* and family of Abū Bakr, ʿUthmān, and al-Manṣūr. In general, most if not all of these individuals seem to be closely related to those in power, and very few if any are linked to their political opponents. It is hard to tell if this reflects a bias of our sources to the milieu in which they were written, or a reality.

62 See Morony, "Social Change."

63 In his *Ansāb al-Ashrāf*, al-Balādhurī states that Basra was an exception in this, and attributes this to the attitude of governor Sulaymān b. ʿAlī. As an example, he relates how Sulaymān b. ʿAlī was reluctant to confiscate the lands of some of the staunchest Umayyad allies, the family of the former governor Ziyād b. Abīhi (al-Balādhurī, *Ansāb*, ed. al-Dūrī,

The information about the land grants in al-Balādhurī's list becomes very thin after the Abbasids' rise to power. We only hear of some large scale projects by the governor Sulaymān b. 'Alī and the caliph al-Manṣūr, in whose reign the last two main canals of the west bank of the Dijla al-'Awrā' were dug (the Nahr al-Amīr and Nahr Abī al-Khaṣīb). According to Morony, this decrease of the reclamation effort may have had to do with the "development reach[ing] the point of diminishing return" by the end of the second/eighth century.<sup>64</sup> Our discussion of Ibn Sarābiyūn's description of the canals of Basra seems to confirm and flesh out Morony's hypothesis, since we found it is likely that most of the land on the west bank of the Dijla al-'Awrā' had been reclaimed by the end of the second/eighth century. An alternative reason for the decrease of post-Umayyad land grants in the list could be that al-Balādhurī's sources (most of whom died in the first half of the third/ninth century)<sup>65</sup> did not comment on more recent developments, and al-Balādhurī's text gives us a false impression of a slump in the reclamation effort.

## 5 The Problem of the Work Force and al-Ṭabarī's Account of the Revolt of the Zanj

The lands that were developed by the Muslims on the west bank of the Dijla al-'Awrā' appear to have been dead land, which means they had been abandoned since time immemorial. Since peasants were probably attached to the soil they tilled in Sasanian Iraq, this implies that there was also no work force available in the area. One of the important questions is thus: where did the new landholding elite find the workforce to work this huge area of newly reclaimed land? They surely did not work the land with their own hands. There is also no evidence of less fortunate Arabs settling in the Sawād as farm workers in the wake of the conquest. As for the local people (*al-Nabaṭ*): it seems likely that many peasants were displaced as a consequence of the monster floods in 628 that ravaged a large part of the southern Sawād, combined with the chaos

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124 f.). See also the Umayyad estates around Medina being confiscated at the Abbasid take-over as discussed by Harry Munt in this volume.

64 Morony, "Social Change," 217.

65 al-Qaḥḍhamī d. ca. 222/837, al-Madā'inī ca. 225/840, Hishām b. al-Kalbī ca. 205/820, Abū 'Ubayda ca. 209/824, al-Athram ca. 261/875, Muḥammad b. Sa'd ca. 230/845, Rūḥ b. 'Abd al-Mu'min ca. 234/849, Abū al-Yaqqān ca. 190/806, al-Dallāl al-'Aqawī ca. 221/836; see Khayr al-Dīn al-Ziriklī, *al-A'lām* (Beirut: Dār al-'ilm li-al-malāyīn, 1980) and 'Umar Kaḥḥāla, *Mu'jam al-Mu'allifīn* (Damascus: Mu'assasat al-risāla, 1957) under the relevant headings.

created by the conquest.<sup>66</sup> Some of these may have fled southwards, and they and their offspring may have been employed in the lands of the Basra area that were reclaimed in the following decades. Apart from the peasants that were bound to the ground, we know there were also groups of landless farm workers, who roamed the land in search of work (*akara*, *ḥawāsīd*), who might have been brought to the reclaimed lands.<sup>67</sup> We do not have any specific evidence for this kind of labor migration to the Basra area, though.

Another promising group of possible laborers are prisoners of war. The Sasanians routinely transported captives deeply into their empire to use them as labor force or for their specialized knowledge (e.g. waterworks, textiles).<sup>68</sup> This practice was not unknown to the early Muslims. After the Riḍḍa wars, which brought all the Arabian tribes under the authority of the Muslims in the years immediately following Muḥammad's death, thousands of prisoners of war were employed in an estate of Mu'āwiya in al-Yamāma.<sup>69</sup> Anastasius of Sinai (d. after 700) also refers to Christian prisoners of wars employed in forced agricultural labor on public lands in the Dead Sea area.<sup>70</sup> But again, there is no direct evidence for the settling of large amounts of captives as agricultural laborers in lower al-'Irāq.

Two groups of imported laborers are, however, known from the sources in the Basra area. The first consist of the Sayābija and Zutt from Sind (present-day Pakistan). These appear to have been introduced into the marshes of lower Iraq

66 While we have reports on fugitives from battles and on Persian aristocrats fleeing the cities they lived in (Michael Morony, "The Effects of the Muslim Conquest on the Persian Population of Iraq," *Iran* 14 (1976): 48–49), there is no direct evidence of large-scale land flight in the area during the conquest. Such evidence is available for a later period, under al-Ḥajjāj, who seems to have engaged in a number of draconian ways to force farmers to stay on or go back to their lands. For the dramatic effects of the Tigris shift on the population, see Verkinderen, *Waterways*, 54.

67 Kurt Franz, *Kompilation in arabischen Chroniken: die Überlieferung vom Aufstand der Zanğ zwischen Geschichtlichkeit und Intertextualität vom 9. bis im 15. Jahrhundert* (Berlin: De Gruyter, 2004), 42.

68 For example, the textile industry (e.g. al-Mas'ūdī, *Murūj al-dhahab*, ed. and trans. Charles Barbier de Meynard and Pavet de Courteille (Paris: Imprimerie Impériale, 1861–1877), 2:186) and the dams of Khūzistān (e.g. al-Ya'qūbī, *Ta'rikh* (Beirut: Dār Ṣādir, 1960), 1:159) were often credited to captives from the Roman Empire resettled by Sasanian kings.

69 al-Balādhurī, *Ansāb*, 7:173.

70 See Robert Hoyland, "New Documentary Texts and the Early Islamic State," *Bulletin of the School of Oriental and African Studies* 69, no. 3 (2006): 402, n. 37. See also Robert Hoyland, *Seeing Islam as Others Saw it* (Princeton: Darwin Press, 1997), 596, n. 9 for more Christian and epigraphic sources mentioning large numbers of prisoners of war taken by the Muslims during the conquests.

already in the Sasanian period, and after the Islamic conquest of Sind, thousands of Zutt were brought to Iraq, where al-Ḥajjāj settled them in the reeds of al-Baṭīḥa. Yazīd b. al-Muhallab used a large number of them, together with their water buffaloes which had accompanied them, to reclaim his immense estates in al-Baṭāʾiḥ. They revolted a number of times, and were deported to the Byzantine border.<sup>71</sup> With their water buffaloes they would have been perfectly capable of reclaiming marshland and/or cultivating water-intensive crops like rice and sugar cane.

The other group consists of black slaves, called Zanj, who were first mentioned in the Basra district in 70/689, when they staged a revolt in Furāt al-Baṣra, on the east bank of the Dijla al-ʿAwraʾ. These black slaves were apparently employed in a different kind of reclamation. They had to remove (*kaṣaḥa*, lit. “sweep”) the salt crust (*shūraj*) from the salt flats (*sabkha*, *sibākh*) that were located on both sides of the Dijla al-ʿAwraʾ. Kurt Franz made the interesting observation that the Zanj are never depicted as cultivating the estates they reclaimed. Perhaps the owners of the estates employed one of the other groups mentioned above to till the ground the Zanj had reclaimed.<sup>72</sup> Their employers, city folk from Basra, were called *shūrajīyyūn*, “salt-men,” and made their slaves work the salt flats in horrible conditions. After two more unsuccessful rebellions in 75/694 and 143/760, they rose up a fourth time in 255/870. This time, the revolt was led by a Persian man who claimed ‘Alid descent, and lasted for many years. The Zanj defeated army after army that first the Basrans and then the caliph sent against them, conquered most of lower Khūzistān, Basra and al-Baṭāʾiḥ, and plundered the city of Basra. They were finally defeated after a 15-year long struggle that ravaged the entire area of Basra, which would never fully recover.<sup>73</sup>

The episode of the great Zanj rebellion in the third/ninth century is not only interesting because of its far-reaching consequences for the welfare of the region, but also because a very detailed account of the revolt is conserved in al-Ṭabarī’s *History*.<sup>74</sup> Al-Ṭabarī’s account, which is based on a memoir writ-

71 For a recent full overview of the sources on the Zutt and Sayābija in al-ʿIrāq, see Franz, *Kompilation*, 44–46.

72 Franz, 52.

73 Alexandre Popovic, “La révolte des esclaves en Iraq au IIIe et IVe siècle” (PhD diss., Librairie Orientaliste Paul Geuthner, 1976) has long been the standard work on the revolt of the Zanj, but has now been largely superseded by Kurt Franz’s incisive study. See also Hugh Kennedy, “Caliphs and their Chroniclers in the Middle Abbasid Period (Third/Ninth Century),” in *Texts, Documents, and Artefacts: Islamic Studies in Honour of D.S. Richards*, eds. Donald S. Richards and Chase F. Robinson (Leiden: Brill, 2003), 18–35.

74 al-Ṭabarī, *Taʾriḫ*, 3:1742–2111.

ten by one of the confidants of the leader of the Zanj, gives us the most detailed description of a rural area extant in the whole of early Islamic literature. Especially the first two months of the revolt are described on an almost hour-to-hour basis, apart from a lacuna of about fourteen days, “during which [the Lord of the Zanj did] nothing spectacularly horrible considering the fact that everything he did was horrible,”<sup>75</sup> and a few minor chronological breaks.<sup>76</sup> We can follow the lord of the Zanj, ‘Alī b. Muḥammad, on his journey through much of the east bank of the Dijla al-‘Awṛā’, raising support among the black slaves, capturing their overseers, and fighting the first local armies trying to stop them. Subsequently, we see them cross the Dijla al-‘Awṛā’ and march from the southernmost canal, Nahr al-Qindal, up to the city of Basra. The story is filled with geographical details that give us many clues about the geographical situation of the area as it was in the mid-third/ninth century, i.e., more than 50 years after the last *qaṭī’a* mentioned in al-Balādhurī’s work.

There is no place here to go deeply into the layout of the canals. We will limit ourselves to some remarks. First, the main canals mentioned by Ibn Sarābiyūn are also found in al-Ṭabarī’s text. Apart from these canals, al-Ṭabarī’s account mentions dozens of canals that do not figure in any other source. Some of these branched off from the Dijla al-‘Awṛā’ as the main canals did, others linked the main canals together. Especially the account of the final chapter of the Zanj revolt,<sup>77</sup> the siege of their capital al-Mukhtāra (located on Nahr Abī al-Khaṣīb on the west bank of the Dijla al-‘Awṛā’), sketches a veritable mesh of small canals that crisscrossed the area between the main canals.

The presence of fixed bridges (*qanāṭir*) across many of the canals<sup>78</sup> suggest a developed road system, at least parallel to the Dijla al-‘Awṛā’. The banks of the river were lined with palm groves<sup>79</sup> – as they still are today – , and behind these, there were cultivated fields along the canals, but also salt flats (*sibākh*),<sup>80</sup>

75 al-Ṭabarī, 3:1765.

76 See Peter Verkinderen, “Tigris, Euphrates, Kārūn, Karkhe, Jarrāḥī: Tracking the Traces of 5 Rivers in Lower al-‘Irāq and Khūzistān in the Early Islamic Period,” (PhD diss., University of Gent, 2009), 218–233 and 441–456. Of course, it cannot be excluded that this flawless chronological narrative is a fabrication by the author; but at least a part of the route of the Zanj can be verified through a comparison with al-Ṭabarī’s description of the battle of Maskin (ibid. 231f.).

77 al-Ṭabarī, *Tārīkh*, 3:1982–2098.

78 al-Ṭabarī, 3:1760, 1763, 1779f., 2032, 2046 (but contrast with al-Ṭabarī, 3:1865).

79 al-Ṭabarī, 3:1776, 1769, 1775, 1785, 1834, 1994, 2030, 2059, 2095.

80 al-Ṭabarī, 3:1761–1763, 1773, 1776, 1786, 1872, 1994.

areas that had not been brought under cultivation, and reed marshes (*ājām*, sg. *ajama*),<sup>81</sup> probably areas where the water from the canals that had not been used up for irrigation gathered.

Few of the names of the canals can be linked with persons we know from the sources, but the presence of the Abbasids (most often called Hāshimīs in the text) as landholders appears to be very strong, especially on the east bank of the river. One of the canals on the east bank was called al-‘Abbāsī al-‘Atīq, “the old Abbasid (canal).”<sup>82</sup> On the al-Sīb canal was the village al-Ja‘fariyya, named after a Hāshimī, Ja‘far b. Sulaymān, who must be the son of the patriarch of Basra’s Abbasid governors’ family, Sulaymān b. ‘Alī. This Ja‘far himself was also governor of Basra for a short time in 176/792.<sup>83</sup> The lord of the Zanj spent the night in Ja‘far b. Sulaymān’s house, in a second house belonging to a Hāshimī they found a weapons cache, and the Zanj also captured a *mawlā* of the Zaynabī family, the most powerful branch of the same Abbasid family.<sup>84</sup> In two other villages a bit further to the south, al-Qādisiyya and Shifiyya, the Zanj captured another *mawlā* of the Hāshimīs.<sup>85</sup> The east bank canal ‘Amūd Ibn al-Munajjim<sup>86</sup> was named after one of the descendants of the astrologer (*munajjim*) Mūsā b. Shākīr, a protégé of al-Ma‘mūn. Two of Mūsā b. Shākīr’s sons were involved in the digging of the canals of al-Mutawakkil’s new city al-Ja‘fariyya near Sāmarrā.<sup>87</sup> Another east bank canal<sup>88</sup> was named after al-Ḥasan b. Muḥammad b. Abī Shawārib, the chief judge of Iraq, appointed in the year 252/866, only three years before the outbreak of the revolt. The Nahr Bard al-Khiyār<sup>89</sup> was named after Muḥammad b. ‘Alī Bard al-Khiyār, who was in charge of the *dīwān al-ḍiyā’*, the ministry of estates, at the time of or just before the revolt.<sup>90</sup> A canal on the east bank of the Tigris was named al-Khayzurāniyya, after the Abbasid caliph al-Mahdī’s wife, al-Khayzurān (d. 173/789),<sup>91</sup> and another one, very close to it,<sup>92</sup> derived its name

81 al-Ṭabarī, 3:2093, 2095.

82 al-Ṭabarī, 3:1753.

83 al-Ṭabarī, 3:305 f.

84 al-Ṭabarī, 3:1754.

85 al-Ṭabarī, 3:1753, 1762.

86 al-Ṭabarī, 3:1747.

87 Donald R. Hill, “Mūsā, banū,” in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill), [http://dx.doi.org/10.1163/1573-3912\\_islam\\_SIM\\_5557](http://dx.doi.org/10.1163/1573-3912_islam_SIM_5557).

88 al-Ṭabarī, *Tārīkh*, 3:1759.

89 al-Ṭabarī, 3:1761 f.

90 al-Ṭabarī, 3:1499.

91 al-Ṭabarī, 3:1847, 1860 f.

92 al-Ṭabarī, 3:1860 f.

from her secretary ʿUmar b. Mihrān.<sup>93</sup> Abū Manṣūr al-Zaynabī, the most powerful scion of the Abbasid family in Basra at the outbreak of the Zanj rebellion, had a castle with a garrison on the bank of the Nahr al-Qindal, the southernmost main canal on the west bank.<sup>94</sup> This is the only “new” west bank canal related to the Abbasids I can identify in al-Ṭabarī’s account. The most telling sign of the heavy involvement of the Abbasids in the land reclamation and landholding is, however, al-Ṭabarī’s note that the leader of the Zanj on the eve of the revolt settled in a castle on the east bank of the Dijla al-ʿAwraʾ, and in order not to raise any suspicion, gave out he was an agent of the sons of caliph al-Wāthiq, responsible for the sale of *sibākh*.<sup>95</sup> This cover only makes sense if the caliphal family was heavily involved in the reclamation effort.

It is thus obvious that the grants of *qatāʾiʿ* had not stopped after the Abbasid takeover. The grantees we can identify are closely related to the Abbasid inner circle. One notable difference with the Umayyad period appears to be that the Abbasids apparently tended to grant lands in the Basra area not only to local powerhouses, but also to important figures in the central government in Baghdad and Sāmarrāʾ. And a second important difference is the fact that almost all of these new Abbasid land grants we identified in al-Ṭabarī’s account appear to have been located on the east bank of the river. This supports our suggestion that the decrease of the land grants on the west bank of the Dijla al-ʿAwraʾ in the early Abbasid period was related to the fact that most of the profitable lands of the west bank of the river had already been reclaimed. This does not mean that reclamation did not continue on the west bank at this time. At least in two places, al-Ṭabarī relates how the lord of the Zanj captured numbers of Zanj, “slaves of the *shūrajīyyūn*,” from their owners in the area south of Basra at the beginning of the revolt.<sup>96</sup>

## 6 Conclusion: Self-Enrichment vs. State Control

To conclude this paper, we will consider some questions related to the balance between “state” and “private” investment in the reclamations in the region around Basra.

93 ʿUmar b. Mihrān functioned as al-Khayzurān’s secretary until he was appointed governor of Egypt in 176/792–793 (see al-Ṭabarī, *Taʾrikh*, 3:626 f.).

94 al-Ṭabarī, 3:1774.

95 al-Ṭabarī, 3:1754.

96 al-Ṭabarī, 3:1773 f., 1775 f.

State investment in land reclamation is defined in this paper as irrigation and drainage works that are (1) entirely paid for (from taxes) and/or carried out by the state (e.g., through corvée work or other types of forced labor, e.g., by slaves or prisoners) and (2) result in the creation of state land, all proceeds of the cultivation of which go directly to the state (after the deduction of the share of sharecroppers, managers, etc.). If land reclaimed by an individual becomes as a result his private property (*mulk*) that can be sold and inherited, and the state only receives a return on the individual's investment through the *'ushr* tax paid by the owner, I do not consider this a state project, but a "private" project, even if the owner in question is a state official. With the admittedly anachronistic term "private" investments, we thus refer to investments made by individuals, whatever their rank or position, primarily for their own profit, not for the state's coffers (even if the state profited along by way of taxes).

We have seen that, unlike in other parts of the Sawād, the state does not seem to have engaged in such direct investments in the development of agriculture in the Basra area. There are no reports about governors or the central government reviving dead lands to create state lands, cultivated for the state. The only canals dug by the governors of Basra in their official function appear to be those that, according to the sources, were aimed at bringing sweet water to the city Basra (Nahr al-Ubulla, Nahr Ma'qil, Nahr Ibn 'Umar).<sup>97</sup> These drinking-water canals were not small aqueducts but some of the largest waterways in the area. They were obviously not only used to bring fresh water to the city. The lands along these canals were granted to private persons, and the area between the two main canals constructed to supply water to Basra, Nahr Ma'qil and Nahr al-Ubulla, became world famous because of its rich date palm gardens.<sup>98</sup> It is not improbable that this creation of *qaṭī'a* land was at least as important a reason for the digging of these canals as improving the water quality of the inhabitants of Basra, even if this is not explicitly mentioned in the sources.

The line between private and state investment in the reclamation of the lands of Basra is blurred by the fact that most of the people who reclaimed lands

97 For an overview of the canal digging activities in the Basra area, see Verkinderen, *Waterways*, 66–107.

98 E.g. al-Iṣṭakhrī, *Kitāb al-Masālik wa-al-mamālik*, ed. Michael Jan de Goeje (Leiden: Brill, 1870), 81; al-Muqaddasī, *Aḥsan al-taqāsīm fī ma'rīfat al-aqālīm*, ed. Michael Jan de Goeje (Leiden: Brill, 1887), 35; al-Idrīsī, *Nuzhat al-Mushtāq*, ed. Enrico Cerulli et al. (Napoli/Roma: Istituto Universitario Orientale, 1970), 384; al-Dimashqī, *Nukhbat al-dahr*, ed. August Ferdinand Mehren as: *Cosmographie de Chems-ed-Dīn Abou Abdallah Mohammed ed-Dimichqui* (St.-Petersburg: Académie Royale des Sciences, 1923), 97; Abū al-Fidā', *Taqwīm al-buldān*, ed. Joseph Toussaint Reinaud and William McGuckin de Slane as: *Géographie d'Aboulfedā* (Paris: Imprimerie Royale, 1840), 56.



in the area were high Umayyad and Abbasid officials. The relationship between land ownership and important government positions is not linear, since almost all estates were reclaimed by people close to power, while the class of land owners created by the land grants and reclamations became the very elite from which most of the officials of the (provincial) government were chosen.

A crucial question remains, namely who initiated the land reclamations, private persons wanting to make money by investing in agriculture, or the state, wanting to maximize its tax income? Difficult to answer, there are some clues that point in the direction of the primacy of private initiative. According to al-Balādhurī, the first person in Basra to receive a land grant was Ziyād's half brother Nāfi' b. al-Ḥārith al-Thaqafī, who had asked the caliph 'Umar for a piece of land located along the Dijla al-'Awra' in order to raise horses.<sup>99</sup> Moreover, there was a debate among the jurists about the question if dead land could be reclaimed without the permission of the authorities. The Shāfi'ī school adhered to the opinion that it was allowed, while Abū Ḥanifa, always in favor of giving the ruler the ultimate right of choice,<sup>100</sup> considered it forbidden.<sup>101</sup> That the reclamation of dead land took place more often without than with permission, is suggested by a quote of Ibn Shubruma,<sup>102</sup> mentioned by al-Balādhurī:

If I were governor of Basra, I would confiscate the property of its inhabitants, because (the second caliph) 'Umar b. al-Khaṭṭāb only granted land in Basra to Abū Bakra and Nāfi' b. al-Ḥārith, and (the next caliph) 'Uthmān only to 'Imrān b. Ḥuṣayn, (the governor of Basra) Ibn 'Amir – to whom he gave his house – , and his *mawlā* Ḥumrān (b. Abān).<sup>103</sup>

Al-Balādhurī even mentions a number of cases in which private persons reclaimed land for themselves in an area that was granted to a third person by the caliph (e.g. al-Marghāb and Nahr Yazīd).<sup>104</sup> The jurists unanimously agree that even if someone has already started the reclamation but has not finished it (e.g., the boundaries have been marked but the land has not been drained yet), someone else may still start working on the land, and if the second person

99 al-Balādhurī, *Futūḥ*, 350f.

100 Confront, for example, Abū Ḥanifa's ideas about the division of the *ghanīma* (al-Māwardī, *Aḥkām*, 237f.) or the lawful receivers of an *iqṭā' istighlāl* (al-Māwardī, *Aḥkām*, 337) with those of al-Shāfi'ī (d. 204/820) and Mālik (d. 179/796).

101 al-Māwardī, *Aḥkām*, 308, 330.

102 'Abd Allāh b. Shubruma, *qāḍī* of Kūfa, d. 144/761, see al-Dhahabī, *Siyar a'lām al-nubalā'*, ed. Shu'ayb al-Arna'ūṭ (Damascus and Beirut: Mu'assasat al-risāla, 2001), 6:347–349.

103 al-Balādhurī, *Futūḥ*, 351.

104 al-Balādhurī, 364f.

completes the reclamation, the land becomes his property, and the first person loses his rights to it.<sup>105</sup> One wonders if it is more than a coincidence that only in a small minority of the entries in al-Balādhurī's list of canals, land grants and estates a grantor is mentioned. Is this perhaps because many of these estates were reclaimed by people without permission? On the other hand, al-Balādhurī also mentions a case in which a *mawlā* of Ziyād b. Abīhi forged a document stating that a grant had been awarded to him by Yazīd b. Mu'āwiya.<sup>106</sup> Perhaps the jurists' near-consensus about the legality of reclaiming dead lands without permission of the ruler is a later (post-Umayyad?) development, regularizing a widespread practice.

On another level, even if the initial impetus for the reclamation of dead lands is to be found in the initiative of private entrepreneurs, the fact that reclaimed lands paid only the *'ushr* tax can be interpreted as a fiscal stimulus created to encourage private reclamation of land, a tax cut for investment in agricultural development, as it were. The state thus appears to have fostered investments in irrigation projects in two ways: by granting dead lands to its supporters, and by offering a favorable tax arrangement to people who reclaimed land.

It could also be argued that by bringing these lands under cultivation, under the ownership of its supporters, the state established a strong control over the countryside of Basra. However, if this was a goal of state policy, it backfired spectacularly in the mid-third/late ninth century, when the revolt of the Zanj slaves, brought in by the investors, devastated the area and Basra never really recovered.

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105 al-Māwardī, *Aḥkām*, 319f.

106 al-Balādhurī, *Futūḥ*, 369.

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**PART 4**

*Local Rule and Networks*







# Checkpoints, sauf-conduits et contrôle de la population en Égypte au début du VIII<sup>e</sup> siècle

*Alain Delattre*

## 1 Introduction\*

Diverses sources, littéraires comme documentaires, écrites en grec, en copte et en arabe, nous renseignent sur les restrictions et entraves apportées à la libre circulation des personnes au début de l'époque arabe en Égypte. L'image qu'on peut en tirer est variée, voire contradictoire. L'objectif de cette contribution est de réexaminer les sources disponibles ainsi que des documents inédits, et de les comparer, afin de tenter de déterminer quels étaient concrètement les mécanismes de contrôle de la population.

Seront passés en revue l'*Histoire des patriarches* (2), les sauf-conduits (3), les garanties du monastère de Jérémias à Saqqarah (4), les "lettres de protection" (5) et les laissez-passer de la région thébaine (6). Ce dernier dossier s'est vu récemment complété par de nouveaux documents ou des textes connexes (7) dont l'étude permet de faire progresser l'état de la question.

## 2 L'*Histoire des patriarches*

Un passage célèbre de l'*Histoire des patriarches d'Alexandrie* décrit de manière vive et frappante les réglementations édictées en l'an 96 de l'Hégire, soit en 714/715, par le directeur des finances Usāma b. Zayd al-Tanūhī (en poste en 714–717 et 720–723). La biographie du patriarche Alexandre II (705–730)<sup>1</sup> relate ainsi les entraves à la circulation des personnes et les difficultés rencontrées pour obtenir un passeport, ou plus exactement un sauf-conduit<sup>2</sup>.

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1 La source copte (perdue) à la base des Vies 43–46 aurait été rédigée vers 770 par un certain Jean 1<sup>er</sup>, et serait donc de peu postérieure aux événements. Je remercie vivement Perrine Pilette pour les informations qu'elle m'a fournies à ce propos.

2 Basil Evetts, "History of the Patriarchs of the Coptic Church of Alexandria: Agathon to

For he [Usāma] wrote and said: “Wherever a man is found walking, or passing from one place to another, or disembarking from a boat, or embarking, without a passport, he shall be arrested, and the contents of the boat confiscated, and the boat burnt.” And if any Romans were found on the river, they were brought to him; and some of them he slew, and others he impaled, and the hands and feet of some he cut off. At last the roads were made impassable, and no man could travel or sell or buy. The fruits of the vineyards were wasted, and there was no one to buy them for a single dirhem, because their owners remained within their houses for two months, awaiting the passport to release them thence. If a mouse ate a man’s passport, or if it were injured by water or fire or any accident, whether part or the whole of it remained to his possession, if its lettering were damaged, it could not be changed for a new one until he paid five dinars as a fee for it, and then it could be changed for him.

trad. B. EVETTS

Le tableau est sans doute dramatisé, mais il témoigne d’un durcissement des mesures de contrôle de la population, qui s’inscrit dans le contexte de la politique omeyyade des années 710–720<sup>3</sup>. Les opérations militaires, surtout navales, lancées contre l’empire byzantin nécessitaient beaucoup d’argent, des matériaux et aussi des hommes; plus généralement, le contexte économique et politique de la première moitié du VIII<sup>e</sup> siècle a contribué à renforcer le contrôle exercé sur la population<sup>4</sup>. La pression fiscale avait été accrue, nécessitant un examen plus strict des déplacements, que justifiait aussi la possible présence d’espions byzantins. Le texte nous dit donc qu’il était interdit de circuler sans sauf-conduit et il était long et coûteux d’en obtenir un. De tels documents n’étaient d’ailleurs peut-être pas toujours suffisants pour se prémunir d’une arrestation<sup>5</sup>.

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Michael III (766),” *Patrologia Orientalis* 5, no. 1 (1910): 69–70. On notera, à la suite de Yūsuf Rāḡib, “Sauf-conduits d’Égypte omeyyade et abbasside,” *Annales Islamologiques* 31 (1997): 145, qu’il est préférable de réserver le terme de passeport aux documents destinés à voyager hors d’Égypte.

- 3 Frank R. Trombley, “Sawīrus Ibn al-Muqaffa’ and the Christians of Umayyad Egypt: War and Society in Documentary Context,” dans *Papyrology and the History of Islamic Egypt*, éd. Petra M. Sijpesteijn et Lennart Sundelin, (Leiden: Brill, 2004), 205–206.
- 4 Petra M. Sijpesteijn, *Shaping a Muslim State: The World of a Mid-Eighth-Century Egyptian Official* (Oxford: Oxford University Press, 2013), 115–216.
- 5 Cf. *PERF* 598, 9; cf. Werner Diem, “Einige frühe amtliche Urkunden aus der Sammlung Papyrus Erhzerzog Rainer (Wien),” *Le Muséon* 97 (1984): 146–150; Sijpesteijn, *Shaping a Muslim State*, 97 et texte 31.

### 3 Les “sauf-conduits” arabes

Une quinzaine de sauf-conduits arabes, qui correspondent à ceux dont il est question dans le texte de *l'Histoire des Patriarches*, ont été publiés jusqu'à présent<sup>6</sup>. Ces documents sont appelés *sijill* dans les textes littéraires, c'est-à-dire la transcription du grec *στυλλιον* (qui dérive du latin *sigillum*), “texte scellé”, qui décrit la forme du document et non son contenu. Le même terme est utilisé dans les papyrus coptes et grecs, mais les sauf-conduits arabes sont usuellement désignés par le terme *kitāb*, «document»<sup>7</sup>. Les exemplaires conservés datent des époques omeyyade et abbasside (717 pour le plus ancien, 750/751 pour les plus récents<sup>8</sup>). Ils émanent du bureau du surintendant des finances sous les Omeyyades, et directement de celui du gouverneur sous les Abbasides.

À titre d'exemple, je reproduis ici la traduction de Y. Rāgib, légèrement modifiée, de *P.Cair. IFAO Inv. Ar. Gr. Copte 031*, daté de 734<sup>9</sup>. Le document a été écrit à Armant (Hermonthis) et contient un sauf-conduit, destiné à Samouël, fils de Mouei, qui l'autorise à se rendre et travailler au Fayoum, pour une période de trois mois.

(*En grec, un résumé*) Samuel (?) Mouei jusqu'à Arsinoé. (*En arabe*) Au nom de Dieu, clément et miséricordieux! Ceci est une lettre de 'Ilqima

6 Rāgib, “Sauf-conduits d'Égypte;” Naïm Vanthieghem, “Le plus ancien sauf-conduit arabe,” *Der Islam* 91, no. 2 (2014): 266–271; Perrine Pilette et Naïm Vanthieghem, “Un nouveau sauf-conduit du monastère d'Apa Jeremias à Saqqara?” *Bulletin of the American Society of Papyrologists* 53 (2016): 233–238. Sur ces documents, voir aussi Gladys Frantz-Murphy, *Arabic Agricultural Leases and Tax Receipts from Egypt, 148–427 A.H./765–1035 A.D.* (Vienna: Hollinek, 2001), 106–109 et Gladys Frantz-Murphy, “Identity and Security in the Mediterranean World ca. AD 640–ca. 1517,” dans *XXVth International Congress of Papyrology. Ann Arbor, July 29–August 4, 2007*, éd. Traianos Gagos, American Studies in Papyrology (Ann Arbor: University of Michigan Press, 2010), 253–264.

7 Le mot *sijill* est apparemment utilisé également pour désigner les sauf-conduits dans les textes arabes, cf. Sijpesteijn, *Shaping a Muslim State*, 242; Petra M. Sijpesteijn, “Coptic and Arabic Papyri from Deir al Balā'izah,” dans *Actes du 26<sup>e</sup> Congrès international de papyrologie*, éd. Paul Schubert (Genève: Droz, 2012), 710–711; Vanthieghem, “Sauf-conduit arabe,” 267–268, n. 7.

8 *P.Cambridge UL Inv. Michaelides A 112* date de 717, c'est-à-dire de la première surintendance de Usāma b. Zayd al-Tanūhī, celui-là-même qui est mentionné dans *l'Histoire des Patriarches* (Vanthieghem, “Sauf-conduit arabe”); *P.Lond. BL Inv. Or. 15, P.Saqqara 94/27 A, P.Paris BN Inv. Ar. 4633 et 4634* datent de 750/751 (Rāgib, “Sauf-conduits d'Égypte,” nos. V–VIII).

9 Rāgib, “Sauf-conduits d'Égypte,” 152–153, no. III. La date du document n'est pas conservée, mais la validité du laissez-passer s'étend du 10 février 734 au 9 mai 734.

b. al-Ḥārith, l'agent de l'émir 'Ubayd Allāh b. al-Ḥabḥāb sur le nome d'Armant et ses districts<sup>10</sup>, [à Samue]l Mouei, jeune, [...] des gens de Qaṣr. [...] Je lui ai permis de [travailler] dans le district du Fayoum pour s'a[quitter] de ce qu'il doit et je lui ai fixé un délai de trois mois, du premier jour de la lune de *muḥarram* à la fin du mois de *rabī* 1 l'année cent seize. Qui donc le rencontrera des agents de l'émir ou autres (agents de l'État) ne devra lui montrer que du bien. Que le sa[lut soit sur celui qui suit la direction!]

On trouve des formules similaires dans deux documents grecs, *P.Sijp.* 25 et *Chrest. Wilck.* 24<sup>11</sup>. Dans *P.Sijp.* 25, le mieux conservé, un certain Hôriôn écrit à l'émir responsable des fugitifs pour lui annoncer qu'après avoir obtenu une garantie, il a donné à sept moines de la *petra* d'Apa Mēna, au sud d'Assiout, l'autorisation d'aller dans la pagarchie d'Héliopolis pour une durée de six mois. Hôriôn demande ensuite à l'émir de confirmer sa décision. On trouve à la fin du document la liste des moines, dont il est précisé, comme dans *P.CLT* 3 (voir ci-dessous), qu'ils sont libres, c'est-à-dire que ce ne sont pas des fugitifs. Il apparaît que le document constituait à la fois un sauf-conduit en lui-même, mais qu'il s'agissait aussi d'une demande adressée à l'émir, comme l'indique le terme même qui décrit le document l. 12: παρακλητικὸν γράμμα, "lettre de demande"<sup>12</sup>. Le papyrus *Chrest. Wilck.* 24 est moins bien conservé; il est défini comme un σιγῶλλον et avait été établi en grec et en arabe (cf. l. 9 et 10). Il pourrait bien s'agir ici de la partie grecque d'un sauf-conduit bilingue grec-arabe. L'existence de tels documents n'a pas encore été mise en évidence, mais elle ne serait pas étonnante: au début du VIII<sup>e</sup> siècle, de nombreux documents officiels, comme les *entagia* par exemple, étaient bilingues.

*L'Histoire des Patriarches* indique qu'obtenir un sauf conduit prenait du temps (jusqu'à deux mois), mais on ne sait pas exactement quelle procédure il fallait suivre, ni quelles garanties il fallait donner. Une lettre copte de la première moitié du VIII<sup>e</sup> siècle, *P.CLT* 3, fournit quelques renseignements à ce propos. Dans cette missive adressée à l'émir, Khaél et Jôhannès, du *kastron* de Djême, demandent un sauf-conduit pour trois moines d'un monastère de

10 La lecture *ḥayyizihā* (au lieu du *ḥayrihā* suggéré par l'éditeur) a été proposée dans Sijpesteyn, *Shaping a Muslim State*, 141, n. 135.

11 Les deux textes sont datés respectivement du 29 Pakhôn ou du 5 Pauni d'une 12<sup>e</sup> indiction, soit les 24 et 30 mai d'une 12<sup>e</sup> année; en suivant les arguments paléographiques des éditeurs, on peut proposer 698 ou 713, mais 728 ne semble pas *a priori* exclu. Janneke de Jong éditera prochainement un texte similaire de la collection de Wurtzbourg.

12 Cf. Fritz Mitthof, "Urkundenreferat 2007 (2. Teil)," *Archiv für Papyrusforschung* 55, no. 1 (2009): 162.

la région thébaine et s'en portent garants. Il est très probable que les expéditeurs de la lettre sont des fonctionnaires locaux ; en suivant l'opinion de Walter C. Till, on peut proposer de les identifier avec deux administrateurs (*dioikêtês*) de Djême et dater le document de 728/729 ou 743/744<sup>13</sup>. Je propose ci-joint une traduction des lignes 2–10<sup>14</sup>.

(...) Ces moines de la Jarre d'Apa Paulos, qui vous apporteront cette humble missive, ceux-là donc que nous décrivons à la fin de cette lettre (*c'est-à-dire dans le compte noté à la fin du document*), veulent aller au nord, dans le nome du Fayoum, pour vendre leur petite production de cordes, qui est le fruit de leur travail. Ils ne peuvent faire cela sans un *sigillion* de votre Seigneurie. Nous demandons donc à votre honorable Seigneurie d'ordonner qu'on leur donne un *sigillion* pour trois mois précisément, à partir d'aujourd'hui, afin qu'ils trouvent le moyen d'aller au nord pour vendre leur petite production de corde, qui est le fruit de leur travail et de leur vie. Ce sont aussi des hommes libres et voici la garantie que nous effectuons pour leurs personnes. Nous l'avons envoyée à votre Seigneurie. La paix avec vous par Dieu ... † Et ils ont donné ce qui leur échoit pour les impôts de la 12<sup>e</sup> année de l'indiction

Une liste des trois moines, écrite en grec, conclut le document ; les moines y sont présentés et même décrits physiquement. Avec un tel document, les bureaux de l'émir pouvaient émettre un sauf-conduit du type de ceux conservés dans la documentation arabe. Un aspect de la procédure de l'obtention des sauf-conduits se laisse ainsi deviner : il fallait avoir des garants pour obtenir un laissez-passer de l'administration arabe.

#### 4 Les garanties du monastère de Jeremias à Saqqarah

Avant d'émettre un laissez-passer, l'administration exigeait donc des garanties : il s'agissait de s'assurer de la solvabilité du contribuable et d'obtenir que

13 Walter C. Till, *Datierung und Prosopographie der koptischen Urkunden aus Theben* (Vienne: Österreichische Akademie der Wissenschaften, 1962), 42, 68, 111 et 235. Le document a apparemment été écrit par le scribe Aristophanês, fils de Jôhannês (sur ce personnage, cf. Jennifer Cromwell, "Aristophanes Son of Johannes: An Eighth-Century Bilingual Scribe? A Study of Graphic Bilingualism," dans *The Multilingual Experience in Egypt, from the Ptolemies to the Abbasids*, éd. Arietta Papaconstantinou (Farnham: Ashgate, 2010), 221–232).

14 Cf. aussi la discussion dans Sofia Schaten, "Reiseformalitäten im frühislamischen Ägypten," *Bulletin de la Société d'Archéologie Copte* 37 (1998) : 95–97.

quelqu'un s'engage à payer pour lui s'il ne remplissait pas ses obligations fiscales. La garantie pouvait être incorporée dans la lettre par laquelle on demandait aux autorités d'émettre un sauf-conduit, comme dans le cas de *P.CLT* 3, ou pouvait constituer un document à part. Dix papyrus du monastère de Jeremias à Saqqarah illustrent cette dernière procédure<sup>15</sup>. Ces textes du VIII<sup>e</sup> siècle sont écrits par des moines et adressés au supérieur du monastère : les moines s'y portent garants pour l'un d'entre eux afin que le supérieur lui donne un *sigillion* pour aller en "Égypte." Le terme de κΗΜΕ, "Égypte", peut avoir diverses acceptions et peut désigner la vallée du Nil, la Basse ou la Haute-Égypte, mais aussi l'Égypte par rapport à Alexandrie et à Fustât<sup>16</sup>. Dans le contexte, il me semble probable que l'expression signifie quitter le désert, c'est-à-dire le monastère. Je propose ici une traduction de *CPR* IV 20, 1-9 (= *SB Kopt.* II 919).

Tout d'abord, au nom de Dieu. Moi, Hêla, fils de Timothe et ..., fils de Klou-sane et Enôch, fils de Kamoul, moines d'apa Jeremias à Memphis, nous écrivons au père bien-aimé, apa Daueid, le prêtre, archimandrite et higoumène de ce même monastère : nous nous portons garants pour Abraham, fils de Nahrouou, afin que tu lui donnes un *sigillion* pour l'Égypte. Nous nous portons garants pour son impôt ou toute chose qui lui incombera ensuite du *dikaion* de la diaconie. Pour ta sécurité, nous avons rédigé ce document et d'autres personnes sont témoins, à savoir ... [suivent les souscriptions des témoins et la date.]

Un point du texte est d'interprétation délicate : on voit les moines s'adresser au supérieur pour qu'il "donne" un laissez-passer. Cela signifie-t-il que les sauf-conduits pouvaient, dans certains cas au moins, être rédigés en copte par une autorité locale, dans ce cas monastique ? Le fait serait étonnant, d'autant que six sauf-conduits arabes émis par l'administration sur les quinze exemplaires édités proviennent justement du même monastère de Jeremias<sup>17</sup>. Il faut plutôt imaginer que les garanties étaient destinées au supérieur, qui se chargeait ensuite de déposer une demande de laissez-passer auprès de l'administration arabe. Reste que la garantie pouvait peut-être, dans une certaine mesure, autoriser son porteur à se déplacer, comme on le voit dans les "lettres de protection".

15 Sofia Schaten, "Reiseformalitäten," 94-95.

16 Walter E. Crum, *A Coptic Dictionary* (Oxford: Clarendon Press, 1939), 110a.

17 Pilette et Vanthieghem, "Nouveau sauf-conduit," 234-235.

## 5 Les “lettres de protection”

Les “lettres de protection”, *Schutzbriefe* en allemand, forment un corpus d'environ cent documents, datés généralement entre le VII<sup>e</sup> et le IX<sup>e</sup> siècle et provenant, en majorité, de la région thébaine<sup>18</sup>. Ils présentent tous l'expression λογος κ̅π̅νο̅υ̅τ̅ε, littéralement “parole de Dieu”, qui désigne le document. La formule doit sans doute se comprendre, comme l'a indiqué Walter C. Till, comme une “garantie par Dieu”<sup>19</sup>. Ces textes sont écrits par des autorités locales, civiles (*lachanes*, *dioikêtês*, etc.) ou parfois religieuses (supérieurs de monastère), qui autorisent le porteur à circuler. Le plus souvent les documents s'adressent à des fugitifs qui obtiennent ainsi le droit de rentrer chez eux, comme par exemple dans *P.Schutzbriefe* 4.

† Voici pour toi la garantie par Dieu (λογος κ̅π̅νο̅υ̅τ̅ε), toi Akas, afin que tu ailles et résides dans ta maison. Rien de mal ne t'atteindra. Moi, apa Biktôr, le *lachane*, je marque mon accord à cette garantie

L'aspect local du document apparaît immédiatement : aucun patronyme n'est mentionné, le texte n'est pas daté et on n'y trouve aucune mention de toponyme, ni pour indiquer où réside Akas, ni pour déterminer de quel village Biktôr est le *lachane*. De tels documents devaient permettre de se déplacer sur de courtes distances, mais ne constituaient pas, à mon sens, de réels sauf-conduits. Il s'agissait essentiellement d'une garantie : en cas de problème, c'est l'autorité qui avait délivré le document qui était selon toute vraisemblance tenue respon-

18 Aux documents rassemblés dans *P.Schutzbriefe* et Alain Delattre, “Les ‘lettres de protection’ coptes,” dans *Akten des 23. Internationalen Papyrologenkongresses. Wien, 22.–28. Juli 2001*, éd. Bernhard Palme (Vienne: Verlag der Österreichischen Akademie der Wissenschaften, 2007), 173–178, on peut maintenant ajouter cinq nouveaux documents : *P.Bawit Clackson* 65, *P.Scholl* 11 et 12, *SB Kopt.* III 1365 et 1367. La publication de documents encore inédits est annoncée, notamment quelques lettres de protection de la TT 1152 (cf. Iwona Antoniak, “Preliminary Remarks on the Coptic Ostraca from the Seasons 2003 and 2004,” *Polish Archaeology in the Mediterranean* 16 (2005) : 244–247) et un document d'Antinoé (P. Ant. Inv. 591 v., qui sera publié dans Alain Delattre et Rosario Pintaudi, “Les archives de Paule, fils de Petros, de la rue du Sauveur,” dans *Antinoupolis* III, éd. Rosario Pintaudi (Florence: Istituto Papirologico “G. Vitelli,” à paraître)). On notera aussi qu'il existe des documents similaires, écrits en grec, à l'époque byzantine, cf. *PCair.Masp.* I 67090 ; sur ce document, voir aussi Sofia Torallas Tovar et Amalia Zomeño, “El control de la población en el Egipto pre y protoárabe,” dans *Historiografía y representaciones III: estudios sobre las fuentes de la conquista islámica*, éd. Luis A. García Moreno, Esther Sánchez Medina et Lidia Fernández Fonfría (Madrid: Real Academia de la Historia, 2009), 617–618.

19 Sur le sujet, voir Delattre, “Lettres de protection.”



sable. À en juger par le nombre d'exemplaires conservés, ces petits déplacements, à l'intérieur d'un même nome sans doute, étaient fréquents, nettement plus que les voyages plus longs pour lesquels l'administration arabe exigeait sans doute un sauf-conduit en bonne et due forme.

Dans certains cas, les "garanties par Dieu" sont couplées à des reçus de taxe, comme par exemple *P.Schutzbrieife* 62<sup>20</sup>.

† Voici deux *trimésia* comptés qui sont venus à moi, de ta part à toi, Zacharias, fils de Daueid, pour ton *diagraphon* de la première *katabolé* de la première année (de l'indiction). Total: 2/3 de sou. Hathyr, le 21; 7<sup>e</sup> année de l'indiction. Et voici la garantie par Dieu pour toi, pour ne pas te poursuivre pour aucun motif. Écrit au mois d'Hathyr, le 21; 7<sup>e</sup> année de l'indiction ...<sup>21</sup>

La garantie est ici fournie directement par le receveur. On notera par ailleurs que les reçus de taxe sur ostraca de la région thébaine – plus de 400 documents – apparaissent dans les années 710 avant de disparaître vers 730<sup>22</sup>. Il serait tentant de voir un lien entre les restrictions à la libre circulation et le changement de procédures administratives qui est à l'origine de ces reçus sur ostraca. On pourrait ainsi imaginer qu'une quittance pouvait servir de laissez-passer. Cependant, il semble que l'ostrakon n'ait pas toujours été remis au contribuable (certains ont été archivés dans une administration) et surtout le reçu atteste le paiement d'une taxe, le plus souvent l'impôt personnel, mais ne fait pas le point sur la situation fiscale de l'individu<sup>23</sup>. La question de

20 On notera que les reçus de taxe arabes de l'époque abbasside contiennent parfois aussi des clauses qui assurent la libre circulation du contribuable, cf. Sijpesteijn, *Shaping a Muslim State*, 216, 240–241.

21 L'écart entre l'année d'imposition (première indiction) et la date de la rédaction (septième indiction) est considérable et de ce fait très suspect. Les points en dessous du chiffre ζ indiquent que la lecture du chiffre est incertaine. Le document a très vraisemblablement été écrit par le scribe Psate, fils de PIsraël; il date sans doute de la fin des années 710, c'est-à-dire le moment où Psate rédige les reçus de taxe.

22 Paul E. Kahle, "Zu den koptischen Steuerquittungen," dans *Festschrift zum 150-jährigen Bestehen des Berliner Ägyptischen Museums*, éd. W. Müller (Berlin: Akademie-Verlag, 1974), 283–285. La procédure devait être différente avant et après cette période. On peut imaginer que les contribuables ne recevaient pas de reçus ou alors des reçus sur papyrus, qui n'auraient pas été conservés.

23 Sur ces questions, voir Alain Delattre et Jean-Luc Fournet, "Le dossier des reçus de taxe thébains et la fiscalité en Égypte au début du VIII<sup>e</sup> siècle," dans *Coptica Argentoratensia: textes et documents de la troisième université d'été de papyrologie copte (Strasbourg, 18–25*

l'apparition des reçus de taxe sur ostraca à cette période reste donc ouverte. Par ailleurs, à côté des "garanties par Dieu", de véritables laissez-passer ont été émis dans la région, sans doute à la même époque.

## 6 Les "laissez-passer" de la TT 29

Les fouilles belges dans la nécropole thébaine ont mis au jour, dans la tombe numéro 29, sur la colline de Cheick Abd el-Gournah, les restes d'un habitat monastique<sup>24</sup>. La tombe fut occupée successivement par plusieurs personnages, dont le mieux connu, Frange, exerçait les professions de tisserand, de copiste et de relieur. Ses archives ont été découvertes à l'intérieur d'une faille au-dessus du puits funéraire, tandis que son métier à tisser a été mis au jour dans la cour et que des objets relatifs à son activité de relieur et de copiste ont été trouvés dans la tombe. Parmi ces derniers, on peut mentionner des calames, des restes de reliures et de fragments de papyrus destinés à être collés ensemble en une sorte de papier mâché, qui forme le plat des reliures. La plupart de ces documents sont des laissez-passer, comme l'a mis en évidence Anne Boud'hors<sup>25</sup>. Ils forment un corpus d'une cinquantaine de pièces, qui présentent un formulaire assez souple. Tous les textes sont adressés à deux personnes : Halakotse et Jôhannês. Le premier est le destinataire de trente exemplaires, Johannes de trois seulement. L'examen du dossier suggère que les deux responsables sont contemporains et non successifs : les documents semblent en effet avoir été écrits dans un laps de temps assez court. Plusieurs papyrus ont été retrouvés soigneusement roulés et pliés, avec un petit sceau en argile à l'intérieur. Les documents étaient donc à l'origine scellés, mais ont été ouverts et ensuite refermés.

Les textes commencent usuellement par la formule  $\text{OY}\omega\omega\text{ N}\Gamma\text{K}\omega$ , "veuille laisser (passer)", inconnue ailleurs dans la documentation. En voici un exemple<sup>26</sup>.

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juillet 2010) (*P.Stras.Copt.*), éd. Anne Boud'hors, Alain Delattre, Catherine Louis et Tonio Sebastian Richter (Paris : de Boccard, 2014), 209–244.

24 Les fouilles de l'Université libre de Bruxelles, commencées en 1997 par Roland Tefnin, sont dirigées depuis 2007 par Laurent Bavay.

25 Anne Boud'hors, "L'apport de papyrus postérieurs à la conquête arabe pour la datation des ostraca coptes de la tombe TT29," dans *From al-Andalus to Khurasan: Documents from the Medieval Muslim World*, éd. Petra M. Sijpesteijn, Lennart Sundelin, Sofia Torallas Tovar et Amalia Zomeño (Leiden : Brill, 2007), 115–129. Le dossier complet sera étudié par Anne Boud'hors et moi-même.

26 Boud'hors, "L'apport de papyrus postérieurs," no. 1.

† Veuillez laisser Chenoute (aller) au sud, car il est originaire du nome d’Ermont, qu’il aille chez lui. Du reste, ne l’empêche pas. Écrit au mois de Tybi, le 20. † (*Adresse au verso*) À remettre à Halakotse de la part de Petros. †

L’examen de ces documents permet de supposer l’existence d’un poste de contrôle, d’un checkpoint, au nord de Djême (plusieurs textes mentionnent qu’il s’agit d’aller “au sud, à Djême”). Halakotse et Jôhannês devaient être les responsables de ce poste. La mention du nome d’Hermonthis pourrait suggérer que les laissez-passer concernaient un déplacement entre deux nomes limitrophes.

Un deuxième document, inédit, le n° d’inv. 295511, est plus explicite à ce sujet.

À remettre à Jôhannês de la part de Pehêu. Veuillez laisser passer Petros et Mathias (ainsi que sa femme) au sud, avec leur matériel, qu’ils le vendent, et qu’ils me donnent l’argent. Tybi, le 20. †

Petros et Mathias, ainsi que sa femme, mentionnée *supra lineam*, sont autorisés à aller au sud avec leurs objets pour les vendre. On peut imaginer que ce sont des artisans qui se rendent dans la ville de Djême vendre leur production. La raison du laissez-passer est ici précisée : il s’agissait de donner de l’argent, sans doute au titre du paiement des taxes, à l’expéditeur, Pehêu, probablement, à en juger par d’autres documents, un responsable local.

Ce type de document a selon toute vraisemblance été utilisé pendant une très courte période<sup>27</sup>, ce qui explique sans doute que les fouilles récentes en ont livré les premiers exemplaires connus<sup>28</sup>.

## 7 Un nouveau témoin relatif à la circulation des personnes

Le dossier des laissez-passer de la tombe thébaine 29 a connu récemment un intéressant développement. Lors du dégagement de la TT 29, une partie de la façade d’une nouvelle tombe est apparue aux archéologues. Il s’agit de la

<sup>27</sup> Seuls quelques documents sont datés : ils le sont du mois de Tybi, d’une deuxième année de l’indiction.

<sup>28</sup> Le fait est en effet étonnant, puisque la documentation thébaine est bien connue : environ la moitié des papyrus et ostraca coptes publiés, soit 4300 textes sur 8400, provient de la région thébaine.

tombe C3, une tombe thébaine déjà mentionnée dans la littérature scientifique au XIX<sup>e</sup> siècle, mais dont la localisation n'était plus connue. Le dégagement de la cour a permis de découvrir de nombreux ostraca, mais aussi des structures chrétiennes, fort bien conservées, notamment une petite pièce comprenant deux lits. Un anachorète, et sans doute son disciple, ont vécu là, peut-être en même temps que Frange, qui occupait la tombe voisine<sup>29</sup>.

Le 3 février 2009, une série d'ostraca a été découverte, parmi lesquels ce texte-ci, à priori quelque peu énigmatique (O. 7012 A+B)<sup>30</sup>.

† Avant toute chose, nous t'écrivons en saluant ta paternité. Ensuite, nous t'informons que puisque tu as ... tu nous as écrit: "je veux envoyer cet homme à l'intérieur", maintenant, tout homme que tu veux, envoie-le à l'intérieur. Rien ne lui arrivera. Non seulement celui-là, mais aussi tout homme qui le veut, qu'il vienne à l'intérieur pour son travail (?). Aucun homme n'empêche un autre homme. Salut. † Donne à notre père Hellô, fils de Psôch, de la part d'Isak et de Jôannês. †

Le document a été écrit par Jôannês et Isak, dont les fonctions ne sont pas indiquées. Les deux noms sont courants dans la région thébaine, mais le ton officiel du texte permet de proposer de les identifier avec deux *lachanes* de Djême, attestés ensemble dans P.KRU 38, 7-10 (daté du 26 février 738)<sup>31</sup>: ΝΤΙΜΩΤΑΤΟΣ ΕΤΤ/ΙΩΔΑΝΝΗΣ ΠΩΗΡΕ ΜΠΜΑΚΑΡ/ | ΒΙΚΤΩΡ ΜΗ ΙΣΑΚ ΠΩΗΡΕ ΜΠΜΑΚΑΡ ΚΟΣΤΑΝΤΙΝΟΣ | ΝΛΑΘΑΝΙΟΥ ΜΠΚΑΣΤΡΟΝ ΧΗΜΕ ΖΗ ΠΝΟΜΟΣ ΝΤΠΟΛΙΣ | ΕΡΜΑΝΘΙΟΥ "les très honorés Jôannês, fils du défunt Biktôr, et Isak, fils du défunt Kostantinos, les *lachanes* du *castrum* de Djême, dans le nome de la ville d'Ermont". On notera que Frange apparaît également dans ce document (l. 69: ΕΦΡΑΝΓΕ), ce qui confirme la proximité chronologique entre l'ostracon et le dossier de la TT 29, donc des laissez-passer.

Les *lachanes* écrivent à Hellô, fils de Psôch, un personnage qui n'est pas connu par ailleurs, mais qui pourrait être le voisin de Frange. Ils font part d'une précédente lettre de Hellô et lui indiquent que les déplacements sont autorisés et qu'il peut envoyer toute personne ΕΞΟΥΝ, "à l'intérieur", une expression dont le sens n'est pas très clair. L'ostracon apporte ainsi des informations

29 Laurent Bavay, "La tombe perdue du substitut du chancelier, Amenhotep: données nouvelles sur l'organisation spatiale de la nécropole thébaine," *Bulletin de la Société française d'Égyptologie* 177-178 (2010): 28-30.

30 Depuis 2009, je suis chargé de l'étude et de la publication des documents écrits découverts lors des fouilles de la tombe C3.

31 Cf. aussi Till, *Datierung und Prosopographie*, 235.

importantes sur les diverses limitations à la liberté de circulation dans la région thébaine au VIII<sup>e</sup> siècle : il nous indique que les entraves à la libre circulation n'étaient pas permanentes.

Reste à déterminer où se situe cet "intérieur" où l'on peut désormais envoyer des gens en toute quiétude. Anne Boud'hors et Chantal Heurtel ont montré que, dans plusieurs documents de tel la TT 29, l'expression "envoyer à l'intérieur" fait vraisemblablement référence à une clôture, réelle ou symbolique, délimitant l'habitat monastique<sup>32</sup>. Mais si l'ostracon est bien écrit par des *lachanes* de Djême et adressé à quelqu'un de la "sainte montagne", il serait plus logique de comprendre qu'il est question d'envoyer des gens à Djême même. On sait en effet que les déplacements entre Djême et la colline de Gourna étaient problématiques<sup>33</sup>. L'adverbe εἶογν serait alors à comprendre en référence au(x) locuteur(s) et l'"intérieur" dans la lettre renverrait à la ville plutôt qu'au monastère. Le checkpoint de Djême se situerait donc entre la ville et la sainte montagne. On pourrait l'imaginer à la porte de la ville, ou au contraire plus près de la colline de Cheick Abd el-Gournah.

On notera que dans *O. Frange* 9, le moine demande s'il y a un marchand d'huile à Djême<sup>34</sup>. La question semble indiquer que Frange connaît mal Djême, pourtant située à moins d'un kilomètre de sa cellule. On le voit par contre en étroit contact avec son village natal, Petemout, situé sur l'autre rive. Faut-il voir là une conséquence de ce barrage qui isolait, pendant un temps, la colline de Cheick Abd el-Gournah de la ville de Djême ?

32 Anne Boud'hors et Chantal Heurtel, *Les ostraca coptes de la TT 29 : Autour du moine Frangé* (Bruxelles : CReA Patrimoine, 2010), 16–18.

33 Le dossier des laissez-passer de la TT 29, par exemple, concerne essentiellement des déplacements de personnes qui veulent se rendre à Djême. Sur le sujet, on se reportera aussi à Lili Aït-Kaci, Anne Boud'hors et Chantal Heurtel, "Aller au nord, aller au sud, traverser le fleuve : Circulation et échanges au VIII<sup>e</sup> siècle dans la région thébaine," dans *Thèbes aux 101 portes : mélanges à la mémoire de Roland Tefnin*, éd. Eugène Warwembol et Valérie Ange-not (Turnhout : Association Égyptologique Reine Élisabeth, 2010), 1–9.

34 L. 6–13 : "Ayez la bonté, si quelqu'un passe chez vous qui soit rattaché à Djême, demandez-lui s'il y a un homme qui vend de l'huile à Djême pour que j'envoie en chercher un peu et que j'en aie pour la fête" (trad. Boud'hors et Heurtel). Cf. aussi Aït-Kaci, Boud'hors et Heurtel, "Aller au nord."

## 8 Conclusion

Les sources présentées ici illustrent différentes facettes des mécanismes de contrôle de la population mis en place par l'administration arabe au début du VIII<sup>e</sup> siècle. Les allusions aux taxes dans de nombreux documents montrent que ce contrôle avait pour but d'assurer une meilleure perception des impôts et une application efficace des corvées et réquisitions, en évitant notamment la fuite des paysans<sup>35</sup>.

Trois types de documents, à peu près contemporains, ont pu servir de sauf-conduits. Ils possèdent chacun un formulaire spécifique et étaient utilisés, selon toute vraisemblance, dans des situations différentes.

1. Les sauf-conduits arabes (et peut-être aussi bilingues), étaient des documents officiels, nécessaires pour entreprendre de longs voyages entre différentes régions d'Égypte. Ils étaient émis par l'administration, qui exigeait des garants<sup>36</sup>.
2. Les "lettres de protection", ΛΟΓΟΣ ΜΠΗΝΟΥΤΕ, permettaient de circuler sur de courtes distances; elles n'étaient pas à proprement parler des sauf-conduits, mais plutôt des garanties, émises par les administrations locales, qui se portaient ainsi caution de la solvabilité du porteur du document<sup>37</sup>.
3. Enfin, les "laissez-passer" de la tombe thébaine 29 permettaient de franchir un poste de contrôle temporaire situé au nord de la ville de Djême, peut-être en venant d'un autre nome<sup>38</sup>.

Si les deux premiers types de documents sont attestés dans diverses régions de l'Égypte, il n'en va pas de même du troisième, qui est très local et qui n'a été utilisé, pour autant qu'on puisse en juger, que durant une période fort courte. La découverte de l'ostracon de la tombe C3 montre par ailleurs qu'il y avait des restrictions particulières à la libre circulation dans la région thébaine, mais qu'elles pouvaient être allégées ou renforcées.

Je propose donc de voir dans les laissez-passer de TT 29 et dans l'ostracon de C3 les témoins d'un événement spécifique à la région thébaine, que le hasard de la découverte et de la conservation des sources permet de mettre en évidence,

35 Cf. les lettres de protection liées à des reçus de taxe et la mention des impôts acquittés dans *P.CLT* 3 ou dans les garanties de Saqqarah. Sur les corvées dans le cadre du *cursus*, cf. Trombley, "Sawirus Ibn Al-Muqaffa'," 202–204, 215–216.

36 Voir plus haut les sections 2–4.

37 Voir plus haut la section 5.

38 Voir plus haut les sections 6–7.

mais qui s'intègre dans un contexte plus large. La région semble en effet avoir connu plusieurs bouleversements entre la fin du VII<sup>e</sup> siècle et la première moitié du VIII<sup>e</sup> siècle. En raison de la pression fiscale, des troubles ont éclaté dans le pays<sup>39</sup>, et notamment dans la région thébaine, comme le montre *SB III 7240*, daté du 17 octobre 697<sup>40</sup>. Dans ce document, le duc Flavius Atias s'adresse aux moines de la communauté de la Jarre (le même établissement que dans *P.CLT 3* cité plus haut) et fait état d'une révolte durant laquelle les moines n'ont pas voulu payer les impôts<sup>41</sup>. Atias mentionne un document émis par un de ses prédécesseurs, qui autorise les moines à habiter le monastère, pour autant qu'ils payent les impôts, et le duc confirme et renouvelle l'autorisation. Mais les problèmes de perception des taxes ont certainement continué : les décalages entre date de paiement et année d'imposition ainsi que les fractionnements des paiements dans les reçus de taxe thébains l'attestent. Il semble même qu'une contribution punitive (le *πρόστιμον*) ait été levée en mars 720<sup>42</sup>.

Dans le contexte ainsi brossé, les différentes sources présentées ici sont autant d'éclairages sur la situation de l'Égypte au début du VIII<sup>e</sup> siècle. Les documents thébains nous font connaître un peu mieux les mécanismes de contrôle de la population que pouvaient mettre en place les autorités, non seulement dans la région, mais sans doute aussi dans d'autres localités et d'autres provinces de l'Empire omeyyade.

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39 Cf. Petra M. Sijpesteijn, "Landholding Patterns in Early Islamic Egypt," *Journal of Agrarian Change* 9, no. 1 (2009) : 129.

40 Cf. *BL VIII*, 326–327.

41 Sur le personnage, cf. *CPR VIII* 72–84 (qui, pour l'essentiel, proviennent du nome arsinoïte et datent de la fin du VII<sup>e</sup> siècle).

42 Cf. Delattre et Fournet, "Des reçus de taxe thébains," 220. Plusieurs autres contributions exceptionnelles ont été levées dans les années 720–726.

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# Policing, Punishing and Prisons in the Early Islamic Egyptian Countryside (640–850 CE)

*Petra M. Sijpesteijn*

The Greek, Coptic and Arabic papyri from early Islamic Egypt contain numerous references to punishments, fines and forced confinement before a systematised Islamic legal system was instituted. But they also document the settlement of legal conflicts through mediation and other informal processes drawing upon existing practices and showing changes after the Arabs' arrival.

Using the papyri this article\* will show what patterns in the organisation and practice of legal conflict-resolution – as seen in extra-judicial arbitration, civil litigation and criminal law cases – can be detected in the earliest period of Muslim history in the province. What infrastructure existed and to what extent did this build on instruments and procedures already in place? What was the role of the central authorities in the capital Fustāṭ vis-à-vis local actors? How did private initiatives and responsibilities compare to public ones? And how did these instruments help to maintain control in the Egyptian countryside in the first two centuries of Muslim rule?

## 1 Papyri<sup>1</sup>

Invaluable for our understanding of so many areas of Egyptian life, papyrus documents are also a uniquely rich source for juridical and legal practice in the

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1 The following abbreviations are used in this article to refer to papyrus editions: *BGU III* = *Ägyptische Urkunden aus den Königlichen Museen zu Berlin, Griechische Urkunden III* (Berlin: Königliche Museen zu Berlin, 1903); *Chrest.Khoury I* = Raif G. Khoury, ed., *Chrestomathie de papyrologie arabe* (Leiden: Brill, 1993); *CPR IV* = Walter Till, ed., *Corpus Papyrorum Raineri IV: die koptischen Rechtsurkunden der Papyrussammlung der Oesterreichischen Nationalbibliothek* (Vienna: Adolf Holzhausens Nachfolger, 1958); *CPR XVI* = Werner Diem, ed., *Corpus Papyrorum Raineri XVI: Arabische Briefe aus dem 7. bis 10. Jahrhundert* (Vienna: Brüder Hollinek,

Egyptian countryside in the first centuries of Muslim rule. The Muslims used papyrus as their main day-to-day writing material throughout this period, shifting to paper only in the ninth–tenth century CE. Most Egyptian papyri are

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1993); *CPR XXII* = Federico Morelli, ed., *Corpus Papyrorum Raineri XXII: Griechische Texte XV, Documenti greci per la fiscalità e la amministrazione dell'Egitto arabo* (Vienna: Brüder Hollinek, 2001); *CPR XXIV* = Bernhard Palme, ed., *Corpus Papyrorum Raineri XXIV: Griechische Texte XVII, Dokumente zu Verwaltung und Militär aus dem spätantiken Ägypten* (Vienna: Brüder Hollinek, 2002); *CPR XXVI* = Michael E. Thung, ed., *Corpus Papyrorum Raineri XXVI: Arabische juristische Urkunden aus der Papyrussammlung der Österreichischen Nationalbibliothek* (Munich-Leipzig: De Gruyter, 2006); *CPR XXX* = Federico Morelli, ed., *Corpus Papyrorum Raineri XXX: L'archivio di Senouthios anystes e testi connessi* (Berlin/New York: De Gruyter, 2010); *O.Crum VC* = Walter C. Crum ed., *Varia Coptica* (Aberdeen: University Press, 1939); *O.Frangé* = Anne Boud'hors and Chantal Heurtel, eds., *Les ostraca coptes de la TT29: autour du moine Frangé* (Études de l'archéologie thébaine 3) (Brussels: CRÉA-patrimoine, 2010); *P.Ant. III* = John W.B. Barns and Henrik Zilliacus, eds., *The Antinoopolis Papyrus* (London: Egypt Exploration Society, 1967); *P.Apoll.* = Roger Rémondon, ed., *Papyrus grecs d'Appollónos Anó*, Documents de fouilles de l'Institut Français d'Archéologie Orientale du Caire 19 (Cairo: Imprimerie de l'Institut français d'archéologie orientae, 1953); *P.Berl.Arab. II* = Werner Diem, ed., *Arabische Briefe des 7. bis 13. Jahrhunderts aus den Staatlichen Museen Berlin*, Documenta Arabica Antiqua 4 (Wiesbaden: Harrasowitz, 1997); *P.Cair.Arab.* = Adolf Grohmann, ed., *Arabic Papyri in the Egyptian Library* (Cairo: Egyptian Library Press, 1934–1962); *PERF* = Joseph von Karabacek, *Papyrus Erzherzog Rainer: Führer durch die Ausstellung* (Vienna: A. Hölder, 1894); *P.Hamb.Arab. II* = Albert Dietrich, ed., *Arabische Papyri aus der Hamburger Staats- und Universitäts-Bibliothek* (Hamburg: J.J. Augustin, 1955); *P.Heid.Arab. I* = Carl H. Becker, ed., *Papyrus Schott-Reinhardt I* (Heidelberg: Carl Winter, 1906); *P.Horak* = Hermann Harrauer and Rosario Pintaudi, eds., *Gedenkschrift Ulrike Horak*, Papyrologica Florentina xxxiv (Firenze: Gonnelli, 2004); *P.Khalili I* = Geoffrey Khan, ed., *Arabic Papyri: Selected Material from the Khalili Collection* (New York/London/Oxford: Nour Foundation in association with Azimuth Editions and Oxford University Press, 1992); *P.Kölnägypt. II* = Gesa Schenke, ed., *Kölner ägyptische Papyri II Koptische Urkunden der früh-arabischen Zeit*, Papyrologica Coloniae 19/2 (Paderborn: Ferdinand Schöningh, 2016); *P.KRU* = Walter E. Crum, ed., *Koptische Rechtsurkunden des achten Jahrhunderts aus Djême (Theben)* (Leipzig: J.C. Hinrichs, 1912); *P.Lond. IV* = Harold I. Bell, ed., *Greek Papyri in the British Museum* (London: British Museum, 1910); *P.Marchands* = Yüsus Râgîb, ed., *Marchands d'étoffes du Fayyûm au IIIe/IXe siècle d'après leurs archives (actes et lettres)* (Cairo: Institut français d'archéologie orientale, 1996); *P.Mird* = Adolf Grohmann, ed., *Arabic Papyri from Khirbet el-Mird* (Louvain: Publications Universitaires, 1963); *P.Mon.Epiph.* = Walter E. Crum and Hugh G. Evelyn-White, eds., *The Monastery of Epiphanius at Thebes*, part II (New York: Metropolitan Museum of Art, 1926); *P.Oxy* = *The Oxyrhynchus Papyri* (London: Egypt Exploration Society in Graeco-Roman Memoirs); *P.Prag.Arab.* = Adolf Grohmann, ed., "Arabische Papyri aus der Sammlung Carl Wessely im orientalischen Institute (Orientální Ústav) zu Prag," *Archiv Orientální* 10 (1938): 149–162; 11 (1939): 242–289; 12 (1941): 1–112; 14 (1943): 161–260; *P.Qurra* = Nabia Abbott, ed., *The Kurrah Papyri from Aphroditon in the Oriental Institute*, Studies in Ancient Oriental Civilization 15 (Chicago: University of Chicago Press, 1938); *P.Ryl.Arab. I* = David S. Margoliouth, ed., *Catalogue of Arabic Papyri in the John Rylands Library Manchester* (Manchester: Manchester University Press, 1933); *P.Scholl* = Georg Schmelz, ed., "Zwei koptische Schutzbriefe aus der

found outside the main centres of occupation and government, in the uninhabitable desert areas that make up most of the country's land mass, where, free from rain disturbance, they lay protected since being discarded some fifteen hundred years ago.

Never intended to be preserved, the papyri offer uniquely direct access to the society that produced them. But the often haphazard circumstances of their discovery and conservation also offer formidable challenges. Most were unearthed during ad hoc, amateur or even illegal excavations, with no provenance, place of origin or date. Sometimes the date is given at the end of the text. More commonly, however, it has to be inferred on the basis of palaeographical criteria and the formulae used – a rough method that divides the papyri into large groups spanning more than a century. Where the find site is not known, provenance can similarly sometimes be reconstructed from internal evidence. Because archaeological activity on mediaeval sites in Egypt was often not systematic, let alone exhaustive, the chronological and geographic distribution of papyri is uneven, with some areas over represented and others hardly featuring at all. Obviously, papyri can also tell us about places other than where they were found through the references or allusions made in them. In this paper the date and provenance of papyri are given when known, but in the discussion that follows they have been treated as one source body. While this might obscure specific historical and geographical patterns, it offers enough detail to observe some long-term historical processes and developments.

With many of the papyri lacking a clear context, a small number of especially rich and well-studied dossiers of related texts have dominated the field. These papyri have been successfully used to reconstruct administrative and fiscal practices under the early Muslims in Egypt. The challenge still remains though to combine the dossiers which stem from different periods, areas and levels in the administration, while also incorporating relevant stand-alone papyri, into one integrated historical picture.<sup>2</sup> An additional task is to bring the material

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Heidelberger Papyrussammlung," in *Von Sklaven, Pächtern und Politikern*, eds. Lutz Popko, Nadine Quenoille and Michaela Rücker (Berlin: De Gruyter, 2012), 222–229; *SB* = *Sammelbuch griechischer Urkunden aus Aegypten*, 1915–; *SPP* = Carl Wessely, ed., *Studien zur Palaeographie und Papyruskunde* (Leipzig: Avenarius, 1901–1924).

2 See especially (in chronological order): the Greek letters of Senouthios, (ca. 634) (*CPR* XXX) who was administrator in the Hermopolite (Ashmūnayn). The Greek documents related to the pagarch Papas of Idfū (649–688) texts are published in *P.Apoll.* The (unpublished) Coptic material is discussed in Leslie MacCoul, "The Coptic Papyri from Apollonos Ano," in *Proceedings of the XVIIth International Congress of Papyrology*, ed. Basil G. Mandilaras (Athens: Greek Papyrological Society, 1988), 141–160. For the dates of these texts, see Jean Gascou and Klaas A. Worp, "Problèmes de documentation apollinopolite," *Zeitschrift für Papyrologie und*

from administrative contexts in contact with documents related to the private sphere. Only then can the papyri be brought to bear on larger historical questions, moving from detailed information about local day-to-day activities to developments and processes taking place on a higher plane: from the micro to the macro.

A final consideration in terms of our evidence is the linguistic situation. Starting directly after their arrival, the Muslim conquerors used Arabic in parallel with Egypt's other two languages, Coptic and Greek, to communicate with the province's inhabitants. After the conquest Coptic was used for the first time in the Egyptian chancery as an official administrative language. The Arabic documentation from the first half century of Muslim rule in Egypt is, however, much less voluminous than the Greek and Coptic material, and is mostly limited to administrative communications. Coptic and Greek continued to be used for private written communication outside the administration as well. With very few Arabs having settled in the Egyptian countryside, it is indeed in the Coptic and Greek material that most events relating to the non-administrative activities of the Egyptian population would have been recorded under the first two centuries of Muslim rule. Due to the general lack of explicit dates on non-official documents, however, most Coptic and Greek papyri that have been assigned a firm date in the Arab period originated in the chancery and its regional offices. Few 'private' documents have been dated to the Arab period. In general, moreover, the Greek material has received much more attention than has the Coptic or Arabic.

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*Epigraphik* 49 (1982): 83–95. Cf. Clive Foss, "Egypt under Mu'awiya, part 1: Flavius Papas and Upper Egypt," *Bulletin of the School for Oriental and African Studies* 72 (2009): 1–24. For the Arabic, Coptic and Greek documentation of the pagarchy of Aphroditō/Ishqūh and its pagarch Basileios, see the list of published papyri in Tonio Sebastian Richter, "Language Choice in the Qurra Dossier," in *The Multilingual Experience in Egypt: from the Ptolemies to the Abbāsids*, ed. Arietta Papaconstantinou (Burlington: Ashgate Publishing, 2010), 189–220. Some Arabic material has been published since, see Petra M. Sijpesteijn, "Une nouvelle lettre de Qurra b. Šarik. P.Sorb. inv. 2345," *Annales Islamologiques* 45 (2011): 257–267; and Naim Vantieghe, "La correspondance de Qurra b. Šarik et de Basileios revisitée. I. À propos d'une lettre récemment publiée," *Chronique d'Égypte* 91 (2016): 204–210. For the Arabic and Greek papyri related to Nājid ibn Muslim, pagarch of the Fayyūm ca. 730 and his subordinate 'Abd Allāh ibn As'ad, who governed the southwestern part of the Fayyūm oasis, see Petra M. Sijpesteijn, *Shaping a Muslim State: The World of a Mid-Eighth-Century Egyptian Official* (Oxford: Oxford University Press, 2013). Private dossiers from this period are limited to the Coptic ostraca related to the monk Frangé operating in Thebes in the first half of the eighth century (Anne Boud'hors and Chantal Heurtel, *Les ostraca coptes de la TT29: autour du moine Frangé*. Études de l'archéologie thébaine 3 (Brussels: CReA-patrimoine, 2010)) and the Arabic papyri of the Banū 'Abd al-Mu'min, a ninth-century textile merchant's family (*P.Marchands*).

The references to legal conflicts and the practicalities of settlement, punishment and incarceration occur in different genres of texts. Official letters discuss conflicts between private individuals brought before the central authorities in order to be resolved by government representatives. Other administrative writings give orders on how to deal with those deemed to have undermined the government's activities, mainly tax collection, or to have disturbed the public order. Petitions and informal requests to office-holders or those otherwise endowed with authority report on disputes, but also provide information on the background and circumstances of prisoners and those being punished. Other letters also occasionally relay episodes involving the law, prisons or other punishments pertaining to the letter-writers themselves or others connected to them. Lists of prisoners, sometimes including information on the crimes they have committed, or other accounts and lists relating to prison life are another source. Finally, the courts and the judge's administration produced documents related to court proceedings and legal decisions.<sup>3</sup>

## 2 Administrative Law: Fact-Finding and Procedure

The papyri show legal procedure in action. In official letters in response to complaints or petitions brought before government officials, dating from the late seventh century onwards, lower-placed officials are ordered to "look into" the matter and "find evidence" (*aqāma 'alā dhālika al-bayyina*) for the case raised by the plaintiff.<sup>4</sup> On the other side, the accused offers his point of view, which is judged by the official in charge. This can be observed in a ninth-century letter in which someone defends himself against a charge of having stolen alfa (*ḥalfā'*). The accused denies having stolen anything and challenges the plaintiff to produce evidence proving otherwise: "if he presents to you evidence and it is verified in his favour that we have taken the alfa, then we will give it to him.

3 See Lucian Reinfandt, "Law and Order in der frühen islamischen Gesellschaft? Strafverfolgung in Ägypten und Palästina nach der arabischen Eroberung (7.–9. Jahrhundert)," in *Interkulturalität in der Alten Welt: Vorderasien, Hellas, Ägypten und die vielfältigen Ebenen des Kontakts*, eds. Robert Rollinger et al. (Wiesbaden: Harrassowitz Verlag, 2010), 655–683, for an overview of Arabic papyri related to crimes, criminals and their punishments.

4 An early example is Werner Diem, "Der Gouverneur an den Pagarchen: ein verkannter Papyrus vom Jahre 65 der Hiġra," *Der Islam* 60 (1983): 104–111, dated 65/684, provenance al-Ushmūnayn. A group of letters written by Qurra b. Sharīk date to the early eighth century (*P.Heid.Arab.* 1 10; *P.Heid.Arab.* 1 11; *P.Qurra* 3; *P.Cair.Arab.* 111 154; *P.Cair.Arab.* 111 155; Carl H. Becker, "Arabische Papyri des Aphroditofundes," *Der Islam* 2 (1911): 245–268, no. 1; provenance of all is Ishqūh).

If (on the other hand) this is not confirmed with you, then handle according to what is right" (*in aqāma 'indaka al-bayyina wa-ṣaḥḥa lahu annā akhadnā ḥalfā' dafa'nā ilayhi wa-in lam yaṣiḥḥ dhālika 'indaka 'amilta fi dhālika bimā wāfaqa al-ḥaqq*).<sup>5</sup> Uniquely, this case can be traced further in a follow-up letter from the person in charge. Having read the accusation and denial, the official, one Abū al-Qāsim, who presumably held some position of authority, orders the plaintiff and accused to appear before him so that they can both present their claim and he can decide to whom the alfa belongs.<sup>6</sup> Similarly, in another ninth-century letter from the Fayyūm, the sender asks the addressee, the responsible person (*wakīl*) in Babij, to restore to a third person his rights vis-à-vis his opponent and not to allow him to be oppressed and opposed (*lā tarkhuṣ fi zulmihi wa-mudāf'atihi*). If, however, the case is not clear to the addressee, he should have both parties come to the sender so that he can himself look into the matter.<sup>7</sup> Finally, a ninth-century witness declaration records the procedure of proof and oath-taking in a dispute between two brothers over a delivery of four pieces of cloth.<sup>8</sup>

These examinations into evidence could be extensive. An example of the discovery process extending far into the past and involving archival research comes from a letter dated 90/709 in which the governor Qurra b. Sharīk (in office 709–715) asks Basileios, the pagarch of Ishqūh, to find out whether the claim of some (Arab) soldiers concerning their 40-year-long residence in certain villages can be corroborated by documentary evidence preserved in those villages.<sup>9</sup> Some years later, the governor 'Abd al-Malik b. Yazīd (in office 751–

5 *P.Hamb.Arab.* II 3, provenance Idfū.

6 "I have read your letter and understood what you mentioned concerning the case of the man who took the alfa. Surely he has to come to Idfū before Abū al-Qāsim and they (plaintiff and accused) can then present their case to each other and I will see to whom the alfa belongs" (*qad qara'tu kitābaka wa-fahimtu mā dhakarta fihi min amr al-rajul alladhī ḥamala al-ḥalfā' wa-lā budd lahu min ishḥāsihi ilā idfū quddām abū al-qāsim wa-yatanāsarū wa-abṣaru li-man ṣāra lahu al-ḥalfā'*) *P.Hamb.Arab.* II 4, provenance Idfū.

7 "If their case is obscure to you, then have both come to me so that I can take care of looking into their case" (*fa-in shakala 'alayka amruhumā fa-shkhaṣhumā ilā mā qibālī li-atawallā al-naẓr fi amrihimā*) *Chrest.Khoury* I 84, provenance uncertain, probably al-Fayyūm. Cf. Lucian Reinfandt, "Local Judicial Authorities in Umayyad Egypt (41–132/661–750)," *Bulletin d'études orientales* 63 (2014): 136.

8 *P.Marchands* I 10, provenance al-Fayyūm.

9 *P.Cair.Arab.* III 150. Mathieu Tillier discusses further examples in the correspondence between the governor Qurra and the pagarch Basileios (Mathieu Tillier, "Dispensing Justice in a Minority Context: The Judicial Administration of Upper Egypt under Muslim Rule in the Early Eighth Century," in *The Late Antique World of Early Islam: Muslims among Jews and Christians in the East Mediterranean*, ed. Robert Hoyland (Princeton: Darwin Press, 2015), 133–156; idem,

754) writes to Khuzayma b. Māhān, head of an administrative district, that he had sent him an aide to examine the complaint raised by the inhabitants of his district against a certain ‘Abd al-Wāḥid b. Qays. Khuzayma and his companion are ordered to look carefully into the complaint and to report in writing to the governor.<sup>10</sup> The involvement of the governor and the dispatch of extra personnel from the capital to deal with this matter indicates its seriousness, or perhaps the status of the parties involved.

Several documents, however, some also originating in an administrative context, suggest that fact-finding was not always taken so seriously. The sender of a ninth-century letter simply asks the addressee to beat up a boy accused of stealing straw from his stables and frighten him with physical mistreatment into returning the goods he has taken. On the other hand, the accused's status as a manumitted slave might have lowered his chances of being treated fairly.<sup>11</sup> In another case the governor Qurra b. Sharīk orders the pagarch Basileios to use force against the accused, who is said illegally to have occupied the house of the claimant.<sup>12</sup> Of course, it is not clear from these letters whether the addressees indeed proceeded without a proper investigation.

Such cases also show how oral and written reports relating to legal cases travelled through different offices, while the claimants themselves could also be heard at different administrative levels. Cases could move up and down the administrative hierarchy as responsibility was transferred as part of a formal process, or when conflicting interests motivated a party to skip or turn to another layer in the administration. In some instances evidence about a specific complaint was gathered and examined at the order of higher officials. Occasionally, if a lower official could establish that the plaintiff was in the right, he was left free to deal with the case. For example, in response to an accusation of stealing or taking unlawful possession of an amount of money, the governor Qurra b. Sharīk orders the pagarch Basileios to bring the claimant and defendant together to decide who is right and to inflict the appropriate punishment on the guilty party.<sup>13</sup> Restitution of the plaintiff's rights usually involved nothing more than restoring his property. If, however, the plaintiff's

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“Du pagarque au cadī: Ruptures et continuités dans l'administration judiciaire de la haute-Égypte (Ier–IIIe/VIIIe–IXe siècle),” *Médiévales* 64 (2013): 19–36). See also Lucian Reinfandt's description of the importance of archival and documentary evidence in cases of arbitration (Reinfandt, “Judicial Authorities,” 142).

10 Yūsuf Rāḡib, “Lettres Arabes (I),” *Annales Islamologiques* 14 (1978): 15–35, no. 1, provenance Medīnat al-Fāris, al-Fayyūm.

11 *Chrest.Khoury* 180, third/ninth century, provenance unknown.

12 Tillier, “Dispensing Justice,” 147, n. 54.

13 *P.Heid.Arab.* 110, provenance Ishqūh. Cf. Tillier “Dispensing Justice,” 138–142.



claim could not be corroborated or the case was unclear, someone higher in the administrative hierarchy became involved, calling in both parties to hear them together.<sup>14</sup> For example, in the letter dated 65/684 in response to a complaint raised by a woman, the recipient is asked to see whether the woman can provide evidence for her claim. If she can, the addressee is to restore her rights. If she cannot, he is to write to the sender, presumably so that he can deal with it himself.<sup>15</sup> A seventh-century letter accompanying a petition from some tax collectors about indigenous Egyptians (*anbāt*) who refuse to pay their taxes is sent by the recipient of the petition to someone lower in the administration who will deal with the matter.<sup>16</sup> A higher official could also directly demand the presence of the parties involved in a conflict without involving lower-level administrators, or because a lower official had failed to resolve the issue. An example of this is the pagarch Nājīd b. Muslim (in office ca. 730) in the Fayyūm calling in “David’s two sons” against whom a case was raised, asking a lower official to send them on directly rather than look into the case himself as happens in some of the cases mentioned above.<sup>17</sup> Similarly, several documents demand that (suspected) culprits be presented to the official in charge of their case. In the seventh and eighth centuries such orders, in Coptic and Greek, were issued in the name of heads of monasteries and other local authorities. An example of this can be found in the list of men sought concerning diverse claims and cases in sixth/seventh-century Anṣīna, whom the count (Gr. *komēs*) Kallinikos is asked to bring forward from “his villages.”<sup>18</sup> From the eighth century onwards and into the ninth Arabic versions of such orders were issued by and to Arab-Muslim government officials: pagarchs, governors, and other administrative functionaries.<sup>19</sup> In a ninth-century Arabic note an administrator

14 See also above, nn. 7 and 8.

15 Diem, “Gouverneur.” Similarly, the cases that the governor Qurra b. Sharik asks his pagarch Basileios to handle, some of which are discussed above. The judicial procedure is discussed in detail by Tillier, “Dispensing Justice.”

16 *P.Berl.Arab.* 11 23, provenance unknown. See also the seventh-century letter from Khirbet al-Mird, Palestine, in which a lower official intends to implement the verdict of a higher official. He is faced with the refusal of one of the parties to abide by the verdict and is forced to return both parties to the higher official (*P.Mird* 18). Cf. Reinhardt, “Judicial Authorities,” 139.

17 Sijpesteijn, *Shaping a Muslim State*, no. 21, provenance al-Fayyūm.

18 *P.Ant.* 111 189. I would like to thank Marie Legendre for bringing this text to my attention. The editors wrote explicitly that “it is not to be regarded as a warrant of arrest to the police authorities.”

19 From the eighth century: Sijpesteijn, *Shaping a Muslim State*, no. 21, provenance al-Fayyūm and Mathieu Tillier, “Deux papyrus judiciaires de Fustāt (ii<sup>e</sup>/viii<sup>e</sup> siècle),” *Chronique d’Egypte* 89 (2014): 412–445, no. 1, provenance probably Fustāt; from the ninth century:

writes to his subordinate to order some other officials (Ar. *‘ummāl*) to produce a certain *Biqṭur*, the miller.<sup>20</sup> Only from the tenth century onwards are such kinds of orders issued by Islamic law court officials.<sup>21</sup> It is not clear on whom the burden of proof lies in these cases, but both sides evidently had an opportunity to state their case. In a late eighth-century case the defendant-husband is summoned to appear before the *qāḍī* in Fustāṭ to answer the claim of the plaintiff, his wife.<sup>22</sup> It seems that the higher official's decision could then be communicated back to the lower administrative level, presumably because that is where execution of the verdict took place.

The tasks of the administrators in these cases is expressed in terms of “judging” and “restoring rights.” A legal procedure is suggested by the expressions “judge in the conflict between him and me” (*yaqḍī baynī wa-baynahu*) and “bring them together (to find out what happened and judge between them)” (*ajma‘ baynahu wa-bayna šāhibihi*).<sup>23</sup> The claim to be “doing justice” (*anṣaf*; *‘amalta bi-mā wāfiqa al-ḥaqq*) and “restoring someone's rights” (*an tastakhrija lahum ḥaqqahum, wa-mā kāna min ḥaqq fa-sthakhrijhu*) appear as well.<sup>24</sup> Administrators are also instructed to prevent injustice and oppression to take place. In the just cited example dating to 710, the pagarch Basileios

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*P.Ryl.Arab.* I 113 provenance al-Ashmūnayn; *PERF* 699, provenance unknown, which contains a seal at the bottom. In the pre-Islamic period such warrants were issued by and to government officials (James G. Keenan, Joe G. Manning and Uri Yiftach-Firanko, eds., *Law and Legal Practice in Egypt from Alexander to the Arab Conquest* (Cambridge: Cambridge University Press, 2014), 506–508).

20 *P.Ryl.Arab.* I 113, ninth century, provenance Anṣīna.

21 *Chrest.Khoury* I 78, ninth–tenth century; *Chrest.Khoury* I 79, tenth century, provenance of both is al-Ashmūnayn (also cited in Tillier, “Pagarque,” 32). Tillier (“Deux papyrus,” 8) cites more tenth-century examples.

22 Tillier, “Deux papyrus,” no. 1.

23 The first expression appears in a letter concerning a certain Sa‘īd, *amīr* of Alexandria who is asked to intervene in a case between two men over an imprisoned female slave (Jean David-Weill et al., “Papyrus arabes du Louvre III,” *Journal of the Economic and Social History of the Orient* 21 (1978): 146–164, no. 25, eighth century, provenance unknown). The second expression can be found *P.Heid.Arab.* I 10, dated 91/710, provenance Ishqūh, a letter from the governor Qurra b. Sharīk. It is also attested in the description of a mediation in a disagreement between a husband and wife over the wife's property (*innī jama‘tu baynahumā*) (*P.Mird.* 18, seventh century, provenance Khirbet al-Mird).

24 *anṣaf*: *Chrest.Khoury* I 84, provenance unknown, probably al-Fayyūm; *‘amalta bi-mā wāfiqa al-ḥaqq* *P.Hamb.Arab.* II 3, provenance Idfū, both dating to the ninth century; *wa-mā kāna min ḥaqq fa-sthakhrijhu wa-lā tazlimanna ‘abdaka* *P.Heid.Arab.* I 10, dated 91/710; provenance Ishqūh; *an tastakhrija lahum ḥaqqahum* *P.Berl.Arab.* II 23, seventh century; provenance unknown; *wa-mā kāna min ḥaqq fa-sthakhrijhu wa-lā tazlimanna ‘abdaka* *P.Cair.Arab.* III 154, dating to 90–91/709–710, provenance Ishqūh.

is instructed to “bring the plaintiff and accused together, restore the plaintiff’s rights if those are established and make sure that your subjects are not oppressed” (*ajma‘ baynahu wa-bayna šāhibihi wa-mā kāna min haqq fa-sthakhrijhu wa-lā tazlimanna ‘abdaka*). Almost half a century later the then governor of Egypt, ‘Abd Allāh b. Yazīd (in office 133–136/750–754) instructs the recipient to look into a claim of maltreatment brought to his attention, restore the plaintiff his rights if what he claims is true and not to let any maltreatment occur to his subjects (*fa-unzur fimā dhakara ... fa-istakhrij lahu haqqahu minhu ... wa-lā tuqarrir mazlīmat*).<sup>25</sup> Let us now turn to the kind of cases that are attested in the papyri, the kinds of punishments that were applied, and by whom.

### 3 Crimes and Punishments

The judicial net in the early Islamic countryside was cast widely, and covered both men and women, of high and low status.<sup>26</sup> A variety of punishments were used, including imprisonment, from which no one was automatically immune.

Fluctuation in the documentary record has been connected to periods of social-political unrest, leading the state to increase its control of people’s movements.<sup>27</sup> Developments towards greater centralisation of state processes similarly led to an expanded state presence and increased penetration by government institutions, with greater supervision giving rise to a correspondingly wider range of possible offences.<sup>28</sup> Such periods witnessed more examples of punishment, fines and incarceration.

25 Werner Diem, “Drei amtliche Schreiben aus frühislamischer Zeit (Papyrus Erzherzog Rainer, Wien),” *Jerusalem Studies in Arabic and Islam* 12 (1989): no. 1.

26 For the imprisonment of slaves, see the example of a female slave about whom two parties have a disagreement and which was kept (incarcerated?) by a third person (David-Weill et al., “Papyrus arabes” no. 25, eighth century). According to Islamic law slaves were liable for crimes committed, although their owner was responsible in some cases of criminal justice. Cf. the discussion on class justice and slaves in prison in the Roman, Byzantine and Late Antique world in Jens-Uwe Krause, *Gefängnisse im Römischen Reich* (Stuttgart: Franz Steiner Verlag, 1996), 137–151, 203–212.

27 Delattre (in this volume) discusses how safe conducts issued to check very localised movement in Upper Egypt might be connected to a period of unrest. The large number of makeshift prisons prepared out of dwellings and other buildings during the conquest must have been motivated by an increased need to detain individuals, including prisoners of war (Sean W. Anthony, “The Domestic Origins of Imprisonment: An Inquiry into an Early Islamic Institution,” *Journal of the American Oriental Society* 129 (2009): 572–573).

28 See the more frequent references to fugitives as a result of an increase in the supervision,

The most frequently attested instruments for maintaining control through punishment and deterrent were fines and physical constraint. Prisons played a major role in both instances, and they are frequently attested in the papyri.<sup>29</sup> References to physical abuse as punishment, on the other hand, are extremely rare in the papyri, with crucifixion, flogging and the shaving of hair and beards attested in only a handful of texts.<sup>30</sup> Fines, on the other hand, are very frequently mentioned (see below).

As in other pre-modern societies, imprisonment rarely functioned as a punishment per se, but rather to hold people waiting to be tried, or as a means to compel (or others on their behalf) the payment of monies owed either as a result of conviction or other entanglements.<sup>31</sup> Detaining family members was also used to apply pressure on felons who had absconded or who were oth-

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recording and interference with people's movements at the end of the seventh beginning of the eighth century (Sijpesteijn, *Shaping a Muslim State*, 100–102).

29 Legal and literary sources pay much less attention to punitive imprisonment than to physical punishments, public parading and the like. Cf. Irene Schneider, "Imprisonment in Pre-Classical and Classical Islamic Law," *Islamic Law and Society* 2 (1995): 166.

30 Crucifixion: *P.Ryl.Arab.* I 1 14, eighth century, provenance unknown; flogging *P.Lond.* IV 1384; *P.Heid.Arab.* I 3, both dated 709, provenance of both is Ishqūh; shaving hair and beard: Sijpesteijn, *Shaping a Muslim State*, no. 31, dating to the first half of the eighth century, provenance is al-Fayyūm; *P.Heid.Arab.* I 3 dated 90/709, provenance Ishqūh. Cf. Petra M. Sijpesteijn, "Shaving Hair and Beards in Early Islamic Egypt: Muslim Innovation or Universal Punishment?" *al-Masāq: Journal of the Medieval Mediterranean* 30, no. 1 (2018): 9–25. Cf. Reinfaundt, "Law and Order;" idem, "Crime and Punishment in Early Islamic Egypt (642–969)," in *Proceedings of the Twenty-Fifth International Congress of Papyrology, Ann Arbor 2007*, ed. Traianos Gagos, American Studies in Papyrology (Ann Arbor: University of Michigan Press, 2010), 633–640. For literary references to crucifixion, see Sean W. Anthony, *Crucifixion and Death as Spectacle: Umayyad Crucifixion in Its Late Antique Context* (New Haven, CT: American Oriental Society, 2014).

31 In the Muslim world, imprisonment as punishment occurred occasionally especially in the context of *ta'zīr* (Schneider, "Imprisonment," 161–165; idem "Sidjn," in *Encyclopaedia of Islam*, 2nd ed., vol. 9 (Leiden: Brill, 1997), 9:547–548; Nejmeddine Hentati, "La Prison en Occident musulman médiéval," *Arabica* 54 (2007): 151–152; Rebecca Gould, "Prisons before Modernity: Incarceration in the Medieval Indo-Mediterranean," *al-Masāq: Islam and the Medieval Mediterranean* 24 (2012): 181–182). Cf. Frantz Rosenthal, *The Muslim Concept of Freedom* (Leiden: Brill, 1960). In mediaeval Malikite legal treatises imprisonment is discussed as a form of correction (*ta'dīb*), repression (*ajr*) and to result in repentance (*tawba*) (Hentati, "Prison," 153–154), but long-term incarceration is considered not to be part of the system of Islamic penal law (Rudolph Peters, *Crime and Punishment in Islamic Law: Theory and Practice from the Sixteenth to the Twenty-First Century*, Themes in Islamic Law 2 (Cambridge: Cambridge University Press, 2005), 34). In Italy punitive incarceration was used not before the thirteenth century (Guy Geltner, *The Medieval Prison: A Social History* (Princeton: Princeton University Press, 2008)). In the Roman and Byzantine empires imprisonment was similarly only rarely used as a punishment per se (Krause, *Gefängnisse*, 64–91).

erwise absent. Thus the ninth-century writer of a short note in Arabic orders Biqṭur the miller from Anṣīna, his family or his father and son, to report for detention.<sup>32</sup> In another late ninth-century letter the sender relates that his father was imprisoned on account of a dinar owed to a tax-collector. Once the father was released, presumably on the promise of the debt being paid, the sender refused to pay anything at all!<sup>33</sup>

One of the most common causes for incarceration was the non-payment of debts or fines.<sup>34</sup> The purpose of imprisonment in this instance was to force the prisoner to pay the money he owed, either from his own assets or through the help of a third party. In a seventh-century Coptic letter a group of prisoners asks the addressee to come urgently to the gaol with money – or else “there will be no life left in us” – presumably to pay off the outstanding debt that had led to them being imprisoned.<sup>35</sup> In another eighth-century Coptic letter the writer asks the addressee to pray for the release of a certain Azarias who has been taken hostage (Gr. *homēros*), probably because of unpaid debts.<sup>36</sup> Another seventh-century case describes how the abbot Pdjege was arrested by a *diokētēs* because the money he owed was not guaranteed in time (or correctly). The sender urges the addressee to pay the outstanding debt so that Pdjege can be released.<sup>37</sup> The sender of an eighth-century Arabic letter writes that he was unexpectedly fined and arrested (*asaʿānī fī al-ghurm wa-l-sijn*) when entering a village. He was released when, as he writes, “I sold everything which I and my family own,” apparently to pay a financial claim, a fine or debt.<sup>38</sup> Similarly, a ninth-century letter describes how a certain Ishāq b. Barī, ʿIsā b. Yaḥyā and Yaḥyā, the oil merchant, were incarcerated because no guarantee was given on their behalf for the harvest they had to produce on the land for which they were responsible. The addressee’s letter – possibly containing such a guarantee – was supposed to make a difference in their case.<sup>39</sup> Finally, an order to release a certain Yuḥannis b. Kināna states that Abū Rāzī stands guarantor for Yuḥannis and agrees to pay his debt when Yuḥannis is set free.<sup>40</sup> Some of the Coptic “letters of protection” asserting the recipient’s right “to return home” can certainly be

32 *P.Ryl.Arab.* 1113.

33 *P.Hamb.Arab.* 1117, provenance Armant.

34 This is also the form of imprisonment that Muslim jurists pay most attention to (Schneider, “Imprisonment,” 169).

35 *P.Mon.Epiph.* 177, provenance Jēme.

36 *O.Frangé* 632, provenance Thebes.

37 *P.KölnÄgypt.* 1144, provenance unknown.

38 *P.Khalili* 114, provenance not mentioned.

39 *CPR* XVI 11, provenance not mentioned.

40 *P.Ryl.Arab.* 1115 = *Chrest.Khoury* 185, ninth century, provenance al-Ashmūnayn.

interpreted as allowing prisoners to be released after their fine, taxes, or other debts had been paid or guaranteed for. In one case, the guarantor and sender of the letter promises to make sure no one will arrest the recipient of the letter. The sender of the protection letter thus stood guarantor for or paid the money the recipient owed.<sup>41</sup> Some of the protection letters state that the protector and sender of the letter will not detain or confine the recipient, presumably because the debt has been guaranteed or paid off.<sup>42</sup> Proof of lack of funds, on the other hand, could be used as grounds for releasing a prisoner.<sup>43</sup> The emphasis by certain prisoners on their 'poverty' might be a reference to this.<sup>44</sup> In a ninth-century letter the sender pleads that his fiscal debt be removed stating "if I will be incarcerated, I will starve to death."<sup>45</sup>

Non-payment of taxes could lead to imprisonment by the authorities. At the beginning of the eighth century certain inhabitants of the Upper Egyptian town of Ishqūh were incarcerated because they had failed to pay their *jizya*.<sup>46</sup> During Qurra b. Sharīk's governorship, pagarchs also took to imprisoning taxpayers who were behind in their *jizya*.<sup>47</sup> That the Arab system of strict fiscal documentation and the more comprehensive tax collection – and heavier tax burden – it allowed did indeed weigh heavily on the Egyptians can be inferred from an eighth-century list of prisoners and their crimes. Four men were in prison because they had burnt a tax role, presumably in an attempt to sabotage the imposition of tax payments.<sup>48</sup> The ninth-century writer who was pressured by a tax-collector to pay a dinar and faced his father's imprisonment as a pressure measure to pay up has been discussed already above.<sup>49</sup> Even well-to-do inhabitants were held for non-payment to the fisc, such as a certain Abū al-Faḍl in the ninth century, who was only able to be released after he had paid 350

41 *P.Vind.Copt.* 184. I would like to thank Eline Scheerlinck for this reference and her and Jennifer Cromwell for a better understanding of these letters.

42 *P.Scholl* 12, sixth–seventh century or later, provenance unknown; *O.Crum* vc 11, sixth–eighth century, provenance Thebes. I would like to thank Eline Scheerlinck for these references.

43 See the prisoner in Mamluk Cairo claiming bankruptcy to a Hanafi judge who would have been more likely to grant his release on this basis (Petra M. Sijpesteijn, "Financial Troubles: A Mamluk Petition," in *Jews, Christians and Muslims in Medieval and Early Modern Times: A Festschrift in Honor of Mark R. Cohen*, eds. Arnold E. Franklin et al. (Leiden: Brill, 2014), 352–366). Cf. Schneider, "Imprisonment," 159–160.

44 Schneider, "Sidjn;" idem, "Imprisonment;" idem, "Freedom and Slavery in Early Islamic Time (first/seventh and second/eighth Centuries)," *al-Qantara* 28 (2007): 353–382.

45 *P.Heid.Arab.* II 30.

46 *P.Cair.Arab.* III 153, dated 91/710, provenance Ishqūh.

47 *P.Cair.Arab.* III 155, dated 91/710 provenance Ishqūh.

48 *P.Horak* 64.12–14, provenance al-Fayyūm.

49 *P.Hamb.Arab.* II 17, dating to 870–900, provenance Armant.

dinars to the collector. Abū al-Faḍl was most probably a tax farmer himself who had failed to collect the taxes for which he was responsible in time.<sup>50</sup>

Corvée labour was another cause of confinement. Workers who were forced to fulfil some labour in their place of residence or much further away were sometimes imprisoned until the job was fulfilled or until they arrived in the place where they had to do the work. A group of workers summoned to the district capital in the second half of the seventh century is transported on boats under the supervision of a soldier and their wives are kept hostage until they have safely arrived.<sup>51</sup> Another kind of documentation shows how people interfere on behalf of corvée workers being confined (to be sent away) to complete some forced labour. The *anystēs* Senouthios in Ashmūn receives requests from different individuals to release workers kept to fulfil some forced labour, sometimes suggesting that the confinement was initiated without an order from the authorities.<sup>52</sup> Indeed a series of orders related to other individuals instruct Senouthios to release different individuals mistakenly kept to fulfil corvée labour.<sup>53</sup> Another petition and response show how such orders might have reached Senouthios. In 643/644, the pagarch Athanasios, Senouthios' supervisor, receives a request to prevent a specialised worker engaged in a hydraulic installation to be sent to work in Babylon.<sup>54</sup> The latter request was reviewed positively as the order to Senouthios to release a group of workers, amongst whom the hydraulic worker, that is written on the back of the petition shows.<sup>55</sup> A similar request dating to the seventh century asks the secretary of a village in the Fayyūm not to send some wine growers to Babylon for work related to the wheat collection.<sup>56</sup>

The apprehension of fugitive peasants who had evaded their tax payments or ceased working their tax-liable lands was a perennial concern of the Arab authorities as it had been of all Egyptian rulers before them. By running away the peasants not only deprived the fisc of their current taxes, they also threat-

50 *P.Cair.Arab.* IV 290, provenance not mentioned. For similar cases of seemingly bankrupt tax collectors in the eighth century, see the examples in Sijpesteijn, *Shaping a Muslim State*, 162–163.

51 *P.Apoll.* 18, dating to 660–676, provenance Idfū.

52 *CPR XXX* 17, 20, 21.

53 Jean Gascoü, "Trois ordres de liberation d' époque arabe," in *Papyri in Memory of P.J. Sijpesteijn*, eds. A.J. Boudewijn Sirks and Klaas A. Worp, *American Studies in Papyrology* 40 (Chippenhams: The American Society of Papyrologists, 2007), 166–167, nos. 24a–c; *CPR XXX* 24–27; *SB XX* 14446; *SB XXVI* 16350, both cited in *CPR XXX* pp. 239–240.

54 *CPR XXX* 18.

55 *CPR XXX* 19.

56 *SPP X* 128 cited in Gascoü, "Trois ordres," 166.

ened the tax office's future income. With taxes being imposed on communities as a whole based on the amount of arable land available, a diminishing workforce put additional pressure on the remaining peasantry, who continued under the same tax burden with fewer hands.<sup>57</sup> While maintaining an infrastructure to exploit as much taxable land as possible was important, the government's most pressing concern was ensuring up-to-date and accurate documentation of all tax-payers and taxable properties. Migration was permitted as long as newcomers were properly entered in the fiscal ledgers. The recording of incoming and outgoing migrants was thus at least as important.<sup>58</sup> Presumably the fine of three solidi per person mentioned in the papyri concerned fugitives who had tried to remain below the fiscal radar in their new place of residence.<sup>59</sup> The same amount of three solidi (as well as ten) is mentioned by literary sources as a fine for fugitives who are returned to their original place of residence.<sup>60</sup> Administrators were also urged to apply themselves with particular diligence to the problem of fugitive peasant tax-payers. Hefty fines and even physical punishments were imposed on the officials who did not do their utmost to round up and send on fugitives hiding in their district.<sup>61</sup> Perhaps "Samuel, the field-guard," who is sought by "Sarpion, foreman of the cultivators and the men of the same village," also played some role in supervising the workers on his fields, as well as the fields themselves.<sup>62</sup>

Other forms of dereliction could also lead to fines for government officials. Fines were incurred by pagarchs who did not transfer in a timely enough man-

57 Sijpesteijn, *Shaping a Muslim State*, 194. See also the requests to release prisoners so that they can help work the land (below nn. 112–116).

58 Sijpesteijn, *Shaping a Muslim State*, 94–99. Lists of immigrant and emigrant fugitives are asked for from the pagarch Papas in the mid-seventh century (*P.Apoll.* 13, provenance Idfü) and from Basileios (*P.Lond.* IV 1333, provenance Ishqūh) in the early eighth century.

59 *P.Apoll.* 13; *P.Apoll.* 14, both dating to 660–676, provenance of both is Idfü.

60 Sijpesteijn, *Shaping a Muslim State*, 97 n. 342.

61 The village headman (*lashane*), Pnaison son of George, promises to capture and put in prison any fugitives hiding on 'his' lands after having been assigned a heavy fine for failing to do so (*P.Lond.* IV 1528, dating to ca. 709, provenance Ishqūh). The duke of the Thebaid threatens any pagarch failing to bring up fugitive workers from their district a 1,000-solidi fine or even the death penalty (*P.Apoll.* 9, dating to 660–676, provenance Idfü). Officials assigned the specific task of gathering up fugitive peasants were appointed in early eighth-century Egypt (*P.Lond.* IV 1332 and 1333, dating to 709, provenance Ishqūh). Abnūla, the village headman (*māzūt*), is also addressed concerning some fugitive tax-payers falling under his jurisdiction in an eighth-century Arabic letter (*PERF* 606).

62 *P.Ant.* III 189, dating to the sixth–seventh century, provenance Anṣīna.



ner the taxes that their district owed.<sup>63</sup> Corruption and mistreatment of taxpayers was punished even more severely by the central authorities. In his ninth-century letter of appointment, a village headman (*wālī al-qarya*) is ordered to punish “anyone who imposes upon the subjects what is forbidden” (*man tajāwaza mā yunhī ‘anhu ilā al-ra‘īya*).<sup>64</sup> In one of his letters, the governor Qurra b. Sharīk writes to the pagarch Basileios of Ishqūh, “if you catch one of the tax-collectors acting unlawfully towards the population or taking more than you assigned to him, then flog him a hundred times, shave his hair and beard, and fine him thirty dinars after you have recovered the excess amount.”<sup>65</sup>

Several documents record how individuals, whether of their own free will or without their (explicit) permission, were held accountable for an alleged malefactor’s actions, including being incarcerated. Family members could indeed be used as hostages to exact payments or compel certain behaviours. Payments or guarantees offered for the release of indebted family members have already been treated above, as well as the imprisonment of family members in lieu (cf. nn. 32–33). Other cases of the imprisonment or involvement of family members include an eighth-century Greek papyrus that lists the names of women whose husbands had absconded.<sup>66</sup> Whether they had become liable for the taxes on and upkeep of their husbands’ lands, or functioned as guarantors for their husbands’ return is not clear. In the second half of the seventh century, the pagarch Papas of Idfū is ordered to take precautions so that a group of workers summoned to the district capital will not run off. He is to transport them on boats under the supervision of a soldier and keep their wives hostage until “a letter of mine (i.e. the district’s head) concerning them arrives,” presumably to inform the pagarch that the men have safely arrived.<sup>67</sup> In ca. 643 the *anystes* Senouthios is ordered to release a certain Makaris who was imprisoned on account of some corvée labour, because his son was already sent somewhere else.<sup>68</sup> Another papyrus letter records a wife’s complaints about having been harassed, possi-

63 Reinfaundt offers a list of papyri mentioning fines for tax officials (“Law and Order,” 672, n. 91).

64 *P.Ryl.Arab.* 1 I 17, provenance not mentioned.

65 *P.Heid.Arab.* 1 3.48–56, dated 91/710, provenance Ishqūh.

66 *P.Horak* 66; *CPR* XXII 35. Other examples from the Islamic period: *P.Apoll.* 18; 42, provenance Idfū; Frederico Morelli, “P.Brook. 26, mogli, tasse e ξένοι. Un problema di punti di vista,” *Zeitschrift für Papyrologie und Epigraphik* 130 (2000): 218–222; *SPP* X 252. Similar practices existed in pre-Islamic Egypt (examples listed in Sofia Torallas Tovar, “Violence in the Process of Arrest and Imprisonment in Late Antique Egypt,” in *Violence in Late Antiquity: Perceptions and Practices*, ed. Harold A. Drake (London: Ashgate, 2006), 103, n. 9).

67 *P.Apoll.* 18, dating to 660–676, provenance Idfū.

68 Gascou, “Trois orders,” 164, 167, no. 24c.

bly even arrested, over the taxes her husband, who was absent from his place of residence, had to pay.<sup>69</sup> Finally, a woman arrested for her brother's misdeeds appears in a list of prisoners.<sup>70</sup>

Beyond family members, others in the culprit's environment could also be apprehended. The boatman in the service of a shipper about whose tax payments in his place of residence there was some uncertainty was arrested in the second half of the seventh century.<sup>71</sup> Similarly, the monk working the lands belonging to the monastery of Bawīṭ was arrested because the taxes due on the lands were not paid.<sup>72</sup> It is not clear whether those standing guarantor for fugitives listed in eighth-century papyri did so 'with their body' or financially.<sup>73</sup> Interestingly, Islamic law prohibits offering guarantees against one's life or body parts. In other words, one cannot agree to be imprisoned or undergo physical punishment in someone else's stead.<sup>74</sup>

Guarantee documents in which individuals stand guarantor for payments or services to be provided by a third person abound in the papyrological record. Guarantee declarations appear at the end of debt acknowledgements, obliging a third party to pay the money owed in the event that the debtor is unable to do so,<sup>75</sup> as for example in an eighth-century Coptic letter in which the sender states that he will make sure no one will arrest the recipient of the letter, thereby standing guarantor for (or already having paid) anything the recipient owed.<sup>76</sup> Above (nn. 40–42) cases in which imprisoned debtors are released or request the release through a guarantor who pays off or guarantees to pay off their debt. An interesting case is related in a letter dated to between 671 and 730. The sender rebukes the addressee's accusation of having incarcerated a certain 'Abd al-Raḥmān for whose release he had worked

69 *P.Apoll.* 42, dating to 651–700, provenance Idfū.

70 *SPP X* 252, dating to the Arab period, provenance al-Fayyūm.

71 *P.Apoll.* 39, dating to 651–700, provenance Idfū.

72 *P.Kölnägypt* 11 43, seventh–eighth century, provenance Bawīṭ.

73 See for example *P.Lond.* IV 1518, 1519, 1521, provenance Ishquh. Cf. *P.Apoll.* 13.1, commentary, provenance Idfū.

74 Apparently this did occur in Roman Egypt (Torallas Tovar, "Violence," 103, n. 10). The Islamic prohibition of debt slavery seems related (Irene Schneider, *Kinderverkauf und Schuldknechtschaft: Untersuchungen zur frühen Phase des islamischen Rechts*, Abhandlungen für die Kunde des Morgenlandes vol. 52, no. 1 (Stuttgart: Kommissionsverlag Franz Steiner, 1999), 57–278; idem, "Freedom," 362), as is the discussion concerning selling family members and other free individuals into slavery (Schneider, "Freedom," 369–377).

75 *CPR XXVI* 19.13–14, ninth century, provenance al-Fayyūm; 30. 13, dated 1188, provenance al-Ashmūnyn. Further examples are listed in the commentary.

76 *O.Vind.Copt.* 184. I would like to thank Eline Scheerlinck for this reference.

hard at the addressee's request. The addressee had complained that the sender did not work fast enough in organising that 'Abd al-Raḥmān, who is kept by a third person, is set free. The sender relates that he only managed to secure 'Abd al-Raḥmān's release by promising that the addressee guarantees to present 'Abd al-Raḥmān.<sup>77</sup>

Guarantees could also be given for those whose whereabouts were being monitored and who were likely to disappear. That peasants and workers contracted by the Arab-Muslim authorities who were prone to running away were additionally controlled through guarantees has already been discussed above. Guarantees also had to be provided for released prisoners who required ongoing monitoring. Such documents state that the guarantor will, when requested, report with the released prisoner day and night at the prison.<sup>78</sup> Justus, a flax worker, frees Johannes, a dyer, from prison and guarantees he will work in the service of another dyer according to the conditions of his guild, bearing the responsibility for gains or losses himself. If Johannes fails to show up at the workplace or to meet these conditions, Justus will report with him at the prison "where he received him."<sup>79</sup> In requests for safe-conducts allowing the holders to travel freely, guarantors took responsibility for the return of the travellers and/or the taxes they had to pay in their place of residence.<sup>80</sup>

Guarantors generally promised to pay a financial recompense in the case of a no-show or non-payment.<sup>81</sup> Sometimes this could, of course, lead to the guarantor landing in gaol if he could not pay the promised sum. In the second half of the seventh century, the duke Zubayd b. Khudayj ordered the pagarch Pappas of Idfū to send the bearer of his letter to an unknown destination, demanding guarantors to make sure the bearer left.<sup>82</sup> A seventh/eighth-century papyrus

77 *CPR* XVI 27.

78 *CPR* XXIV 32, dating to 651, provenance Madīnat al-Fayyūm; *SB* VI 9146, eighth century, provenance Ihnās. This phrase/practice is also used in Byzantine guarantee declarations. For examples from narrative sources, see Mathieu Tillier, "Les prisonniers dans la société musulmane (IIe/VIIIe–Ive/Xe)," in *Dynamiques sociales au Moyen Âge en Occident et en Orient*, ed. Elisabeth Malamut (Aix-en-Provence: Publications de l'Université de Provence, 2010), 191–212.

79 *SB* XVI 12717, dating to 640–650, provenance Ihnās.

80 E.g. Jakob Krall, "Neue koptische und griechische Papyrus," *Recueil de travaux relatifs à la philologie et à l'archéologie égyptiennes et assyriennes* 6 (1885): nos. 1–4; *P.KRU* 115; 119, both mid-eighth century, provenance Jême; *P.Mon.Epiph.* 255; 458, both seventh century, provenance of all is Jême.

81 Most guarantors promise to pay the money or goods owed instead of the debtor if the latter is unable to do so. E.g. *P.Köln.Ägyp.* II 37, seventh century, provenance Bawīt.

82 *P.Apoll.* 7, dating to 676–725, provenance Idfū.

apparently illustrates both situations in a double guarantee involving three people. In this document, a man promises, if so requested, to bring a woman to prison who herself is acting as a guarantor for her husband, a worker (Gr. *ergatēs*) who had been taken to Fustāt, and to pay four *holokottinoi* if he fails to do so.<sup>83</sup>

Goods or property could be confiscated in the absence of the offender or debtor, or impounded until a payment had been made. In a group of letters dating to 101–102/719–720, a certain ‘Ammār, seemingly some kind of bailiff, is ordered to return goods taken as guarantees – a boat filled with straw, some animals – to their owners.<sup>84</sup> ‘Ammār is additionally instructed not to imprison (Ar. *ḥabasa*) a tax-payer because he was too frail (Ar. *haram wa-maksūr*), although his taxes were overdue, but to take a surety from him instead (Ar. *khudh minhu raḥn*).<sup>85</sup> In the seventh–eighth century two Muslim officials confiscated the possessions of a certain Georgios who had absconded.<sup>86</sup> It is not clear whether the goods were taken in lieu of the amounts outstanding or as a ransom to force Georgios to pay (or show) up. Another early eighth-century document reports how two tax-collectors confiscated some fodder from the fields of the inhabitants of a village who had avoided paying taxes by running away.<sup>87</sup> On the other hand, flexibility is also in evidence: a demand to present a woman to the administration states that nothing should be taken from her.<sup>88</sup>

Beyond the role of the prison as a place to hold people until they paid their due, additional physical sanctions could be applied in prison. In some cases these served to urge the prisoners on to settle the payments which were the cause of their imprisonment. Such a practice is known to have been applied also in Late Byzantine Egypt.<sup>89</sup> In several letters prisoners complain about the severe treatment they received in prison.<sup>90</sup>

Theft is another crime the papyri frequently report on. Some instances of theft were brought before the authorities, others seem to have been dealt with outside the official system, or at least in a more informal manner. The decision to handle a case within or without the judicial system could be influenced by the importance of the people involved. In a ninth-century letter the

83 CPR IV 102, seventh–eighth century, provenance not mentioned.

84 Diem, “Dienstschreiben,” nos. a, c and d.

85 Diem, “Dienstschreiben,” no. b.

86 Discussed in Sijpesteijn, *Shaping a Muslim State*, 161–162.

87 PERF 606, provenance probably al-Fayyūm.

88 PERF 699, ninth century, provenance not mentioned.

89 Torallas Tovar, “Violence,” 101. See also the instances of torture, the use of chains and additional hardship in Roman prisons (Krause, *Gefängnisse*, 276–285, 291–294).

90 See below, the discussion on torture in the section “infrastructure.”

sender reports on the theft of some straw (Ar. *tibn*). He accuses a manumitted slave from his household and asks the addressee, “If you see fit to beat him (Ar. *taqra’ahu*) and to frighten him with a beating, then do so! Perhaps he will return what he took.” Finally, he asks the addressee, who obviously held some position of authority, although it is not clear whether it was in the legal-administrative system, to tell the accused to “keep away from our house.”<sup>91</sup> In another eighth–ninth-century (Arabic) letter, the owner of an estate asks the addressee of his letter to allow him to deal with a theft of 70 bushes of straw on his property himself rather than bringing the case to the attention of the Muslim-Arab authorities.<sup>92</sup> Again, a thief who stole wheat from the bishop’s granaries is charged by the bishop, but if he reoffends he will be led to the administrative offices of the *praetorium*.<sup>93</sup> There is also no indication that an official is handling the case of the “cooks and leather-workers” who are sought “in the matter of the sheep which have been stolen from Pouamp” in sixth–seventh-century Anṣīna.<sup>94</sup>

Other cases of theft, however, did end up in the official system. In an eighth-century Greek papyrus from the Fayyūm oasis a list of prisoners appears with the villages they are from and the crimes they have committed. Amongst others, the following persons are mentioned: “Aphou son of Biktor and Phol(?) son of Damaianos from the village of Sebenetou, because of robes stolen from the shop of Mobaros; Bartholomaios son of Epimachos and Kollouthos son of Phoibammon from Kieratou, because of wine stolen from the shop of the brother; Leontios son of Denouthios and Anastasia wife of Senouthios from Syrou, because of a bull stolen from Allaret”<sup>95</sup> – showing the degree to which the state did not limit its interference to capital crimes, but also involved itself in petty crimes, such as small-scale theft. Another list includes “Apaioulios, carpenter, (imprisoned) because of a cut acacia tree,” which he presumably did without permission.<sup>96</sup> The case of the thieves who are mentioned in an eighth-century document in connection with crucifixion must have been much more serious, perhaps involving highway robbery, as Lucian Reinfandt has suggested.<sup>97</sup>

91 *Chrest.Khoury* 180, provenance unknown.

92 Karl Jahn, “Vom frühislamischen Briefwesen,” *Archiv Orientalní* 9 (1937): 153–200, no. 17, eighth–ninth century, provenance unknown.

93 Foss, “Egypt under Mu’awiya,” 266.

94 *P.Ant.* III 189.

95 *P.Horak* 64.

96 *P.Horak* 66, eighth century, provenance al-Fayyūm.

97 Reinfandt, “Law and Order.”

Another class of crimes recorded in the papyri are associated with the disturbance of public order. Fights and physical altercations are one example.<sup>98</sup> Punishments functioned not only to reprimand the offender, but to deter others. “Punish the man who tricked two visitors and make him an example for others!” writes an official to a lower administrator in a ninth-century letter.<sup>99</sup>

After this overview of the kinds of crimes and punishments seen in documents from the early Egyptian countryside, we should examine what arrangements and instruments were in place for the punishment and incarceration of criminals.

#### 4 Infrastructure

Not much information can be extracted from the papyri about the kind of physical structures that were used to hold people. Existing prisons continued to be used by the conquerors. Whether the references in Greek and Coptic documents to public prisons (Gr. *dēmosia phylakē*) refer to institutions falling under the Arab administration or institutions that continued to be run by those in charge of them in the pre-Islamic period is not clear.<sup>100</sup> The rule in mediaeval Egypt, as elsewhere in the early Muslim empire, seems to have been to convert houses and other improvised buildings into prisons.<sup>101</sup> References in the papyri to prisons with terms suggesting actual buildings (Ar. s. *sijn*; pl. *sujūn*; Gr./Cp. *phylakē*), however, imply that these were distinct and recognisable, and more or less permanent. The order in an early eighth-century letter not to approach the prison indicates a fixed and identifiable building.<sup>102</sup> On the other hand, the fact that prisoners were sometimes shackled perhaps denotes that these ‘prisons’ were less suitable for long-term confinement or only functioning to

98 *P.Horak* 64.14; 66.13, eighth century, provenance al-Fayyūm.

99 *P.Ryl.Arab.* 1112, ninth century, provenance Ramjūs, al-Ashmūnayn.

100 *BGU* III 752, sixth–seventh century, provenance al-Fayyūm; *CPR* XXII 4, dating to mid-seventh c., provenance al-Ashmūnayn; *CPR* XXIV 32, dating to 651, provenance al-Fayyūm; *SB* I 4659, dating to 668 (or 653), provenance al-Fayyūm; *SB* VI 9146, eighth century, provenance al-Ashmūnayn. See also the mention of a “prison of Antinopolis” (Gr. *phylakē tēs antinoou*) (*P.Apoll.* 63, dating 650–699, provenance Idfū).

101 Anthony, “Domestic Origins,” 571–577 and Schneider, “Imprisonment,” 166–167 discuss the many literary references to the conversion of houses into prisons especially during the conquest period. The only prison in Fustāt that al-Maqrīzī (d. 845/1442) lists was a building that had previously served as a house, police station and storage facility (*al-Mawāʿiz wa-l-iʿtibār fi dhikr al-khiṭaṭ wa-l-āthār*, ed. Ayman F. Sayyid (London: al-Furqan Islamic Heritage Foundation, 2002–2003), 3:597–598).

102 Sijpesteijn, *Shaping a Muslim State*, no. 19, provenance al-Fayyūm.

hold prisoners in the absence of more suitable facilities.<sup>103</sup> Once a building was designated as a prison, however, it seems it could function as such for several generations.<sup>104</sup> Other words used for these structures relate to the Arabic root *ḥ-b-s*, referring to the act of detention but give no clues as to the context in which this took place.<sup>105</sup> A case of house arrest seems to be suggested in a ninth-century letter in which the addressee writes, “For a year I was unable to leave the house, since the new official arrived.”<sup>106</sup>

Prisons were ‘open’ structures from where written communications were exchanged with the outside world and visits were allowed from outsiders.<sup>107</sup> Prisoners regularly wrote petitions requesting their own release.<sup>108</sup> Orders for commercial transactions were also given from prison.<sup>109</sup> The transitory nature of prison stays is confirmed by the plans prisoners, who were obviously not expecting extended confinement, made with their correspondents.<sup>110</sup> There were limits though, as an early eighth-century Arabic letter prohibiting someone from approaching the prison suggests.<sup>111</sup>

Confinement could indeed have serious economic repercussions, as inmates were prevented from working. This was especially difficult for agricultural workers, whose activities were tied to the land and the seasonal rhythm and consequently hard to intermit. On several occasions, attempts were made to

103 Stocks or irons are mentioned (*P.Mon.Epiph.* 181; 219) as well as other forms of being tied up (*P.Mon.Epiph.* 177). All these papyri date to the seventh century and originate in Jēme. When the duke of the Thebaid asks the pagarchs to hunt down fugitives, he orders to “bring them back in shackles” (*P.Apoll.* 9, dating to 660–676, provenance Idfū).

104 Anthony, “Domestic Origins,” 572.

105 As is the case in the Qurʾān (Q 5:106; 11:8). Cf. Schneider, “Imprisonment,” 166.

106 ... *fi al-manzil sana wa-mā aqḍuru an akhruja ilā al-ṭariq mundhu waṣala al-ʿamil al-jadīd* (*P.Ryl.Arab.* I VI 5). Cf. the report of similar cases in the literary sources as quoted by Schneider, “Imprisonment,” 167.

107 Literary accounts offer similar evidence for the porousness of prisons (Mathieu Tillier, “Prisons et autorités urbaines sous les Abbassides,” *Arabica* 55 (2008): 387–408; idem, “Prisonniers,” Schneider, “Imprisonment,” 168). See also the account of Bakkār b. Qutayba (d. 270/883) who was able to recite hadiths to an audience through the window of his house where he was kept locked up (translated in Matthieu Tillier, *Vies des cadis de Miṣr* 237/851–366/976, *Cahier des Annales Islamologiques* 24 (Cairo: Institut Français d’Archéologie Orientale, 2002), 70).

108 See the unedited *P.Vindob.* A.P. 3002, ninth, which I am preparing for publication, in which a prisoner explains that he has been taken to prison by some farmers, presumably because of an unpaid debt. Cf. *P.Mon.Epiph* 176; 177, both seventh century, provenance of both is Jēme.

109 To make payments to a third person (*P.Mon.Epiph.* 177, seventh century, provenance Jēme).

110 “We will take six soldiers and come north ...” (*P.Mon.Epiph.* 177, seventh century, provenance Jēme).

111 Sijpesteijn, *Shaping a Muslim State*, no. 19, provenance al-Fayyūm.

get prisoners released so that they could perform their tasks on their farms. In an undated Coptic ostrakon, the sender asks that a prisoner who is needed in “the season of work” be set free.<sup>112</sup> An agent responsible for agricultural lands belonging to the monastery of Bawīt asks the abbot in a seventh–eighth-century Coptic papyrus to pay his tax debt so that the agent will be released and the work he has to do on the land not endangered.<sup>113</sup> In a Greek letter dating to 643–644 to the *anystes* Senouthios in Ashmūn the sender protests that two brothers are ordered simultaneously to work in Babylon as it would endanger the care of their animals. The sender asks that a replacement is sent to the capital for one of the brothers.<sup>114</sup> In a ninth-century petition to an *amīr*, the sender writes that his harvest failed because he was imprisoned and asks to have his tax debt written off.<sup>115</sup> Similarly, the writer of an eighth-century letter, seemingly the agent of an estate-holder, writes that he was unable to take care of his tasks because he had been imprisoned and fined.<sup>116</sup> Besides agricultural work, the completion of expert craftsmanship was threatened by confinement. Specialised handworkers were in demand by the Arab authorities to work on building projects in the provincial capital or one of the other cities in the empire or in the ship wharfs in Alexandria, Fustāt, or Qulzum. The Arab authorities’ orders for labour are often accompanied by the demand that no money or restitution can be sent in lieu of the craftsmen. In petitions requesting the release of specialised workmen it is stated that their expertise cannot be missed in the community.<sup>117</sup>

As a general rule, prisoners had to be provided for by outsiders.<sup>118</sup> In a seventh-century Coptic letter, an undefined number of prisoners ask that their rations, as well as bread, be sent to the prison guard.<sup>119</sup> Shortages of supplies are a frequent sore point, with prisoners regularly complaining of being ‘hungry’.<sup>120</sup>

112 Walter Crum, *Coptic Ostraca from the Collections of the Egypt Exploration Fund, the Cairo Museum and Others* (London: The Egyptian Exploration Fund, 1902), no. Ad 27, provenance and date unknown.

113 *P.KölnÄgypt* II 43, seventh–eighth century, provenance Bawīt.

114 *CPR* XXX 20.

115 *P.Khalili* I 16, provenance not mentioned.

116 *P.Khalili* I 14, provenance not mentioned.

117 *CPR* XXX 18 is a request to prevent a specialized hydraulic worker who is responsible for a cistern to be sent to Babylon for work. Dating to 643–644, provenance al-Ashmūn.

118 This was also the case in the Roman period (Krause, *Gefängnisse*, 290–291).

119 *P.Mon.Epiph.* 177, seventh century, provenance Jēme.

120 *P.Mon.Epiph.* 219, seventh century, provenance Jēme; *P.Apoll.* 18, dating to 660–676, provenance Idfū. For similar complaints recorded in narrative sources, see Matthieu Tillier, “Vivre en prison à l’époque abbasside,” *Journal of the Economic and Social History of the Orient* 52 (2009): 635–659. For examples from hunger prisoners in Roman prisons, see Krause, *Gefängnisse*, 279–282.



More fortunate prisoners made their own arrangements. An Arabic order of payment dated 262/876 records the delivery of 1 1/6 1/48 dinar to an imprisoned druggist for his monthly maintenance.<sup>121</sup> In other cases provisions seem to have been provided through impositions. A seventh-century Greek papyrus contains a list of mattresses intended for prisoners delivered by villages in the Fayyūm.<sup>122</sup>

Transportation to and from the place of confinement could take place by different means. The Arab administration seems to have employed a fleet to transport people and goods up and down the Nile, which also carried prisoners.<sup>123</sup> Caulkers from Idfū ordered to work on the wharves, who had run away, were returned on boats.<sup>124</sup> A letter dated 102/721 refers to the female writer being “kept prisoner on our boats (*sujinnā fī marākibinā*),” though the context is admittedly unclear.<sup>125</sup> The *barīd*, the official postal service, which reported on cases of misbehaviour by government officials, as is recorded in an early eighth-century Arabic papyrus,<sup>126</sup> was on occasion used to move prisoners, although specific references to Egypt are lacking.<sup>127</sup> Soldiers, guards and aides were employed in the service of the administration to capture and guard prisoners. These seem to belong to the general personnel in the entourage of the pagarch.<sup>128</sup> Guards (Ar. *ḥāris/hurrās*; Gr. *phylax/phylakes*) often occur in the papyri. Although their functions are too diverse to associate them exclu-

121 *P.Cair.Arab.* v 351, provenance al-Ashmūnayn, with corrections by Werner Diem, “Philologisches zu arabischen Dokumenten, II: Dokumente aus der Sammlung der Egyptian Library in Kairo,” *Zeitschrift für Arabische Linguistik* 56 (2012): 73–74.

122 Hermann Harrauer, “Matrazen für Gefangene,” *Archiv für Papyrusforschung* 33 (1987): 69–72.

123 They are described as ‘fishing boat’ (Gr. *halieutikos*). Prisoners transported on boats: *P.Apoll.* 18, dating to 660–676, provenance Idfū. Administrative tours conducted on boats: *P.Apoll.* 12, dating to 661–676, provenance Idfū. Pagarch Papas is asked to provide a boat for a tax collection campaign amongst the Blemmyes in the eastern desert (*P.Apoll.* 15, dating to 660–676, provenance Idfū).

124 *P.Apoll.* 9, dating to 660–676, provenance Idfū.

125 Alia Hanafi, “An Arabic Will Written on a Ship,” in *Proceedings of the Twenty-Fifth International Congress of Papyrology, Ann Arbor 2007*, ed. Traianos Gagos, American Studies in Papyrology (Ann Arbor: University of Michigan Press, 2010), 299–306, provenance unknown.

126 *P.Cair.Arab.* III 153, dated 90/709, provenance Ishqūh. Discussed by Adam Silverstein, *Postal Systems in the Pre-Modern Islamic Worlds* (Cambridge: Cambridge University Press, 2007) 71–72. Under caliph al-Manṣūr (r. 136–158/754–775), the *barīd* collected intelligence reports for the authorities (Silverstein, *Postal Systems*, 73).

127 Silverstein, *Postal Systems*, 57, 98.

128 Sijpesteijn, *Shaping a Muslim State*. See also the discussion in Reinfandt, “Law and Order,” 661.

sively with the guarding of people in an administrative context, it seems safe to assume this was also part of their role.<sup>129</sup>

Whether the accounts of physical abuse as reported in several letters should be taken entirely at face value is open to question, since they often appear in the context of petitions.<sup>130</sup> We do have a reference to captured fugitives being flogged in prison, though there it is by no means clear that this was a frequent occurrence.<sup>131</sup> Prisoners could also be shackled during transport or while in prison.<sup>132</sup> Similarly, distinctions were made between prisoners deemed less likely to escape and those who needed to be treated with special care. Fugitives who had returned to their villages of residence – thereby being easier to locate – were ‘merely’ returned to the district’s capital, while fugitives who had settled in places other than their place of origin were to be shackled before they were sent on.<sup>133</sup>

## 5 Solving Conflicts: Administrative Law and Beyond

Cases tried before the law and its representatives as seen in the papyri fall into two categories: (1) civil litigation, in which the case was initiated by the injured party through petitions and the like, and (2) criminal cases, involving serious sentences such as incarceration, fines and execution. In the beginning of the period under discussion Muslim legal institutions and infrastructure, such as courts, judges (Ar. s. *qādī*; pl. *quḍāt*), law schools and legal scholars familiar

129 See the discussion by Albert Dietrich, *Arabische Briefe aus der Papyrussammlung der Hamburger Staats- und Universitäts-Bibliothek* (Hamburg: J.J. Augustin, 1955), 47–48; Adolf Grohmann, “Der Beamtenstab der arabischen Finanzverwaltung in Ägypten in früh-arabischer Zeit,” in *Studien zur Papyrologie und antiken Wirtschaftsgeschichte: Friedrich Oertel zum achtzigsten Geburtstag gewidmet*, ed. Horst Braunert (Bonn: R. Habelt, 1964), 131; Sijpesteijn, *Shaping a Muslim State*, 306.

130 See for example a claim of having the hands maimed and having been left to urinate without being able to cover oneself (*P.Mon.Epiph.* 178); of having been “hung up backwards” (*P.Mon.Epiph.* 177); of having been kept in stocks (*P.Mon.Epiph.* 181), all seventh century, provenance of all is Jēme.

131 A fugitive receives 40 lashes in prison (*P.Lond.* IV 1384, dated 710, provenance Ishqūh).

132 Stocks or irons in prison are mentioned (*P.Mon.Epiph.* 181; 219), as well as other forms of forcible restraint (*P.Mon.Epiph.* 177, all dating to the seventh century, provenance of all is Jēme). Fugitives being returned to their place of residence: *P.Apoll.* 9, dating to 660–676, provenance Idfū. See also the unfortunate who claims to have been “put in irons” (Sijpesteijn, *Shaping a Muslim State*, no. 31, dating to ca. 730, provenance al-Fayyūm). For similar complaints recorded in narrative sources, see Tillier, “Vivre en prison.”

133 *P.Apoll.* 9, dating to 661–676, provenance Idfū.

from the later period, were still in development. The first documentary evidence of *qāḍī* justice being applied in Egypt dates from 141/758–759 from the capital Fustāt.<sup>134</sup> References to *qāḍīs* in the Egyptian countryside date to the eighth century, but it is not clear in what capacity they were operating there.<sup>135</sup> Only in the ninth century is a systematised, *qāḍī*-based legal system observable.<sup>136</sup>

Throughout the period under study, most criminal cases, as well as questions of public order, were in practice dealt with by officials in charge of public security (governors, district officials, village headmen), as had been the case in the Byzantine period.<sup>137</sup> People ended up in the hands of the administrative authorities in two ways. The authorities initiated the punishment of offenders such as tax refugees, but also corrupt officials who had overcharged or mistreated tax-payers. Conflicts between private individuals, but also claims of mistreatment, abuse, theft or assault by one individual against another, were brought before officials in person or via a written petition or complaint.<sup>138</sup>

These administrative officials assigned discretionary punishments on the basis of a simplified procedure, without the formal rules of evidence established in later Islamic legal theory. In some cases lower officials might then examine the cases, gathering evidence and calling in witnesses. This procedure, summarised in later legal texts under the heading of *siyāsa* and *taʿzīr*

134 The famous letter written by governor Mūsā b. Ibrāhīm (in office 141/758–759) mentions *qāḍī* Ghawth b. Sulaymān (Tillier, “Pagarque,” 31ff., provenance Aswān). A small note sent by Ghawth b. Sulaymān exists as well (Tillier, “Deux papyrus,” no. 1, provenance Fustāt). Literary sources discuss earlier appointments in Fustāt. ‘Amr b. al-ʿĀṣ is said to have appointed Qays b. Abī al-ʿĀṣ as the first *qāḍī* in Fustāt immediately following his conquest of the country in 23/643 (Muḥammad b. Yūsuf al-Kindī, *Kitāb al-wulāt wa kitāb al-quḍāt*, ed. Rhuvon Guest as: *The Governors and Judges of Egypt* (Leiden: Brill, 1912), 300–301).

135 Sijpesteijn, *Shaping a Muslim State*, 403.

136 Tillier, “Pagarque,” 20, 35; idem, *Histoire des cadis égyptiens (Aḥbār quḍāt Miṣr)* (Cairo: Institut français d’archéologie orientale, 2012), introduction; Petra M. Sijpesteijn, “Delegation of Judicial Power in Abbasid Egypt,” in *Legal Documents as Sources for the History of Muslim Societies: Studies in Honour of Rudolph Peters*, eds. Maaiké van Berkel, Léon Buskens and Petra M. Sijpesteijn (Leiden: Brill, 2017), 61–84. For court orders from the tenth century, see above n. 21.

137 Bernhard Palme, “The Imperial Presence: Government and Army,” in *Egypt in the Byzantine World 300–700*, ed. Roger S. Bagnall (Cambridge: Cambridge University Press, 2007), 256–257; Keenan, Manning and Yiftach-Firanko, *Law and Legal Practice*, 470–471.

138 Documents referring to cases brought in front of the authorities use verbs with the meaning “report” (*balagha*, *dhakara*, *akhbara*) which could be in oral or written form, but can also refer explicitly to the presence of the plaintiff in person. See for example the letter dated 90/709 in which the sender mentions that the addressee sent him someone from his district with a request or complaint (*qad arsalta ilayya bi-l-nabaṭī*) (*P.Cair.Arab.* 111 152.3–4, provenance Ishqūh).

and pertaining to offences not covered by the *sharī'a*, continued to exist in the fully developed Islamic legal system.<sup>139</sup> The exclusive presence in the Arabic documentation of administrative lawmakers should thus not be straightaway explained as evidence for the overall absence of a legal system based on Islamic premises.<sup>140</sup>

Conversely, the appearance of legal documents drawn up according to an Arabic-Muslim legal practice – starting directly following the Arab conquest of Egypt<sup>141</sup> – does not necessarily imply the presence of an Islamic legal infrastructure. In other words, legal documents could be drawn up and legal transactions executed according to Islamic law without the participation of a Muslim court, judge or other formal representative of the official legal system. Where and by whom knowledge about how to document legal transactions correctly was located in the countryside remains a question to be examined. Muslim legal authority was also present in the order of (professional) witnesses instituted in 174/790 in Fustāṭ. The names of witnesses verifying the legal transactions recorded in the documents appear from the late eighth century onwards at the end of these documents.<sup>142</sup> Verification and registration of the transaction documents, as well as the handling of disputes arising from the transactions themselves would have been handled by the court in Fustāṭ.

Beyond the administrative framework, local power-brokers – religious leaders, estate-holders, village headmen and representatives of other socio-economic forces – played a role in cases of litigation, covering, initially, the criminal law as well. Disputes arising from assault, theft and other (alleged) crimes were solved with their help. Accused and convicted criminals turned to them for assistance, and they also figured in the tracking down, conviction and punishment of offenders. This was a continuation of their role in the Byzantine legal system, where both public law courts and legal-administrative functionar-

139 Peters, *Crime and Punishment*, 67–68.

140 While hardly any evidence of the application of *ḥadd* punishments occurs in the papyri – for the exception to this rule, see the reference to crucifixion in relation to thieves (*P.Ryl. Arab.* 1 1 14, eighth century, provenance not mentioned) – this can also be related to the reluctance of Muslim society to apply such punishments (Peters, *Crime and Punishment*, 73). For a definition of 'Islamic law' as the legal system of a Muslim polity without the necessary involvement of a *qāḍī*, see Tillier, "Pagarque," 33.

141 See the list of tax receipts (earliest dated to 22/643), quittances (earliest seventh–eighth century) and legal claims or debt acknowledgements (earliest dated 42/662) listed in Jelle Bruning, "A Legal *Sunna* in *Dhikr Haqq*s From Sufyanid Egypt," *Islamic Law and Society* 22 (2015): 1–23.

142 Geoffrey Khan, *Bills, Letters and Deeds: Arabic Papyri of the seventh to eleventh Centuries* (Oxford: Khalili Collections, 1993), 173.

ies existed side by side with institutions run by heads of local religious and economic constituencies (abbots, bishops, large estate-holders).<sup>143</sup>

That an indigenous legal infrastructure continued to operate after the arrival of the Arabs is clear from references to judges (Gr. s. *dikastēs*) and law courts (Gr. s. *dikasterion*) in Greek and Coptic papyri dealing with cases of property and personal law, from the seventh and eighth centuries.<sup>144</sup> Even later, in keeping with their *dhimmī* status, Egyptian Christians and Jews maintained their own law courts, which dealt with issues pertaining to personal status, such as marriage, divorce and inheritance, as well as ritual and personal behaviour.<sup>145</sup> Affairs relating directly to the church or other non-Muslim religious institutions would also typically have been dealt with internally.<sup>146</sup> Although the

143 For legal authorities outside the public system, see for example the early seventh-century documents related to Pisentios bishop of Coptos (in office 599–632) (Terry G. Wilfong, *Women of Jeme: Lives in a Coptic Town in Late Antique Egypt* (Ann Arbor: University of Michigan Press, 2002), 38–41), or those pertaining to the *epoikia*, estates (Jean Gascou, “Les grands domaines, la cité et l’État en Égypte Byzantine,” *Travaux et Mémoires* 9 (1985): 1–90). Cf. Olivia Robinson, “Private Prisons,” *Revue internationale des droits de l’antiquité* 15 (1969): 389–398.

144 E.g. a document dated to 648 mentions a judge (*SPP* XX 243, provenance Medīnat al-Fayyūm). A Greek contract of sale attests a *dikasterion* (*SB* VI 8987, dating to 644–645, provenance al-Bahnāsa). See also the agreement dated 647 concerning a mortgaged house in which judges and a court are mentioned (*SB* VI 8988, provenance Idfū). In the second half of the seventh century a tribunal and judge were involved in the decision in a dispute between a son and his mother (*P.Apoll.* 61, provenance Idfū). A Greek-Coptic will dated ca. 695 mentions the court (*P.KRU* 65, provenance Jēme). Eighth-century Coptic and Greek sales contracts from Thebes mention a court (*dikasterion*) (*CPR* IV 26, eighth century; *P.KRU* 38, dating to the first half of the eighth century; *P.KRU* 21, dating to 725; *P.KRU* 38, dating to 725–726; *P.KRU* 13, dating to 733; *SB* I 5609 + *P.KRU* 106, dating to 734; *SB* I 5558 + *P.KRU* 5, dating to 733–748; *SB* I 5601 + *P.KRU* 90, dating to 747–748; *SB* I 5557 + *P.KRU* 4, dating to 749; *P.KRU* 11, dating to 753; *P.KRU* 20, dating to 759; *SB* I 5596 + *P.KRU* 84, dating to 770; *SB* I 5606 + *P.KRU* 99, dating to 780) and judges (*dikastēs*) (*SB* I 5590, dating to 723). For a discussion on how to read these references, see Michael Morony, “Religious Communities in the Early Islamic World,” in *Visions of Community in the Post-Roman World: The West, Byzantium and the Islamic World, 300–1100*, eds. Walter Pohl, Clemens Gantner and Richard Payne (London: Routledge, 2012), 155–163.

145 Uri Simonsohn, *A Common Justice: The Legal Allegiances of Christians and Jews Under Early Islam* (Philadelphia: University of Pennsylvania Press, 2011). For a system based on personal (rather than territorial) law which developed in the late antique Near East and Mediterranean, see Morony, “Religious Communities.”

146 But see the canonical law codes threatening those ecclesiastical officials who turn to the Muslim courts to raise church affairs (Uri Simonsohn, “Blessed are the Peace Makers: An Ecclesiastical Definition of Authority in the Early Islamic Period,” in *Mediations on Authority*, ed. David Shulman, Martin Buber Society of Fellows Notebook Series (Jerusalem: Magnes Press, 2013), 101). Cf. Reinhardt, “Law and Order,” 667, n. 67 which quotes al-Maqrīzī’s remark that the Egyptian Christians had their own courts to deal with internal

courts that operated under the first decades of Muslim rule were simply a continuation of pre-Islamic institutions, rather than distinctive *dhimmī* courts, with the development of Islamic legal institutions, Christian and Jewish courts and legislation specialised as well.<sup>147</sup> Channels for informal arbitration of conflicts, in family but also in civil law cases, existed throughout the period in parallel with the public system, also in its fully developed form.<sup>148</sup>

## 6 Professionalisation and Islamicisation

The period under discussion witnessed major political and cultural change that impacted the way legal conflicts were dealt with and by whom. Who was in charge of the assignment and execution of punishments and how did the state's competence relate to private initiative in this domain?

Following the arrival of the Arabs in Egypt in 639 daily life seems initially to have been little affected in the Egyptian countryside, where Byzantine institutions and their associated officials continued to function.<sup>149</sup> In the late Byzantine period, large land-owners had taken over many of the public functions of the central state, including policing and dealing with crimes committed within their domains and directly affecting their property or interests. Thus, in a sixth–seventh-century Greek text the count (Gr. *komēs*) Kallinikos is asked to gather the individuals against whom claims have been raised from “his villages.”<sup>150</sup>

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legal affairs. A Coptic document dating to 698 or later refers to a monk expelled from the monastery because he ‘despised the habit and was not able to keep the commandments of our holy fathers’ (*P.CLT* 1; translation from Leslie MacCoull, *Coptic Legal Documents: Law as Vernacular Text and Experience in Late Antique Egypt* (Tempe: Arizona Center for Medieval and Renaissance Studies, 2009), 44, provenance Jēme).

147 Mikhail claims that no sufficiently developed Coptic law code existed before the tenth century to serve such specialised Christian law courts headed by Coptic hierarchy (Maged S.A. Mikhail, *From Byzantine to Islamic Egypt* (London/New York: I.B. Tauris, 2014), 151–152).

148 Amongst the countless examples in the papyri of arbitration, see for example the wife who is praised for having reconciled her husband with his children and his brother's children (*P.Ryl.Arab.* I VI 11). Another man is asked to intervene with his sister who has sworn to deal with a case concerning a third person but has failed to do so (*P.Ryl.Arab.* I VI 14). Both date to the ninth century and have no provenance mentioned.

149 For the system put in place by the conquerors combining continuity and change as well as the administrative changes implemented fifty years later in Egypt, cf. Petra M. Sijpesteijn, “The Arab Conquest of Egypt and the Beginning of Muslim Rule,” in *Egypt in the Byzantine World 300–700*, ed. Roger S. Bagnall (Cambridge: Cambridge University Press, 2007), 437–459; Marie Legendre, “Neither Byzantine nor Islamic? The Duke of the Thebaid and the Formation of the Umayyad State,” *Historical Research* 89 (2016): 3–18.

150 *P.Ant.* III 189, provenance is Anṣīna.

The indigenous religious leadership and land-based socio-economic élite not only survived the conquest, but formed an overlapping power structure actively engaged with and integrated into the Arab-Muslim administration.<sup>151</sup> Along with the local administrative functions they continued to perform, this élite handled penal and personal law cases, as well as issues of public order. Cases could also be brought before local figures of authority outside the Arab administration, with indigenous élite members continuing to enjoy a large degree of judicial autonomy.<sup>152</sup> The sender and addressee of a seventh-century Coptic letter appear to have kept each other's client(s) prisoner in a seemingly private setting.<sup>153</sup> Similarly, amongst the individuals who brought in prisoners listed in an eighth-century Greek papyrus, agents of a large estate (*oikos*) and two privately appointed policemen appear besides government officials.<sup>154</sup> Prisons continued to exist on estates into the first half of the seventh century.<sup>155</sup> Bishops sat in judgement on thieves and other offenders, sending them to prisons, which they controlled, although it is not clear how far their jurisdiction extended beyond their domains.<sup>156</sup> Village headmen, bishops and 'private' individuals are addressed in seventh-century texts concerning prisoners, indicating that they had jurisdiction, or at least some kind of influence, over the places where the prisoners were held.<sup>157</sup>

Some fifty years after the conquest, in around 700, as the caliphate expanded its political and cultural ambitions, a fundamental re-arrangement of the Egyptian countryside was undertaken. Arab-Muslims started to replace Egyptians as the pagarchs or heads of local districts.<sup>158</sup> As Muslims increasingly settled

151 Petra M. Sijpesteijn, "Loyal and Knowledgeable Supporters: Integrating Egyptian Élites in Early Islamic Egypt," (forthcoming).

152 See also Menas who is called *stratiôtēs* and is involved with the Arab authorities, but it is not clear what his function was exactly (*P.Lond.* v 1738; 1743; 1744; 1748; 1749; 1751; 1864, dating to 649–750, provenance of all is al-Ashmūnayn. For the date, see Jean Gascoü, "Reçu d'impôt pour le Prince des Croyants," in *Inediti offerti a Rosario Pintaudi per il suo 65° compleanno* (*P.Pintaudi*), ed. Diletta Minutoli (Firenze: Edizioni Gonnelli, 2012), 132).

153 *P.Mon.Epiph.* 167, seventh century, provenance Jême.

154 *SPP X* 252, provenance al-Fayyūm.

155 Despite laws banning private prisons as well as the use of private soldiers (Torallas Tovar, "Violence," 109–110; Robinson, "Private Prisons"). For examples of prisons belonging to large estates, see *P.Oxy* xxvii 2478, dating to 595; *P.Oxy* Lxx 4802, dating to 600–625; *P.Oxy* xxiv 2440, dating to 614; *P.Oxy* xvi 2056, seventh century; *SB* xviii 14006, dating to 635, provenance of all is Oxyrhynchus.

156 For stealing from the bishop's granaries, see *P.Berl.Zill.* 8, dating to 663, provenance al-Fayyūm. A bishop's prison is mentioned in *SB* I 4658, dating to 670–680, provenance al-Fayyūm. Both are cited by Foss, "Mu'āwiya," 266, 267, n. 40.

157 See below nn. 183–185.

158 Sijpesteijn, "Arab Conquest;" idem, *Shaping a Muslim State*, 112–114.

outside the garrison cities, processes of Arabicisation and Islamicisation were accelerated. Concurrently, Islamic institutions and theories developed in the urban centres of learning and rule found their way into the hinterland. Islamic law developed as a text-based system of thought and hermeneutics within the framework of a public, court-based infrastructure.<sup>159</sup>

The expansion and formalisation of state and, later, legal infrastructures reduced the degree to which criminal law cases could be dealt with outside official channels. While members of the local élite continued to be asked to solve conflicts internal to the community, especially through mediation, the power to impose punishment and incarceration shifted to the political-administrative realm, now manned by Arab-Muslims.<sup>160</sup> Initiatives introduced by the political centre coincided with choices initiated from the bottom up as power was redistributed, creating altered constellations of control and giving room to new players.

From the eighth century Arab-Muslim state representatives – governors, pagarchs, village headmen and other officials at the village level – are increasingly involved in the application of criminal justice. The Arab-Muslim officials who took over from Egyptians as heads of the pagarchies had greater administrative and legal responsibilities. They were bureaucrats, whose ties to the political administration were stronger than to the land they ruled. This is reflected in their title, which emphasises the holder's connection to the government (Ar. *ʿāmil al-amīr ʿalā* followed by a place name) rather than exclusively to his locality, in contrast to his Christian provincial predecessors (*ṣāhib* combined with a place name).<sup>161</sup>

An increased appropriation of the justice system by the Arab-Muslim administration is also visible at the village level. Those involved in the tracking down and punishment of law-breakers now carried official titles and/or operated in a governmental context. They were also often sent down from administrative centres to deal with local problems or track down trespassers. See for example the eighth-century Arabic papyrus in which an official reports, presumably to the central office that had dispatched him, from a village in Upper-Egypt that he had stopped the rebellion and re-installed the tax-collector.<sup>162</sup> A

159 See for this general development in the Egyptian context, Ahmed El Shamsy, *The Canonization of Islamic Law: A Social and Intellectual History* (Cambridge: Cambridge University Press, 2013); Tillier, "Pagarque."

160 Petra M. Sijpesteijn, "Establishing Local Élite Authority in Egypt Through Arbitration and Mediation," in *Regional and Transregional Elites: Connecting the Early Islamic Empire*, eds. Stefan Heidemann and Hannah-Lena Hagemann, *Studies in the History and Culture of the Middle East* (Berlin, forthcoming).

161 Sijpesteijn, *Shaping a Muslim State*, 103.

162 *P.Cair.Arab.* vi. Unpublished.



ninth-century order to have a female brought forward contains a seal with the name al-Ḥasan, similarly suggesting an administrative context.<sup>163</sup> Nevertheless, into the ninth century the locally situated village headmen continued to play a role in the maintenance of order in the village. In an eighth-century letter the sender reports that the village headman (*wālī*) fined and arrested him.<sup>164</sup> In the ninth century a *wālī al-qarya* received instructions to suppress criminals and suspects (Ar. *ahl al-jarā'im wa-l-rīb*) he finds in the area under his control, to punish anyone who oppresses the villagers, and to inform all guards (Ar. *ḥurrās*), aides (Ar. *a'wān*) and workers on the estate (Ar. *ahl al-ḡay'a*) of these instructions.<sup>165</sup> Also in the ninth century, a certain Abū Furāt, the responsible person (Ar. *wakīl*) in Babij, a town in the Fayyūm, receives a request to examine a conflict between two individuals.<sup>166</sup>

The transfer of carceral processes to the public sphere might very well have been part of these developments.<sup>167</sup> Prisons became increasingly publicly managed and seem to become dominated by purposely and formerly organised structures.<sup>168</sup> An eighth-century Greek list of prisoners from the Fayyūm cited above is headed by a reference to the prison where the detainees were held. "Register of the prison in the village of Pitoul" it says at the top of the list.<sup>169</sup> More information about the superintendent responsible for the prison is given in another list of imprisoned fugitives from the Fayyūm. It is dated between 750 and 769 and gives the names of men and women, the latter probably imprisoned in place of their runaway husbands, "thrown in the prison of the *amīr* 'Abd Allāh b. 'Abd al-Raḥmān."<sup>170</sup> While 'Abd Allāh b. 'Abd al-Raḥmān's function is not explicitly mentioned, his title of *amīr* places him firmly in the Arab-Muslim administration and he most probably stood at the head of a local district. Other

163 *PERF* 699, provenance not mentioned.

164 *P.Khalili* 1 14, provenance not mentioned.

165 *P.Ryl.Arab.* 1 1 17, provenance not mentioned.

166 *Chrest.Khoury* 1 84.

167 A similar transformation from private to public is observed in early (conquest) Arabia by Anthony ("Domestic Origins," 574). This change which occurred in Arabia in the middle of the seventh century was thus not comprehensive and definite. Rather, similar kinds of concerns and dynamics that motivated the adoption of formal prison structures over private incarceration practices in early Muslim Arabia played a role in early eighth-century Egypt.

168 See also the prison built as a prison in Fustāṭ by 'Isā b. Yazīd who arrived in Egypt in the early ninth century with 'Abd Allāh b. Ṭāhir's armies (Ibn 'Abd al-Ḥakam (d. 257/871), *Kitāb futūḥ miṣr wa-akbārihā*, ed. Charles Torrey as: *The History of the Conquests of Egypt, North Africa, and Spain* (New Haven: Yale University Press, 1922), 112).

169 *P.Horak.* 64, provenance al-Fayyūm.

170 *CPR* XXII 35, provenance al-Fayyūm.

Greek papyri show that ‘Abd Allāh indeed performed official duties related to tax collection.<sup>171</sup> He might, moreover, be the same as the ‘Abd Allāh b. ‘Abd al-Rahmān who appears in the mid-eighth century as the *‘amil* of al-Ashmūnayn.<sup>172</sup> In the 730s, ‘Abd Allāh b. As‘ad, responsible for the tax collection and administrative management of the southern Fayyūm, was also in charge of a prison.<sup>173</sup>

The increased involvement of Arab officials in the penal system is also evident from the standardised procedures that appear in the documentation, as well as the formulaic expressions that are used. Government officials generally required a certain amount of evidence. Already from the second half of the seventh century, “evidence” (Ar. *bayyina*) is demanded by the administrators to corroborate a claim.<sup>174</sup> Later examples are more extensive, with demands for “sound evidence and clear proof” (Ar. *al-bayyina al-‘ādila wa-l-burhān al-mubayyin*).<sup>175</sup> The documents attest a consistent procedure to have been in place, with fact-finding missions assigned to lower layers in the administrative hierarchy and usually conducted by questioning the accused party, and the resulting reports travelling back up the administrative ladder. As discussed above, from the eighth century, the papyri also show a standardised technical vocabulary and idiomatic expressions for dealing with legal conflicts and offences.

The increased presence of a well-developed public legal system is also evident in the efforts that were made to handle certain cases outside the system or at least in an informal manner. Dealing privately with an offender allowed the case to be handled less officially. This is clear, for example, from the letter in which the sender asks that a manumitted slave accused of theft be beaten to confess his crime and return the items he has stolen.<sup>176</sup> In another case of theft on an estate, the owner and victim of the crime also attempts to keep the case outside the jurisdiction of the authorities.<sup>177</sup> These cases of theft might have been considered to belong to the private domain and therefore to be dealt with outside the official system. Similarly, it has been argued that the popularity of

171 Nikolaos Gonis, “Another Look at Some Officials in Early ‘Abbāsīd Egypt,” *Zeitschrift für Papyrologie und Epigraphik* 149 (2004): 194–195.

172 Marie Legendre, “La Moyenne-Égypte du VIII<sup>e</sup> au IX<sup>e</sup> siècle: apports d’une perspective régionale à l’étude d’une société entre Byzance et l’Islam” (PhD diss., Paris-Sorbonne University, 2014), 436.

173 Sijpesteijn, *Shaping a Muslim State*, no. 19, ca. 730, provenance al-Fayyūm.

174 Diem, “Gouverneur.” For the significance of the use of *bayyina*, see Tillier, “Dispensing Justice,” 143–145.

175 *P.Ryl.Arab.* 1 VII 6, ninth century, provenance not mentioned.

176 *Chrest.Khoury* 1 84, ninth century, provenance probably al-Fayyūm.

177 *P.World*, p. 186, dating 170/786–787, provenance unknown.

mediation in Abbasid Iraq was motivated by the fact that it offered a quicker solution to a conflict than going through the lengthy and costly court proceedings.<sup>178</sup>

The same might have applied to hostage-taking in the case of non-payment of debts, which often seems still to have occurred in a private context. The accounts in the literary sources of makeshift holding places to detain debtors for a limited period seem to be related to this practice.<sup>179</sup> Even in the ninth-century papyri there are suggestions that private incarceration practices continued supplemental to public prisons. Individuals are described as being “in his hands” (Ar. *fī yadayhi*), often in combination with a general remark of being kept or imprisoned (*ḥ-b-s*), suggesting a more private situation, with confinement being associated with an individual in charge, rather than a public institution.<sup>180</sup> Other documents contain indications that people were sometimes captured by private individuals, such as the eighth–ninth-century letter in which the guard of the sender was confined by the addressee (Ar. *qad ḥabasta rasūlī*).<sup>181</sup>

An informal approach can also be observed in letters requesting the freeing of prisoners. Prison supervisors and other local authorities seem to have had the power to release prisoners.<sup>182</sup> This applies both to ‘public’ prisons run by village headmen, pagarchs and other representatives of the state authorities, and ‘private’ prisons. Numerous petitions written by or on behalf of prisoners were directed at those in charge of the prison or at individuals deemed to have some influence over the fate of the prisoners. In a seventh-century Coptic letter a group of inhabitants from Jēme asks the abbot of the monastery of Epiphanius to write a letter to the village headman (Cop. *lashane*), who seems to have possessed certain administrative powers, to free some inhabitants from the same town held in three different places.<sup>183</sup> In a Coptic ostrakon, the writer asks the (unspecified) addressee to free a prisoner who is needed in “the season of work.”<sup>184</sup> In another seventh-century Coptic ostrakon the sender pleads that

178 Mathieu Tillier, “Le temps de la justice aux premiers siècles de l’Islam,” *Revue des Mondes Musulmans et de la Méditerranée* 136 (2014): 71–88.

179 Anthony, “Domestic Origins;” Schneider, “Imprisonment,” 160.

180 Cf. *wa-hum maḥbūsīna ilā an katabtu ilayka wa-hum fī-yadayhi bi-l-madīna* (CPR XVI 11, ninth century, provenance not mentioned).

181 *PPrag.Arab.* 53, provenance unknown.

182 Cf. Tillier, “Prisons et autorités urbaines,” 392 ff.

183 *PMon.Epiph.* 163. Cf. *PMon.Epiph.* 178, seventh century, provenance Jēme.

184 Crum, *Coptic Ostraca*, no. Ad 27, provenance and date unknown. For other examples of prisoners being prevented from undertaking their agricultural obligations, see above nn. 112–116.

since the addressee once asked the sender to release one of his prisoners on the former's behalf, he should now do the same for the sender.<sup>185</sup> In a seventh-century Greek letter the pagarch Flavius Theodorakios is asked to release a prisoner.<sup>186</sup> See also the requests cited above to release workers committed to fulfil *corvée* labour locally or a the capital directed to local administrators and pagarchs.<sup>187</sup>

## 7 Conclusion

The way in which (legal) conflicts were settled and offences dealt with by state officials and other authorities in the Egyptian countryside shows how power relations between the different population groups shifted after the conquest. Initially Byzantine practice prevailed: an indigenous 'middle élite' at the village level, associated to the religious infrastructure and/or based on economic hegemony, overlapped with administrative functionaries in the maintenance of order, the application of criminal law, and the resolution of legal conflicts. Changes in the administrative composition affected the disciplinary space in which local élites were able to operate and the capacity in which they did so. An expanding and increasingly professionalised Muslim (legal) administration gradually dominated the Egyptian countryside. Indigenous Christian and Jewish middle élites continued to be hugely important power brokers between the ruling authorities and the local population. As a result their role in the handling of conflicts remained equally significant. Increasingly, however, a growing Muslim administrative and legal infrastructure in the countryside dealt with cases of penal law and instances of public order. Similarly, mediation and requests for help, which initially fell in the domain of local Egyptians, were more and more dealt with by and directed to Arab-Muslims as they took the place of Egyptian-Christians and Jews, first in the administrative and then in the socio-economic hierarchy of the countryside.<sup>188</sup>

Non-Muslim Egyptians progressively turned to the Muslim legal authorities because they saw them as having more decision-making power in the settling of conflicts.<sup>189</sup> Qādī Khayr b. Nu'aym (in office 739–745) used to adjudicate in Fus-

185 *P.Mon.Epiph.* 167, seventh century, provenance Jēme.

186 *CPR* XXIV 32, dating to 651, provenance Madīnat al-Fayyūm.

187 See above, nn. 112–117.

188 This argument will be expanded on in a forthcoming publication of mine: Sijpesteijn, "Establishing Local Élite Authority."

189 Morony, "Religious Communities;" Mikhail, *From Byzantine to Islamic Egypt*, 157 ff.

tāt between Christians after he had finished dealing with the Muslim cases.<sup>190</sup> On the other hand, as Uri Simonsohn has shown, the Muslim courts could also be used to undermine the authority of community leaders in a political power game.<sup>191</sup> In other cases, however, the parties involved in legal cases and conflicts explicitly tried to keep out the Muslim authorities.

The growth of the role of Muslim legal institutions in the Egyptian countryside especially in the domain of criminal law was the result of three related processes. Standardisation in the Islamic legal domain led to a more extensive and better defined role for Islamic judges vis-à-vis representatives of the political power, without denying the latter a role in the application of criminal law. Administrative reforms aimed at increased Islamicisation and Arabicisation resulted in a greater presence of the Arab administration. Arab-Muslim officials replaced Egyptian-Christians at the lower administrative levels and acquired greater executive and legal powers in the process. The result was a decentralisation of functions from the capital to the provincial towns, where Muslim-Arab administrators obtained greater authority vis-à-vis indigenous élite members. The resulting loss of social standing amongst Egyptian Christians further eroded their status as arbiters and dispensers of the law.

While mediation and arbitration continued to be an important vehicle for solving legal disputes, the public legal system had grown with other state structures to the point that it became increasingly difficult to keep issues out of the public officers' domain, even if these occurred within the jurisdiction of the parties involved. It was no longer self-evident that cases could be dealt with outside the official legal channels, as the owner of an estate implicitly acknowledges when he begs the addressee of his letter to allow him to deal with a theft of 70 bushes of straw on his property himself rather than bringing the case to the attention of the Muslim-Arab authorities:<sup>192</sup> the owner had to convince the authorities to allow him to keep matters in his own hands. Criminal justice and especially the ability to assign punishments had become largely the monopoly of the Muslim state. Within their own domains, local authorities continued to play a role both in ecclesiastical and rabbinical courts and as mediators with higher (Muslim) authorities.<sup>193</sup> By the tenth–eleventh century,

190 al-Kindī, *Kitāb al-quḍāt*, 351.

191 Eighth-century canons contain harsh punishments for those calling for intervention in church affairs by Muslim and other non-ecclesiastical authorities (Simonsohn, "Blessed," 101).

192 Jahn, "Briefwesen," no. 17, eighth–ninth century, provenance unknown.

193 The role of local authorities as mediators might in fact to have grown exactly at times when their public role diminished (Sijpesteijn, "Establishing Local Élite Authority").

however, a bishop could only threaten a thief with curses if he did not return the goods he had stolen.<sup>194</sup> This stood in stark contrast to his seventh-century predecessor who could send a thief to the bishop's own prison.

The tools to police and impose punishments at the disposal of the Arab-Muslim authorities in the Egyptian countryside did not differ much from those in place in the late Roman period. Prisons functioned mainly to hold those suspected, accused or convicted of crimes until such time as they were sentenced and released, or had fulfilled their punishment, or as a compulsory measure for the recovery of debts, either from the prisoner him- or herself or a third party. With prisons seemingly not purpose-built, and hence less secure, incarceration often required extra measures, such as guarantees, especially in the cases of those likely to run away. Punishments were overwhelmingly applied in the form of monetary fines, which in the case of non-payment could result in being gaoled. Conversely, non-payments of debts, fines and taxes was the main reason for imprisonment, and imprisonment lasted until the payment had been made. Using family members or other dependents as proxies, even to the extent of imprisoning them, seems to have been a common way to pressure culprits. New punishments were also introduced by the Arabs, with the physical punishments such as flogging or imprisonment of runaway peasants and corrupt tax collectors, or the cutting of hair and beards, being the most remarkable.

The history of control of public order and conflict resolution in the early Islamic Egyptian countryside is shaped by the same intertwined processes that drove the development of a Muslim state in Egypt. Cultural penetration through Arabicisation and Islamicisation made Muslim legal and administrative institutions increasingly accessible and prestigious to indigenous Egyptians. In their turn Egyptians progressively re-shaped the governmental framework in the course of their interaction with it. The development of governmental institutions, with a theoretical and intellectual system to support them, and the related standardisation and professionalisation of practice led to clearer boundaries between public and private, with the appropriation of the public order and penal law by the Islamic authorities. Differentiation was never absolute, of course, and overlap continued to exist with participants adjusting their strategies of interaction and engagement as contexts evolved. Finally, the conquest and the political-administrative decisions that followed from it resulted in new social groupings, new kinds of relationships between them, and new power structures.

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<sup>194</sup> Walter Crum, *Catalogue of the Coptic Manuscripts in the Collection of the John Rylands Library* (Manchester: Manchester University Press, 1909), no. 267, provenance al-Ashmūn. Discussed by Mikhail, *From Byzantine to Islamic Egypt*, 156.

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# Index

- Abbasid 6, 14, 23, 26, 36, 69, 78, 118, 136, 157, 181–182, 200, 213, 226, 236, 238, 244, 246, 248–251, 255, 265, 268, 273, 276–277, 279–280, 290, 294–295, 298, 301, 392, 395–396, 398, 401–402, 404–405, 407–415, 438–439, 443–444, 446–447, 451, 453, 455–456, 480, 485–488, 500, 503, 508–511, 514, 519–520, 522, 533, 580
- Abbasids 117, 226, 396, 409, 413, 446, 486, 489–490, 511, 513–515, 519–520, 568
- Abū Ishāq al-Fazārī 273–274, 277, 285
- administration 1, 3–6, 8, 13–14, 17–18, 20, 22, 24, 26–27, 33, 36, 100, 107–108, 110, 116–117, 120, 150–151, 155–156, 165, 219, 224, 229, 294, 320, 324, 327, 329, 336, 338, 340, 342, 353, 368, 371, 374–375, 379–380, 382, 384, 386–388, 392, 394–395, 398, 404, 406, 411, 413, 445, 464–467, 469, 471, 475–476, 478–484, 487–489, 492, 506, 512, 519, 535–536, 538, 543, 549–551, 553–554, 567, 570, 576–578, 581–582
- administrative system 114, 120, 566
- Afghanistan 2, 284–285, 287, 290
- agreement (see: treaty)
- agriculture 112, 133–134, 147, 212, 222, 246, 367, 380, 387, 420, 434–436, 438, 492, 500–501, 521–522
- agrarian 3, 134
- agricultural 1–8, 130, 135–136, 147, 304, 392, 410, 427, 432–433, 435–436, 438–441, 444–445, 448, 452–453, 469, 481, 492, 500, 516, 523, 568–569, 580
- alliance 69–70, 75–76, 120, 304
- Anastasius of Sinai 270, 443, 516
- animal 2, 112, 134, 138, 147, 210, 251–252, 400, 565, 569
- Apa Apollo 394, 420–423, 426, 428–429
- aparache* 420–429
- Arabia 2, 5, 51, 439, 441–442, 578
- architecture 1, 177–178, 184, 193–194, 197–201, 211, 222
- Arid margins 210–212, 214–215, 219, 224–226, 228–229, 232–233, 235, 238, 240, 244, 248, 250, 252, 256
- army 1–2, 4–5, 8, 28, 34, 44–45, 48–49, 51, 69–71, 74–78, 80, 109, 114–115, 118–119, 131–132, 134, 138–144, 150–156, 158–161, 163–165, 177, 265–266, 270, 280, 284, 292, 294, 304, 395, 398–399, 403, 406, 411–413, 415, 432, 481–482, 487, 502, 513, 517, 520, 577
- Balkh 4, 52, 70, 284–296, 298–304
- Bawit 420–422, 424, 427, 429, 563, 569
- bishop (see: clergy)
- boat 532, 565, 570
- Byzantine empire (see: Byzantium)
- Byzantine-Islamic frontier 265, 273, 279–280
- Byzantium 128, 131–132, 139, 143, 150, 152, 155–158, 161–166, 177, 265, 273, 278, 394, 472, 502, 557, 574
- cadastre (see: administration)
- Cairo 51, 395, 559
- caliph 9, 13–14, 23, 26, 28, 34, 44, 49, 117, 157, 180–182, 205, 269, 274–277, 290–291, 294, 300–301, 393, 396, 398–401, 403–404, 406, 409–413, 415, 432–433, 436–438, 442, 444–449, 451–452, 454–456, 468, 474, 481–483, 485, 487–488, 504, 508–511, 513–515, 517, 519–520, 522, 570
- canal 8, 110, 232–233, 235–250, 290, 297, 436–437, 442, 445, 449, 500–501, 506, 508–512, 515, 518–521, 523
- castle (see: fortress)
- Central Asia 284, 289, 291, 295–296
- chancery (see: administration)
- church 2, 4, 7–8, 105, 109–110, 112, 115, 137, 154, 166, 176–202, 269, 272, 393–394, 409, 421, 475, 574, 582
- cistern 192, 294, 506, 569
- citadel 118, 131, 287, 289, 295–298, 304
- city 3–5, 15, 28, 44, 46, 49–52, 63–65, 78, 100–101, 107, 109–110, 114–115, 118, 120, 128, 130–131, 133–142, 144, 149–152, 155–156, 159–160, 162, 165, 178–181, 183–184, 186, 205, 210, 228, 269, 272, 279, 284–286, 288–289, 291–304, 318–323, 325,

- city (*cont.*) 328, 336, 339, 343, 349, 378,  
380–381, 395, 405, 408, 411, 425,  
443, 453–454, 469, 481, 500–503,  
506, 510–512, 516–519, 521, 544, 569,  
577
- clergy 5, 148, 166, 179–181, 195, 197, 205, 271–  
272, 472, 474–475, 566, 574, 576, 583
- conquest (see: war)
- Constantinople 128, 130–131, 136, 151, 157,  
162, 164, 176, 188, 270, 315, 318, 321,  
472
- control 1–9, 13, 17, 26, 44, 49–51, 77, 104, 106,  
109–110, 112, 117, 120, 128, 131–132, 139,  
141, 146, 154–155, 163, 176, 284, 349, 396,  
413, 415, 429, 434, 448, 457, 466, 468–  
469, 472, 477, 481–482, 484, 492, 500,  
503, 520, 523, 547, 556–557, 577–578,  
583
- countryside 1–2, 4–5, 8–9, 36, 47, 50–51, 76,  
106, 110, 112, 116, 141, 145, 179, 270, 273,  
279, 284, 304, 381, 392, 395, 399–400,  
402–403, 406–408, 414–415, 422, 474,  
492, 500, 523, 547, 550, 556, 567, 572–  
573, 575–576, 581–583
- court 1, 6, 9, 27, 34, 101, 107, 109, 150, 153,  
157–158, 165, 186, 295, 409, 444, 450,  
454, 476, 539, 551, 555, 571–575, 580,  
582
- crown 115, 152, 155, 448, 469, 472, 475, 477,  
479, 481–484, 490, 504, 506
- crucifixion 557, 573
- cultivation 135, 162, 288, 400, 421–422, 427–  
428, 436, 438–439, 445–446, 490, 501,  
511, 519, 521, 523
- Damascus 13, 34, 52, 63, 68, 70, 79, 117, 250,  
269, 388, 401
- debt 32, 349, 441, 446, 455, 558–559, 563,  
568–569, 573, 580, 583
- delta 18, 34, 368, 371, 380–382, 384–386,  
396–397, 399–400, 402, 406
- dhimma* 178–179, 385, 414, 486, 504, 574–  
575
- dhimmi* (see: *dhimma*)
- Dionysius of Tel-Mahre 183, 487
- diwān* (see: *administration*)
- domination 117, 243, 313, 317–318, 325, 327,  
334, 336, 341, 344–345, 354–355
- drainage 8, 521
- Egypt 3–4, 6–7, 13–14, 17–18, 25–27, 33–36,  
131, 301, 392–399, 401–403, 406–407,  
409, 411, 413–415, 448, 500, 549–550,  
552, 556, 562–563, 565, 567, 572, 575,  
578, 583
- Byzantine 565
- early Islamic 13–14, 36, 422, 465, 481,  
547, 583
- medieval 412
- Roman 563
- enclosures 99, 196
- expansion 45, 98, 112, 135, 266–272, 577
- expedition 47, 66, 135, 180, 500
- exploitation 4–5, 135, 210, 213, 230–231,  
235–236, 247–248, 256, 313, 318, 329,  
331, 333–336, 343–344, 350–351,  
353–354, 434, 448, 472, 491–492, 500–  
501
- farming 402, 420–422
- financial director 14, 20, 23, 25, 27, 33–36,  
400, 412
- first fruit 421, 424–429
- fiscal practices 414, 481, 503, 549
- flogging 557, 583
- fortification (see: *fortress*)
- fortress 4, 131, 136, 138–141, 150, 292, 294,  
296–298, 450, 509, 520, 534
- fugitive 252, 487, 516, 556, 560–561, 563,  
568, 571, 578
- Fustât 4, 13, 15, 25–28, 367–375, 377–379,  
382, 386–388, 394, 396, 399–402, 411,  
413, 440, 547, 554–555, 565, 567, 569,  
572–573, 578
- garrison (see: *army*)
- governor 4, 6, 9, 13–14, 16, 20, 23–28, 31–36,  
117, 163, 179, 290–292, 294, 296–297,  
300, 394, 396, 399–401, 413, 444–  
447, 449–451, 454, 456–457, 483–484,  
508, 510–515, 519–522, 552–556, 572,  
577
- guarantee 14, 20, 422–425, 558, 562–565,  
583
- guerre (see: *war*)
- hadith 5, 8, 29, 44–46, 48–50, 52, 57, 63–78,  
80–83, 85–87, 406, 455, 568
- highlands 131–133, 147

- Hijaz 433–443, 446–448, 450–457
- hinterland 4–5, 46, 50–51, 78, 98, 101, 109, 112, 114, 118, 130, 151, 304, 433, 435, 479, 577
- historiography 268
- history  
     local 286, 289, 303, 433  
     medieval Islam 395, 413  
     medieval Muslim 392, 465, 502  
     pre-Islamic 288–292, 302–304, 432, 438–439, 448, 456, 505, 508–510, 555, 562, 567, 575  
     pre-modern 1, 6, 50, 78, 284, 454, 557
- husbandry 112
- Ibn Ādam 265, 273, 275–276, 481, 485, 488
- Ibn al-Mubārak 82, 265, 273–275
- invasion 102–103, 112, 114, 120, 131–132, 135–136, 140, 161, 315, 341, 345
- investment 7–8, 483, 501, 506–508, 520–521, 523
- Iran 133, 162, 301, 465, 473, 516
- Iraq 5, 27, 63, 65, 176, 395–396, 398, 409, 413, 434, 441, 447–448, 452, 464–465, 467–468, 473–474, 476, 479–484, 486, 488, 490–492, 500–503, 507, 515–517, 519, 580
- irrigation 8, 98, 110, 133, 210, 233, 235, 240, 243–246, 250–251, 437, 442, 446, 452, 500–503, 505–509, 511, 513, 515, 517, 519, 521, 523
- judge 20, 27–28, 34, 81, 85, 135, 396, 408, 475, 477–478, 513, 519, 522, 555, 559, 571–574, 581–582
- king 32, 112, 115, 117, 275, 291, 300, 303, 467, 469, 472, 477–478, 482, 502, 510, 516
- land  
     administration 464, 469, 475–476  
     cultivation 421–422  
     exploitation 492  
     land grant 7, 395, 400–402, 406, 413, 476, 483–484, 490, 500, 506–507, 512, 514–515, 520, 522–523  
     land ownership 5, 8–9, 432, 454, 486, 501, 522  
     land property 393, 448, 455, 467, 471  
     land revenues 395, 415  
     land survey 484–485  
     land tax 397–398, 403, 405, 407–410, 414–415, 422, 424–429, 464–465, 467–469, 471–473, 475, 477, 479–489, 491–492, 503–504, 507  
     management 421  
     reclamation 400, 500–501, 503, 505, 507, 509, 511, 513, 515, 517, 519–521, 523  
     tenure 368, 397, 399–401, 404, 464–465, 467–469, 471, 473, 475, 477, 479, 481, 483, 485, 487, 489–492, 503  
     landholding 6, 142, 147, 151–152, 159–160, 380–381, 392–397, 399, 401, 403–405, 407, 409–411, 413–415, 432–434, 448, 455, 457, 464, 468–469, 476, 480–481, 483, 485, 487–488, 490, 503, 505, 512, 514–515, 520, 544
- law 1, 13, 35, 50, 143–144, 146–148, 157, 278–280, 423, 425, 471, 547, 551, 555–557, 571, 573–577, 581–583  
     Islamic law 278–280, 555–557, 573, 577
- leaders 141, 148–150
- legal institutions 571, 575, 582
- literary source 14, 182, 304, 393, 395–397, 407–408, 411–412, 433, 437–439, 441, 557, 561, 572, 580
- maison 210–212, 219, 224, 226, 229–230, 232, 235, 251–252, 323, 338, 537
- Maison de l'Orient et de la Méditerranée 210
- Medina 2, 5–6, 9, 13, 44, 46–52, 63–65, 67–71, 73, 76–77, 80, 432–457
- military (see: army)
- Miṣr* (see: *Egypt*)
- monastery 5–6, 99, 110, 112, 114, 154, 177–183, 185, 188, 190, 192–197, 199–205, 226–227, 271, 285, 288, 290, 294, 298, 318, 323–324, 328, 331, 345, 394, 420–429, 487, 510, 531, 534–536, 544, 554, 563, 569, 575, 580
- money 8, 20, 23, 30, 32, 134, 162, 164, 193, 201, 403, 407, 409–410, 414–415, 421, 424, 426, 429, 441, 448, 451, 475, 477, 480, 483, 488, 506–507, 522, 553, 558–559, 563–564, 569

- monk 6, 137, 166, 179–181, 192, 200, 270–271, 299, 421–429, 550, 563, 575  
*murtaba* 2, 367–373, 375, 377–379, 381, 383–384, 387  
 nomad 158, 210–212, 224–225, 232, 251, 253, 255, 295, 304  
 nomadism 225  
 non-Muslims 5, 8, 44–45, 48–49, 51, 63, 69–70, 74–75, 77–78, 178, 265, 267, 291, 406–407, 414–415, 485, 487, 574, 581  
*ahl al-kitāb* 75  
   Christian 4, 8, 77, 100, 118, 132, 158, 166, 176, 178–179, 181, 183, 196, 201, 266, 269–273, 279, 397, 404, 406, 408, 428, 468, 470, 481, 502, 516, 575, 577, 581  
   Christians 77, 179–180, 182–183, 201–202, 266–267, 270–272, 408, 415, 574, 582  
   Jewish 47, 70, 74, 76, 80, 266, 575, 581  
   Jews 44–46, 48, 54–55, 63, 66, 68, 71, 74–77, 80, 267, 468, 574, 581  
   Syrian orthodox 2, 4, 8, 177–178, 181–182, 189, 192, 201–202, 205  
 occupation 116, 211, 219, 225–226, 229–231, 248, 255, 279, 287, 294–295, 303, 368, 386, 549  
 officials 6, 14, 17–18, 26, 35–36, 143, 150–151, 153, 155–157, 162, 165, 181, 291, 381, 405, 408–409, 412–413, 444–445, 454, 514, 522, 551, 553–555, 561–562, 565, 570, 572, 574–577, 579, 581–582  
 Omeyyade (see: Umayyads)  
 pagans (see: non-Muslims)  
 pagarch 404, 481, 549–550, 552–555, 559–562, 564, 568, 570, 576–577, 580–581  
 palace (see: court)  
 papyri 3, 14–15, 17–26, 29–32, 35–36, 292, 338, 351, 371, 392–394, 396–397, 402–405, 408–413, 415, 420, 440, 442, 536, 538–540, 547–551, 556–557, 561–571, 573–577, 579–580  
   Arabic 13, 23, 405, 410, 547, 550–551, 570, 577  
   Coptic 569, 574  
   Greek 550, 562, 566, 570, 576, 579  
   passport 532  
   peasantry 16, 104–106, 137–138, 142, 146–149, 151, 155, 159–161, 404, 425, 466–470, 472, 474, 476–478, 481–482, 486–487, 489–492, 503–504, 515–516, 560–561, 564, 583  
   peasants (see: peasantry)  
   population 1, 51, 102, 117, 119, 130, 134–135, 137, 140, 147, 151, 159, 161, 164, 212–213, 215, 225, 251, 255, 265, 271–273, 276–277, 284, 292, 294–295, 298, 315, 333, 380, 405, 407, 468, 474, 479, 482, 487–488, 491, 503, 516, 531–532, 543–544, 550, 562, 581  
   postal service 570  
   postal systems (see: postal service)  
   powerful 6, 35, 131, 139, 141, 149, 154–155, 188, 190, 429, 472, 507, 513, 519–520  
   priest (see: clergy)  
   prison 1, 294, 471, 551, 556–557, 559, 561, 564–565, 567–569, 571, 576, 578–580, 583  
   prisoner 34, 143, 271, 292, 442–443, 516, 521, 551, 556, 558–559, 561, 563–571, 576, 578, 580–581, 583  
   protection 149, 229, 349, 355, 383, 439, 483, 531, 536–537, 543, 558–559  
   provision 3, 157, 456, 570  
   punishment 4, 166, 182, 547, 551, 553, 556–557, 561, 563, 567, 572–573, 575, 577, 582–583  
*qāḍī* (see: judge)  
*qanat* (see: canal)  
*qaṣr* (see: fortress)  
 Qurra b. Sharik 23, 368, 394, 401, 550–555, 559  
 raids (see: war)  
*Rashidun* (see: caliph)  
 rebellion 14, 117–119, 132, 270, 275, 294, 300, 466–467, 471, 473–474, 476–477, 479, 483–484, 488, 490–492, 500, 517, 520, 577  
 Reccopolis 97–98, 107–109, 112–113, 115–116, 118  
 regime (see: administration)  
 rent 6, 337, 398, 422, 424–429, 466, 468–469, 480–482, 489, 504

- resistance 115, 162, 166, 181, 272, 292, 467, 472, 492  
 revolt 7, 114, 117–118, 292, 407, 443, 455–456, 467, 470, 472, 476–477, 483–485, 487–488, 490, 515, 517–520, 523  
 river 98, 102–103, 109, 116, 133, 148, 153, 184, 290–291, 501, 508, 511, 518–520, 532  
 road-system 136, 157  
 ruling (see: administration)  
 safe-conducts 3–4, 564  
 Sasanian 5–8, 133, 162, 177–178, 180, 192, 290–291, 296, 303, 384, 393, 398, 401, 447, 464–465, 467–472, 474–476, 478–480, 482, 486, 501–504, 515–517  
 scholar 1–2, 5, 8, 24, 34, 49, 74, 86, 176, 178, 266–268, 273–274, 286, 301–302, 304, 392, 432, 435, 441, 446, 450–451, 454–456, 470, 489, 506, 571  
 schools 277–278, 280, 445, 571  
 sedentary (see: settlement)  
 Seljuks 153  
 settlement 1, 3–4, 23, 99–105, 109, 112, 114–116, 118–120, 130, 135, 137, 139, 141–142, 147, 150, 157, 177, 184, 284, 289, 291, 294–298, 300–301, 381, 397–402, 406–407, 410, 412, 414–415, 436, 438–440, 491–492, 501, 503, 547, 551  
 Sicily 128, 162  
 slave 148, 285, 294, 442–443, 468, 477, 483, 486, 490–492, 505–506, 510, 517–518, 520–521, 523, 553, 555–556, 566, 579  
 slavery 490, 563  
 soldier 2–3, 7, 34, 117, 138, 148, 160–161, 165, 271, 381, 552, 560, 562, 568, 570, 576  
 state 2–4, 6–7, 25, 31, 45, 48, 50–51, 74, 77, 98, 104, 106–107, 109, 112, 114–117, 119–120, 128, 132, 137–138, 141–142, 148, 150, 155–166, 182, 202, 268, 273, 392–415, 425–427, 429, 440–442, 446–448, 454, 465–466, 468–469, 475–476, 479, 481, 486, 489–492, 500–507, 516, 520–523, 556, 566, 575, 577, 580–583  
     formation 98, 109, 114, 392, 407, 409  
     structures 109, 120, 582  
 strongholds 136, 138–141, 144, 156, 158, 161, 292, 294  
     defense 4, 131, 136–137, 139, 141, 144, 159, 161  
 Syria 3, 8, 34, 65, 80–81, 131, 176, 186, 210–256, 270–272, 279–280, 287, 344, 371, 400, 403, 432–433, 440–442, 445, 448  
 system of government (see: administration)  
 tax 3, 6–8, 13–14, 18, 20, 22–23, 26–27, 100, 104, 107, 112–117, 120, 128, 137–138, 142, 148, 150, 155–158, 160–165, 178, 180, 219, 248, 276, 279, 285, 291, 304, 320, 324, 326, 330–339, 341–345, 348–349, 351–355, 375, 380, 383, 387, 392–398, 402–410, 412–415, 422, 424–425, 427, 429, 448, 454, 464–492, 500–501, 503–508, 521–523, 532–533, 538–540, 543–544, 549, 551, 554, 558–565, 569–570, 572–573, 577, 579, 583  
     demonstration 422–426, 429  
     fiscal administration 13–14, 22, 26–27  
     fiscal authorities 3, 162  
     fiscal officials 150, 162, 165  
     fiscal registers 113, 394, 414  
     fiscal system 107, 142, 393–394, 398, 403, 407–409, 414  
     *jizya* 326, 342–344, 384, 403, 405, 407, 409, 411, 415, 559  
     tributary 465–466, 479, 492  
 taxation (see: tax)  
 Thomas of Margā 271  
 Toledo 97–99, 101–102, 107, 109–120, 328  
 treaty 20, 48, 115–116, 139, 178–179, 200, 291, 395, 397–398, 409, 427–428, 443, 479, 489, 503, 505, 557, 574  
 tribal 3, 17, 48, 51, 66, 69, 292, 367, 370–371, 378, 380, 383, 514  
 tribe 7, 34, 47–49, 74, 367–368, 371, 379–382, 386–387, 399–400, 406–407, 439, 503, 514, 516  
 tribute (see: tax)  
 Tur Abdin 176–181, 183–197, 199–200, 202  
*ulamā* 278–280  
 Umayyads 115, 117, 212, 226, 230–231, 236, 238, 240–242, 244–245, 248–250, 255, 290, 301, 403, 433, 445–448, 450, 452, 454–456, 483–485, 490, 514, 532–533, 544  
 uprising (see: revolt)



- urban 1, 4–5, 49–51, 100, 102, 106–110, 112–113, 115–116, 119, 128, 135, 142, 144, 150–151, 154–155, 265, 269, 271, 277, 279–280, 284, 289, 295, 300–301, 304, 399, 411, 467, 488, 492, 577
- village 3, 6, 47, 50, 98–99, 103–107, 109–110, 112–114, 116–117, 119–120, 135, 137–142, 144–150, 153–156, 158–164, 166, 177–180, 182, 185, 190–191, 193–195, 197, 199–201, 215, 220–222, 224–226, 229–230, 232, 242, 288, 295, 322, 336, 351, 371, 373–375, 377–378, 381–383, 385–386, 394, 396, 400, 404, 407–408, 410, 428, 436, 451, 467–468, 476, 481, 491, 503, 505, 519, 552, 554, 558, 560–562, 565–566, 570–573, 575, 577–578, 580–581
- communities 99, 106, 110, 113–114, 120, 148, 154, 162–163
- violence 1, 103, 384
- Visigothic kingdom 98, 109, 113–115
- Visigoths 106–107, 114
- wālī* 13, 16–17, 33, 456, 562, 578
- war 7–8, 20, 26, 45, 47–48, 51, 69, 85, 114–118, 120, 128, 130–131, 134, 137, 141–142, 144–147, 149–152, 158–159, 161, 163–165, 176, 178, 180, 182, 184–186, 192, 195, 200–201, 210, 212, 219, 249, 269, 271–274, 276, 278, 285, 287, 291–295, 297–298, 300, 313, 315–317, 325–326, 333, 342, 344–345, 354–355, 367–368, 370, 372, 375–377, 379–387, 392–394, 397–399, 401–404, 406, 409, 413–415, 434, 441–443, 451, 466, 468–471, 473, 476, 479, 481, 485–486, 502–504, 506, 508–509, 515–517, 532, 539, 550, 556, 567, 572–573, 576, 578, 581, 583
- ghāzī 265, 267, 273–280
- jihad 48, 274–275, 279
- warfare (see: war)
- Zubayrids 434, 449–450, 452–453, 455–457, 510