Empire and Elites after the Muslim Conquest

The Transformation of Northern Mesopotamia

CHASE F. ROBINSON

University of Oxford

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Conquest history and its uses

The literary material upon which one must base a seventh- and eighth-century history of the Jazira and Mosul generally dates from the ninth and tenth; with the exception of al-Azdi’s history, it was also written by non-Jazirans and non-Mosulis. To use this material, which is clustered in accounts concerned with the conquests of the 630s and 640s, the two civil wars of the 650s and 680s, and the Abbasid Revolution of 750, we need to know something of how it came together and how it was understood. In general terms, the approach taken here is thus source and form critical, and if varieties of source and form criticism are hardly new to the field,¹ the implications of much of this work continue to be wished away. In part this is because the criticism has more frequently served to undermine credulous reconstructions of the tradition than it has to erect sound reconstructions of its own. It is positive results that most historians want, however: Dennett’s views on early Islamic taxation have staying power not so much because his criticisms of Becker were fatal, but rather because his reconstructions were put so boldly and concisely; Dennett was (and remains) extremely useful.² If it is uncharitable to say that source and form criticism has been its own worst enemy, it remains fair to say that its tools must now be handled differently.

This is what I propose to do. In the following I shall play the role of critic and architect: in criticising conquest accounts, one can begin to describe not only the emergence of the historiographic tradition, but something of the social and political milieu in which it emerged; as we shall see, this was a competitive and (sometimes) fractious milieu of local and imperial élites.

¹ For two recent – and quite different – examples, see N. Calder, Studies in Early Muslim Jurisprudence (Oxford, 1993); and Albrecht Noth, The Early Arabic Historical Tradition: A Source-critical Study (Princeton, 1994; second edn, in collaboration with Lawrence I. Conrad (originally published 1973)).
We can begin with a chapter in the Kitāb al-Kharaǰ attributed to the jurist Abū Yūṣuf (d. 182/798), a legal work concerned primarily with taxation issues and their origins in the conquest period. The chapter in question, ‘On the land of Syria and the Jazira’, is in fact only about the latter, and it opens with the work’s conventional response to the caliph (‘O Commander of the Faithful, concerning what you asked about . . .’), and then unconventionally – and somewhat apologetically – turns to an invaluable description of how our author worked. To answer questions about conquest history, Abū Yūṣuf typically relies on fiqh – here knowledge of the past transmitted more or less continuously by reputable authorities; but in this section he relies instead on an anonymous native of the Jazira, who himself disclaims any such transmitted knowledge:

I have written to a learned man from the Jazira (shaykh min ahl al-Jazı¯ra) who possesses knowledge (¤ilm) about the matter of the conquests of the Jazira and Syria, asking him about this. He wrote me [the following]: ‘May God preserve you and your health! I have compiled for you what I happen to know about Syria and the Jazira (ma¯¤indı¯ min ¤ilm al-Sha¯m wa'l-Jazı¯ra); it is nothing that I learned orally (h· afiz· tuhu) from any jurists (fuqaha¯), nor from anybody who can provide it with a chain of authorities to any jurists (wa-la¯¤amman yusniduhu ¨an al-fuqaha¯). It is merely one of many reports from one who can be described as possessing knowledge in this matter (h· adı¯th min h· adı¯th man yu¯s· af bi-¤ilm dha¯lika), and I have not asked any of them [i.e. the jurists] to provide a chain of authorities for it.

Our shaykh is unsure of what he knows. Precisely how good is his knowledge? Two pages later he suggests part of an answer. The commander of the conquering armies of the Jazira, ¨Iya¯d· b. Ghanm, is said to have imposed a universal capitation tax that consisted of one dı¯na¯r, two mudds of wheat and two qist·s of oil and vinegar. Our authority cannot vouch for the reliability of the report, in part for reasons already stated (he does not have access to formally transmitted accounts), but also because he ‘was not told if this [arrangement] was based on a suh· text, on a practice that I can verify (amr uthbituhu), transmission from jurists, or an authoritative chain of authorities (isna¯d thabit)’. What he means by this is clarified on the same page. Discussing a distinction between city and rural folk introduced by the early caliphs (fa-ammā man

3 Abū Yūṣuf, Kitāb al-Kharaǰ (Būlāq, 1302). As will become clear, I have learned a great deal from Calder’s discussion of Abū Yūṣuf (Studies, chapter 6; for Jaziran material, pp. 137ff.), but I remain unpersuaded by his redating and reattribution of the text. For some criticisms, see M. Q. Zaman, Religion and Politics under the Early ¤Abba¯sids: The Emergence of the Proto-Sunni Elite (Leiden, 1997), pp. 91ff.; and cf. H. Motzki, ‘The prophet and the cat: on dating Mālik’s Muwatt·a and legal traditions’, JSAI 22 (1998), pp. 18–83.
4 Abū Yūṣuf, Kitāb al-Kharaǰ, p. 39; I follow the reading in the Taymūriyya manuscript; see also the edition by I. ¤Abba¯s’s edition reads min al-¨ılm bi-amr al-Jazı¯ra wa’l-Sha¯m.
6 In early Islamic Iraq, a mudd was approximately 1.05 litres (of dry measure), and a qist· between 1.07 and 2.14 kg. (W. Hinz, Islamische Masse und Gewichte (Leiden, 1955), s.vv.).
7 Abū Yūṣuf, Kitāb al-Kharaǰ, p. 41.
waliya min khulafa’ al-muslimin), he writes that ‘a learned man who claims expertise in this matter’ (ba’d ahl al-ilm min man za’ama anna la-hu ‘ilm bi-dhâlikha) argues that the rural folk must provide for armies (arzaq al-jund) because they are producers; this explains why city folk, who are not producers, are exempt from this obligation. The argument is then clinched with an appeal to shared ignorance:

By way of proof, learned people argue (fa-ahl al-ilm bi’l-hujja yaqâluna): our right is in our possession, and those before you held us to it; it is [also] established in your records (wa-huwa thâbit fi dawâwînîkum). You are now ignorant, as we are now ignorant, of how things were at the beginning (wâ-qad jahiltum wa-jahilnä kayfa kâna awwal al-amr). How can you see fit to impose on us something for which you can provide no established precedent, and how can you break from this practice, which is verifiable in our records, and according to which we still operate?9

The local authorities upon which this shaykh draws – here almost certainly Edessan urban notables – thus resist attempts to change their fiscal status by appealing to shared ignorance of ‘how things were at the beginning’. As Calder points out, the (presumably) Edessan appeal can only be a response to an earlier, positive assertion about ‘the beginning’, which he takes to be a government claim that the sulh reached at Edessa stipulated that taxes were to be yielded according to one’s ability to pay.10 The parties to the dispute may, or may not, be the government on the one hand and locals on the other. There can be no question, however, that this fiscal controversy generated conflicting claims about conquest history, and that a party to the dispute argued on the strength of a sulh treaty, one probably in text form.11

Here comparing Abu Yusuf with Ibn Ishâq (d. 144/761), Sayf b. ‘Umar (d. 180/796), Abu ‘Ubayd (d. 223/837) and the sources quoted by al-Baladurî (d. 279/892) is instructive. Abu Yusuf’s informant is confident that the battle of Edessa ended with a sulh agreement, but he suspends judgement on the crucial question of fixed versus flexible tribute, stressing instead that the determined resistance of the Edessans persuaded Iyâd to agree to their terms: ‘He [Iyâd] entered into a sulh with them on the terms they requested. Only God knows more than that a sulh was concluded, according to which

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9 Abu Yusuf, Kitâb al-Kharaj, p. 41. Cf. Calder, Studies, p. 139, who calls it a ‘genuine echo of arguments produced at either Edessa or Harran expressing objections to reforms in taxation’.

10 Calder, Studies, p. 139.

11 Cf. an Egyptian case recorded in a papyrus (dated 90/709), where the appropriate ‘documents’ (kutub) cannot be adduced; see A. Grohmann, Arabic Papyri in the Egyptian Library (Cairo, 1934–), III, pp. 19ff.
the city was conquered; [about this latter point] there is no doubt." He cites no text; indeed, he implies that all claims based on treaty proofs are bogus: 'You are now ignorant, as we are now ignorant, of how things were at the beginning.' Meanwhile, Ibn Ishāq and Sayf knew that Edessa's ʿṣulḥ was granted in exchange for payment of the jizya;13 Abū ʿUbayd had access to an Edessian treaty text, which was then reproduced by Ibn Zanjawayh (d. 251/865),14 and al-Balādhurī knew no fewer than three (and possibly four) treaty texts.15 The first of these, which is attributed to the Jazari scholar Sulaymān b. ʿAtaʾ al-Qurashī (d. 195/810), is only summarised;16 but the next two al-Balādhurī cites in full, the first on the authority of al-Wāqīḍī (d. 208/823),17 and the other on the authority of a Raqqan qaḍī, Dāwūd b. ʿAbd al-Hamīd, here transmitting on the authority of his father and grandfather.18 Both have ʿIyāḍ stipulate the terms, and both are directly germane to the controversy to which Abuṣuf's informant is speaking; while the first specifies a tribute (one dinār and two mudds of wheat), the second does not ('idhā adduʿ al-hāqq alladhī alayhim) ('if they yield that owed by them').19 This second one is almost certainly a fuller version of that cited by Abuṣuf ʿUbayd.20

Now Calder argues that the final redaction of Abuṣuf is a product of the 860s, hearing in it echoes of the fiscal crisis of the Sāmarraʿ period;21 Hill would presumably argue that all notice of fixed tribute belongs in ʿUmar's reign, and that Abuṣuf has faithfully recorded history;22 I see nothing in this part of the text that cannot be reconciled with a late Umayyad milieu, and no reason to doubt a middle to late eighth-century floruit for our anonymous informant. Why then does he fail to adduce a treaty text – such as that known...

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12 Abū Yūṣuf, Kitāb al-Kharaǰ, p. 40.
15 See al-Balādhurī, Futūḥ, pp. 172ff.
16 And so too in Qudāma b. Jaʿfar, Kitāb al-Kharaǰ wa-sīnaʿat al-kītāba (Baghdad, 1981), p. 312, which is heavily indebted to al-Balādhurī.
18 The account begins at Futūḥ, p. 174:14. Little can be said about Dāwūd, a Kufan native and qaḍī who settled in al-Raqqā, except that he appears fairly frequently as a source for al-Balādhurī (thus Futūḥ, pp. 57, 167, 468; and al-Balādhurī, Anṣāb al-ashraf, V (Jerusalem, 1936), p. 313 where he reports on the authority of mashāyikh min al-Qaysiyyān), and that in hadīth matters he was considered daʿī taʾmut al-hadīth; see Ibn Abī Ḥātim al-Rāzī, Kitāb al-jurḥ waʾl-taʿdīl (Beirut; reprint of Hyderabad, 1953), III, p. 418; and Ibn Hajār, Liḥān al-mīzān (Hyderabad, 1331), II, pp. 420ff.
20 Abū ʿUbayd, Kitāb al-Amwāl, p. 298; Ibn Zanjawayh, Kitāb al-Amwāl, p. 474. It is addressed in Abuṣuf's version 'to the people of Edessa', and in al-Balādhurī's to 'the bishop of Edessa'.
21 Calder, Studies, pp. 147ff., where he tentatively proposes that the work is to be credited to al-Khassāf (d. 261/874).
to both Dāwūd and Abū ‘Ubayd – in support of his argument? It could be argued that our informant did know of existing sulḥ texts, but that he chose to suppress them, or, very differently, that although appropriate sulḥ texts did exist, he was simply ignorant of them. Both explanations are unpromising, however: one suppresses not all sulḥ texts, but rather only those that do damage to one’s argument; and Abū Yūṣuf – who was, after all, Hārūn al-Rashīd’s chief qaḍı – chose his informant precisely because he was so learned in his province’s history.

One is attracted to the conclusion that provincial authorities’ knowledge of early Islamic history grew over time. Much of this growth probably took place in early Abbasid al-Raqqa, which dominated Jaziran learning in this period. This is the impression created not only by al-Baladhurī’s frequently Raqqan sources (e.g. Sulaymān b. ‘Atīḥ, Dāwūd b. ‘Abd al-Ḥamīd, Abū Ayyūb al-muʿaddib, ‘Amr al-Nāqīd, Abū ‘Affān and ‘learned men from among the Raqqan scribes’), but also by Abū ‘Ubayd’s treaty text, which comes on the authority of another Raqqan native, Kāthīr b. Hīshām (d. 207/822), who transmitted from his teacher and fellow Raqqan, Jaʿfar b. Burqān (d. 151/768).

To judge by the Kīṭāb al-Kharaǰ, knowledge of an increasingly remote past was thus at once both obscure and deeply controversial. Abū Yūṣuf lacks expertise in Jaziran traditions, so he writes to an anonymous local shaykh, who clearly does not; but his testimony suggests that the problem is systemic, for it turns out that he too suffers from a dearth of information. This is a pattern discernible

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25 Since the famous kāṭīb Abīl Ḥamīd is said to have left descendants in al-Raqqa (thus al-Ṣafadī, al-Wafī bi’l-wafayāt (Leipzig, Istanbul and Beirut, 1931– ), XVIII, p. 86), it is tempting to finesse the obvious chronological difficulties and identify Dāwūd as his (long-lived) son; W. al-Qaḍī, ‘Early Islamic state letters: the question of authenticity’, in A. Cameron and L. I. Conrad, eds., The Byzantine and Early Islamic Near East I: Problems in the Literary Source Material (Princeton, 1992), p. 236) does precisely this.


27 See Ibn Sa’d, Kīṭāb al-Tabagūṭ, VII, p. 181; al-Mīzāz, Tāḥdīḥ al-kāmil, V, pp. 11ff. (where he, along with the Syrians and Jazirans, is said to have transmitted from al-Zuhrī while the latter was resident at Hīshām’s court in Rūṣafa); Ibn Hājar, Tāḥdīḥ, II, pp. 84ff.; al-Dhahabī, Taḥkīrat al-huffaz (Hyderabad, 1958), pp. 171f.; al-Qushayrī, Taʾrīkh al-Raqqa (Damascus, 1998), pp. 86f.; see also M. Lecker, ‘Biographical notes on Ibn Shihāb al-Zuhrī’, Journal of Semitic Studies 41 (1996), pp. 31f. It is hard to see how Jaʿfar, as some authorities would have it, was actually illiterate; thus al-Mīzāz, and see also M. Cook, ‘The opponents of the writing of Tradition in early Islam’, Arabic 44 (1997), p. 495, note 516.
elsewhere in the north, and should give us reason to pause when we read Iraqi versions of Jaziran history. The problem is not only that the historical tradition is in some measure discontinuous (which it clearly is); it is that our informant seems to have belonged to the last generation in which historical naïveté of this kind was intellectually possible. Thus the length of ‘Iyād’s siege at Edessa escapes him, which is perhaps not so surprising; in and of itself, the duration of a siege was of no lasting legal significance – in the long run, it simply did not matter. But so too do the specifics of the sulh treaty escape him, and this is surprising, since Edessa, as we shall see, frequently plays a paradigmatic role for the conquest of the Jazira. When pressed for precedents, our informant rejects all representations of this past as spurious, explaining fiscal arrangements with reference to contemporary practice. A generation or two later he almost certainly would have provided historical precedents of his own.

**Treaties: forms and functions**

That an Edessan treaty seems to have come into being well after the conquest of Edessa can hardly be taken to mean that no treaties existed in the aftermath of the conquest, that all treaty texts preserved in our historical sources are forgeries, or, of course, that the conquest of Edessa did not end with a treaty of some kind. The elites of northern Mesopotamia were accustomed to bargaining and negotiating terms for their cities: treaties were a common feature of the great Persian–Byzantine wars of the late sixth and early seventh centuries; and local Arabs, foederati and otherwise, appear in treaties frequently enough that one must infer that they understood their significance. Indeed, there is every reason to think so, for there was a practice of Jāhilī treaty writing

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28 In the case of Mosul too it seems that local authorities knew less about conquest history than did those living (and learning) in the centres of scholarship in the south; for al-Azdī’s reliance on second-century Iraqi authorities for the conquest history of his own town, see chapter 6.


32 For examples, see J.-B. Chabot, ed. and trans., *Synodicon Orientale ou Recueil de synodes Nestoriens* (Paris, 1902), pp. 526f./532f. (from a synod of 484); I. Shahid (Kawar), *The Arabs
among the Arabs of the Peninsula,\textsuperscript{33} which was apparently sanctioned by the Qur'an itself,\textsuperscript{34} and put into practice by the so-called ‘Constitution of Medina’. It may be credulous to think that the caliph 'Umar possessed a trunk crammed full of treaty documents;\textsuperscript{35} but this is not the same as saying that commanders would not have thought to give written form to conquest arrangements.

In formal terms, one can distinguish in Jaziran accounts between treaty conditions enumerated as part of continuous narrative and those reproduced as part of a treaty document. The first is signalled by the form ‘and he [the commander] reached a suh·lān·ān·ā agreement on the (following terms)’ (\textit{fa-sālahā(ū)-hu(hā) 'alā...})\textsuperscript{36} and names of the addresser and addressee,\textsuperscript{36} and marks its end with \textit{basmala} and \textit{ra·shida};\textsuperscript{35} the conditions (sometimes unilateral, sometimes bilateral) are then enumerated, after which the narrative moves directly on, usually in itinerary fashion, to the next battle. The second type purports to record the treaty \textit{verbatim}, and its most distinctive feature is a striking concern with authenticity. It generally begins with a \textit{praescriptio} consisting in a \textit{basmala} and names of the addresser and addressee,\textsuperscript{36} and marks its end with concluding formulae of various kinds (e.g. \textit{wa-ka·fa bi l-lāh shahīdan}). It is occasionally prefaced or followed by the compiler’s attestation to authenticity (e.g. \textit{wa-kh·atama 'Iyād bi-kh·ātimihī; wa-kataba la-hum kitāb nasakhtuhu}).\textsuperscript{37} Despite

\begin{itemize}
  \item in the peace treaty of AD 561', \textit{Arabica} 3 (1956), pp. 192ff.; I. Shahid, \textit{Byzantium and the Arabs in the Sixth Century}, I. part 1 (Washington, D.C., 1995), pp. 260ff. Cf. ps.-Joshua, \textit{Chronicle}, pp. 82/98f., where five Arab chiefs (\textit{b·ir·shānī}; Wright translates ‘\textit{shaikh}s’) are executed for failing to follow orders; the \textit{foederati} are clearly heard here too.
  \item On Jāhīfi treaty writing, see G. Schoeler, ‘\textit{Schreiben und Veröffentlichen}. Zu Verwendung und Funktion der Schrift in den ersten islamischen Jahrhunderten’, \textit{DI} 69 (1992), pp. 2ff.; J. Pedersen, \textit{The Arabic Book}, trans. G. French (Princeton, 1984), p. 10; cf. G. Khan, ‘The pre-Islamic background of Muslim legal formulae’, \textit{Aram} 6 (1994), pp. 193–224; and for literacy in Medina, see now M. Lecker, ‘\textit{Ya·y·d· d· a· m· a̅ n wa· b· a· m· a} wa-l-kh·a· t· a· b· a al-Shām wa-qa‘idī’id juyušihi’.
  \item E.g. Qur’ān 5: 1 and 2:282, the latter calling explicitly for the writing down of contracted debts; on this, and some of the relevant \textit{hadīth}, see J. A. Wakin, \textit{The Function of Documents in Islamic Law} (Albany, 1972), pp. 5f.
  \item See M. Hamid Allāh, \textit{Majmū‘a‘ al-waṭaḥā‘iq al-siyāsīyya li l-‘a·d· u· ḍ· u al-nabawī wa-l-kh·a· t· a· b· a al-rā‰hīda}, 4th edn (Beirut, 1983), p. 24. For a brief survey of conquest treaties, see W. Schmucker, \textit{Untersuchungen zu einigen wichtigen bodenrechtlichen Konsequenzen der islamischen Eroberungsbewegung} (Bonn, 1972), pp. 173f. Cf. the account preserved by Ibn A‘tham (\textit{Fa‘ith, I}, p. 327), which has the bishop of al-Raqqa insist that ‘Iyād give written form to his spoken offer of safe passage; ‘Iyād does so, duly authenticating it as well (\textit{fa-kataba la-hu ‘Iyād amīn wa-ba‘atha layhī manshīr qa‘d khatamahu bi-kh·ātimihī). Abū ‘Ubayda first folds, then seals, his letter to ‘Umar: ps.-Wāqidī, \textit{Futūh· al-Jazīra}, Libri Wakedii de Mesopotamiae expugnatae historia (Göttingen, 1847), p. 1; cf. Qur‘ān 21: 104, and, for a discussion of the relevant techniques of folding and storing papyri and parchment, N. Abbott, \textit{The Kērrāh Papyri from Aphrodisio in the Oriental Institute} (Chicago, 1938), pp. 14f. This ps.-Wāqidī is one of several Iraqi conquest texts ascribed to al-Wāqidī, none of which appears to be early. In addition to the Göttingen MS, there is a Copenhagen MS (no. 137; for a discussion and partial translation of the Göttingen MS, with notes to the Copenhagen, see B. G. Niebuhr and A. D. Mordtmann, \textit{Geschichte der Eroberung von Mesopotamien und Armenien} (Hamburg, 1847)); and now an edition, based on photographic copies of an Istanbul MS (\textit{Ta‘rikh futūh al-jazīra wa-l-Kh·ābir wa-Diyār Bakr wa-l‘Iraq} (Damascus, 1996)). In general, see Brockelmann, \textit{GAL}, I, p. 136; and Sezgin, \textit{GAS}, I, p. 296.
\end{itemize}
the apparent artificiality of the second type, which in its essentials conforms to the amān letters prescribed by Ibn Qutayba (d. 276/889), it is facile to assume that form can predict authenticity – that, in other words, the less concerned a text is with authenticity, the more authentic it is likely to be. In fact, sometimes the opposite might be argued: in al-Wāqidi’s account of the conquest of Edessa it is the treaty representation of the first type that falls foul of Noth’s criteria for authenticity, while the accompanying treaty text is in some respects promising.

Here it bears remembering that while inauthenticity can be demonstrated relatively easily, ascertaining that a treaty is both authentic and original is in practice extremely difficult, and generally requires a control of some kind. An illustration comes in an account concerning the conquest of Edessa, which is attributed to Sulaymān b. ‘Atī’, one of several Jaziran natives involved in building the tradition. On the one hand, it arouses suspicion on at least three counts: it includes transparently legendary ingredients (‘Tyāḏ is mounted on a chestnut-brown horse), apparently classical features of Muslim–non-Muslim relations (‘if they fail to fulfil any of these conditions, they will forsake their protected status (dhimma)’, and it has the treaty for Edessa function paradigmatically for the entire Jazira. On the other hand, none of these criticisms can clinch an argument for secondary forging, especially in the light of the report’s reassuring imprecision (fa-in tarākū shay‘ minna shurūta la-hum); it contains no identifiable anachronisms.

Considering that independent control on the Islamic tradition appears so infrequently, we might subordinate questions about the authenticity of conquest treaties to questions about their social function; in other words, we should concern ourselves less with their truth value and more with two related questions of post-conquest history. First, how were treaties perceived to govern relations between local Muslims and Christians on the one hand, and imperial authorities and local Christians on the other? Second, what is the consequent literary effect of the treaty on the text in which it was finally deposited? Of the

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38 Ibn Qutayba, ‘Uyūn al-akhbār (Cairo, 1925), II, p. 225.
39 See his ‘Verträge’, esp. p. 312 (where the ad hoc character of the tax is taken to signal an early date), and Noth/Conrad, Early Arabic Historical Tradition, pp. 63ff.
40 The prohibition of ‘committing offences’ (wa-lam yuḥdūṭa mağhila), along with the Syriacism (ba’tāth; cf. Thomas of Marga, The Book of Governors, ed. and trans. E. A. Wallis Budge (London, 1893), pp. 237/447) must have been as obscure to ninth-century readers as it is to modern ones.
42 Al-Balāḍurī, Futūḥ, p. 172.
43 Given as faras kumayt, but reports naturally differed about the precise colour: cf. al-Qushayrī, Ta’līḥ al-Raṣqa, pp. 24f. (muddhīf almar).
second issue I have relatively little to say, since my intentions here are stubbornly conservative; suffice it to say, the choice of one or the other treaty form was presumably conditioned by the availability of exemplars and desired narrative effect, treaty texts providing a documentary authority that ismā`īlīs a`khbār so frequently lacked. It is on the first of the two questions that I should like to concentrate, for historical narrative seems to have had an archival function; and this, more than fire or the ravages of time, probably explains why virtually no treaties survive independently. Whether copied verbatim, loosely paraphrased or excerpted, the texts preserved in the historical tradition had played crucial roles in the hurly-burly of politics and social relations in early Islamic towns.

They might appear fixed and immutable, but treaties had first and foremost been living documents, their lives extended by recopying and, of course, forging. Copies seem to have been retained by Christian and Muslim authorities in the provinces, the former apparently storing theirs in church archives; one infers from Abu`Ya` suf’s passage that imperial authorities kept theirs in


46 Thus Abu`Ubayd (Kitāb al-Amwāl, p. 297; Ibn Zanjawāyhi, Kitāb al-Amwāl, p. 473) preserves the operative section of Khālid b. al-Walūd’s treaty with the Himīṣ, along with its close; but the material between the two he did not bother to record.

47 For a particularly good example, see Abū`Yūsuf, Kitāb al-Khārāj, p. 54, where Mūsā b. Talḥa volunteers his confusion (‘udnā kitāb katabahu al-nābi的颜色 (s) lī-Mu`ādhi aw qāla muskha aw wajadtu nuskha hākadhā); The Prophet’s letter concerning the Thaqīf is said to have been written on a sā`hīf, the copying of which was witnessed by Abū`Ya` suf’s passage that imperial authorities kept theirs in


49 Khalīfa b. Khayyāt (Ta`rīkh (Beirut, 1995), p. 77) tells us that the sulḥ contracted by `Uyād was retained by the inhabitants of Ḥaibar, but not precisely where; cf. the case of Mayyāfīrūq (C. F. Robinson, Ibn al-Azraq, his Ta`rīkh Mayyāfīrūq, and early Islam, JRA 33, 6, 1 (1996), p. 22), where a church is specified. A yellowed copy of the Najrān treaty, bearing the Prophet’s stamp, is said to have been found in 265/878 in a daftar in the possession of Ḥabīb the monk, who claimed that it came from the Bayt al-Hikma; see the Histoire Nestorienne, II (2) ed. and trans. F. Nau in PO 13 (1919), pp. 601f. The Latin loan word used here (sijill) had already entered Arabic via Aramaic by the time of the Qurʾān, and it appears in Syriac conquest accounts too; thus Michael the Syrian, Chronique de Michel, patriarce jacobite d’Antioche (1166–1199), ed. and trans. J.-B. Chabot (Paris, 1899–1924), xi.vii (‘livre’. ‘chapitre’) (the document ʿUmar writes for Sophronius, bishop of Jerusalem, forbidding a Jewish presence in the city). One can fairly assume the existence of state archives from the Marwānid period, but these remain difficult to describe; cf. M. M. Bravmann, ‘The State archives in the early Islamic period’, Arabica 15 (1968), pp. 87ff., which is reprinted in his The Spiritual Background of Early Islam (Leiden, 1972), pp. 311ff.
the capital. Abū 'Ubayd's Edessa treaty text is said to have come to light when the caliph 'Umar II (r. 717–720) directed one of his subordinates to 'ask the people of al-Ruhā [Edessa] if they have a sulḥ', whereupon 'their bishop' (usqufuhum) promptly produced one, stored in a cylindrical container of some kind: 'This is the letter (kitāb) from Iyaḍ· b. Ghanm and those Muslims with him to the people of Edessa: “I have granted them security (amān) for their lives, possessions, children and women, their city and their mills, provided they pay what they rightly owe.”' According to one of al-Balādhurī’s Takritī shaykh, a conquest treaty (kitāb amān wa-shurat la-hum) had been in the possession of the people of Takrit until a certain al-H· /J/Kh-r-sh-ı¯ ripped it up; the person in question is almost certainly Yah· ya¯b .S a Sa ı¯d al-H· arashı¯, who was appointed governor of Mosul in 796, and whose methods in levying taxes were as destructive as they were effective. In shredding the Takritī treaty, Yahyā b. Sa ı¯d was not so much rejecting a specific treaty stipulation as he was announcing that the rules had changed: he was now going to exact what he liked, regardless of what this or any other treaty stipulated. In any case, the event was probably a bit of theatre: when al-Ma ın’s tax agents later tried to modify kharāj practices in Mosul, they claimed ignorance of the written precedent upon which city notables had insisted; at this point, a copy of the document was kept in the dı¯wa¯n in Baghdad.

Treaty copies were retained (and produced) in part because they were held to govern the character and amount of tribute to be levied on Christian subjects. We have already seen that the informant quoted by Abū Yūsuf reflects a local controversy regarding the rate and method of taxation. He concedes that Edessa fell according to a sulḥ treaty, but disputes the existence of a surviving text, since it apparently prescribed a tax arrangement contrary to his interests. If the existence of a text was not in question, the issue then frequently turned on who was liable to pay, and, in the language of the classical jurists, whether the amount of tribute was specified (‘alā Shay’ musammāl/sammawhu), or variable according

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50 Abū ’Ubayd, Kitāb al-Amwāl, p. 298; Ibn Zanjawayh, Kitāb al-Amwāl, p. 474; see also al-Qushayrī, Ta’rīkh al-Raqqā, p. 26. Cf. the case in Damascus, where fifteen churches are said to have been specified in the city’s sulḥ; when one of these is confiscated, the Christians take their grievance to ‘Umar II, who rebukes Hassān b. Mālik al-Kalbī: ‘If this is one of the fifteen churches which are in their treaty (ahd), then you have no claim on it’ (fa-lā sabāḥ la-ka ilayhā); see Ibn Manzār, Makhāṣṣar ta’rīkh madīnat Dimashq (Damascus, 1988), 1, p. 290.


54 Al-Azdī, Ta’rīkh, pp. 410f. (in this case, the document in question was not a conquest treaty, but an Abbasid-era tax document).

55 One occasionally comes across variants, e.g. kharāj ma’lūm (Ibn Zanjawayh, Kitāb al-Amwāl, p. 187).
to the capacity of those paying (‘alā qadr al-tāqa). Al-Balādhurī’s authorities preferred the former; thus accounts of the conquest of al-Raqqa put the tribute at one and four dinārs, sometimes including a portion in kind. By the time the tradition reaches us, a consensus had emerged among Muslim authorities that all adult males were liable; but Christian accounts, which were by definition written by men of the church, frequently argue that priests and bishops were exempt, a point not infrequently disputed by Muslim sources.

In addition to governing tribute obligations, treaty texts were also held to determine the legal status of the Christians’ public worship and churches; it is here, more than in matters of tax and tribute, that we can see how conquest history was adduced in local controversies. According to al-Azdī, al-Mahdī adjudicated between the Christians and Muslims of Mosul in 163/779 in a dispute over the status of the church of Mār Thomas; here the issue was plainly the legality of ihdāth – post-conquest maintenance and repairs. It seems that the Christians of the city had enlarged the church at the expense of an adjacent mosque, with the result that city folk had it razed. Al-Mahdī summoned the two parties of the controversy (al-farāqa) to the nearby town of Balad, presumably to distance the proceedings from angry crowds; there he ultimately decided in favour of the Muslims. The events are also preserved in the biographies of the city’s qādī, al-Ḥasan b. Mūsā al-Ashyab (d. 824); the Christians offer him a generous sum to judge in their favour, but he declines. Later, when Hārūn visited Edessa in 793, the Muslims (tāyyāyē) of the city claimed that the Christians had been spying for the Byzantines, that the emperor himself had been praying in the city’s church, and that the ‘great church’ (̄idta) should be razed, and its bell cease ringing. The first allegation

56 Al-Balādhurī, Futūḥ, pp. 173f.
57 Thus ‘Umar II is said to have proposed a tax of 2 dinārs on monks; see Ibn Zanjawayh, Kitāb al-Amwāl, p. 163; and, for Egyptian evidence, Morimoto, Fiscal Administration of Egypt, p. 82. For an overview on the jizya, see U. Rubin, ‘Quran and Tafsīr: the case of “an yadin”’, DI 70 (1993), pp. 133–44.
59 Al-Azdī, Taʾrikh, pp. 244 and 340.
echoes treaty clauses that call upon city folk to ‘help Muslims against their enemies,’ and perhaps northern Syrian anxieties about a Byzantine reconquista too.

The fullest example is provided by the Monophysite patriarch Dionysius of Tell Mahre (d. 845) in his history, here cited by the late twelfth-century patriarch Michael the Syrian. The point at issue was patriarchal authority, particularly vis-à-vis that of the qaḍī of Mosul; according to his first-person testimony, Dionysius argued the Christian case on their behalf as follows: ‘The Mosulis [that is, the city’s Christians] say that they willingly handed their city over to the Muslims (tāyyāyē), [that is, that it was a sūlḥ] and that he who conquered it entered into a treaty (qyāmū) with them, according to which their church would not be razed and that their laws would not be abolished; but this judge devastated their cathedral (lit: “great church”) and put an end to their laws.’ In response to the patriarch’s words, the caliph ordered the chief qaḍī, at this point Yahyā b. Aktham, to adjudicate the case, telling him: ‘If the Mosulis demonstrate to you that their city was taken peacefully, let them retain their laws, which he who conquered it granted to them.’ Much like the anonymous Edessans quoted by Abu‘Uyūsf’s informant, the Mosulis knew that conquest history was no settled thing: it was the stuff of controversy.

In prescribing conquest arrangements, conquest history thus describes post-conquest history; and in the absence of genuine documentary sources, it is hard to see how we can say a great deal more than that. Christians might claim that bishops were not to be held liable for tribute, and this in the form of history and law codes alike, but we know that they frequently were, in

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62 Thus al-Baladhuri, Futūḥ, p. 172. For views that would support a much earlier date for clauses such as this, see W. Kaegi, ‘Heraklios and the Arabs’, The Greek Orthodox Theological Review 27 (1982), p. 122.


65 Michael the Syrian, Chronique, xii.xiv, which is also cited in Fiey, Mossoul, pp. 26 ff.


67 In addition to the Life of Gabriel cited below, see the Christian account preserved in the (Islamic) Taʾrīkh Muṣṭafāʾi’sān wa-ʿiṣn of Ibn al-Azraq (MS BM OR 5803, fol. 5a); Robinson, ‘Ibn al-Azraq’, p. 21, note 140 (history).

68 Thus Chabot, ed. and trans., Synodicon Orientale, pp. 225/489 ff.; see also A. Palmer, Monk and Mason on the Tigris Frontier (Cambridge, 1990), p. 187; and R. J. Bidawid, Les Lettres du patri-
the Jazira, the practice seems to have begun in the early Abbasid period.69 Similarly, the Islamic conquest tradition frequently prohibits the striking of sounding-boards, but we know that monks and priests kept on striking.70 Since the question of church building is relatively well documented, it can suggest some of the ways we can turn the (relatively late) tradition to our advantage; it can also reinforce a point made already: as far as confessional relations are concerned, it is in the early Abbasid period that conquest history clearly began to matter.

Conquest treaties frequently limit or prohibit church construction in cities such as Edessa and al-Raqqa.71 Jurists, being jurists, disagreed about the particulars, some prohibiting maintenance and construction alike, some only construction de novo,72 while others apparently restricted these prohibitions to the amsār.73 But regardless of what jurists of the ninth and tenth centuries may have said, in the north (particularly Edessa and Ṭur ‘Abdīn) we have epigraphic evidence of continued church building,74 along with a range of documentary and literary material.75 The city of Mosul, which was a miṣr by any reasonable definition, witnessed the birth of a vibrant church and monastic

arche nestorien Timothée I (Vatican, 1956), p. 2 (Mūsā b. Muṣāb exceptionally exempts Timothy, Nestorian patriarch; on Mūsā, see chapter 7).
69 If we follow the Zuqnin Chronicle, ed. J.-B. Chabot as Incerti auctoris chronicon anonynnum pseudo-Dionysianum vulgo dictum II (Paris and Louvain, 1933 and 1989; CSCO 104 and 507), pp. 259f./204f.
72 Whereas the clause in Sulaymān b. ‘Atī’s treaty (lā yuhdīhū kanīsa ills mā kāna la-hum) assumes that ḫudīhū means maintenance and repair, elsewhere it is taken to mean building as well as rebuilding; thus al-Baladurī, Futūh, p. 172; cf. also Abū Yūṣūf, Kitāb al-Khārāj, p. 138.
culture during the seventh and eighth centuries. As far as the Christians were concerned, the evidence suggests that the controversy lay not in the legality of church building under Islam, but rather in who had authority over the churches once built. According to a Nestorian synod of 676, churches and monasteries were to be built under the supervision of the bishop; there is no mention here of Muslim restrictions. Writing as the Nestorian bishop of Nineveh soon after the conquest of Mosul, Ishoʿyab III complained of the construction of a Monophysite church; he had the legal distinction between building and rebuilding then existed, one might have expected him to invoke it – particularly since the Nestorians could claim pre-Islamic foundations in Mosul, while the Monophysites could not. What seems to have upset Ishoʿyab was his adversaries’ ability to curry favour with the authorities, and the meddling of Takriti Monophysites in Nineveh affairs. Simeon of the Olives is singled out for having used funds from Tūr ʿAbdīn to rebuild a church in Nisibis that had been destroyed by Jews and Nestorians, and which was completed in 706/7; once again, the issue turns on Nestorian and Monophysite competition for Muslim favour, rather than the legality of church construction per se.

Spotty as it is, the evidence also suggests that it was only in the middle of the eighth century that some restrictions began to appear; in other words, they relate to the imposition of Abbasid rule from Iraq. As we have seen, it is Abbasid caliphs and judges who adjudicate these disputes, and it may even be that the Abbasid caliphs’ episodic visits to towns in the north served to hone polemical skills; certainly this dating would explain an awkward account of the construction of a church near Șalaḥ around 755. It follows that conquest

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76 For an overview, see Fiey, Mossoul.
78 This in the collection of his letters edited and translated by R. Duval as Ishoʿyab patriarcae III Liber epistularum (Paris, 1904 and 1905; CSCO 11–12), pp. 82f./63f.; see also Fiey, Mossoul, p. 19, note 1. The Nestorian History of Rabban Hormizd is filled with similar stories, many of which are certainly legendary; see Rabban Hormizd, The Histories of Rabban Hormizd the Persian and Rabban Bar ʿIdā, ed. and trans. E. A. W. Budge (London, 1902).
79 See the discussion in Palmer, Monk and Mason, p. 160.
81 The dislocation in the countryside so vividly portrayed in the Zuqnin Chronicle thus seems to have had an urban echo as well; see C. Cahen, ‘Fiscalité, propriété, antagonismes sociaux en Haute-Mésopotamie au temps des premiers ʿAbbāsides d’après Denys de Tell Mahrē’, Arabica 1 (1954), pp. 136–152; cf. Fiey, Chrétiens syriques, pp. 24f.
82 In addition to the accounts already cited, see the Chronicle of 1234, II, pp. 22f./16, where al-Maʿmūn goes to Harrān, and enters into controversy with Theodore Abū Qurra; the debate is recorded in writing. On the historicity of the debate, see S. Griffith, ‘Reflections on the biography of Theodore Abū Qurrah’, in S. K. Samir, ed., Actes du 4e Congrès International d’Études Arabes Chrétiennes (Cambridge, 1992), Parole de l’Orient 18 (1993), pp. 156ff.
83 Where, in Palmer’s words, ‘the builders of the church . . . apparently called it a “renovation”, whereas it was clearly no less than a total reconstruction’; see Palmer, Monk and Mason, pp. 187 and 206 (for the inscription).
traditions that feature restrictions of the variety discussed here are unlikely to have stabilised before the early eighth century, when they were required by Muslim and Christian élites in intraconfessional controversies.

**Christian conquest accounts**

Treaty texts thus played a crucial role in a living tradition of conquest history, and we have seen that something of their *Sitz im Leben* can be inferred from accounts of Umayyad and early Abbasid administration. It is out of this controversial milieu that our finished treaties emerged.

The eventual resting-place of the confessional claims they expressed need not be the tradition that produced them. The conquest account attributed to Sulaymān b. ‘Atā’ (preserved by al-Balādhurī) may or may not be authentic, but that the treaty was put in circulation by local Christians, only to be recorded by a Muslim native of Harrān, and finally pass into the imperial tradition, is suggested by a number of features: the distinction between the single (and definite) ‘cathedral church and precinct’ (*haykalahum wa-māḥawlahu*) and the indefinite ‘any church’ (*kanīsa*); the permission given to repairing pre-existing churches (*lā yuḥdithān kanīsa illā nā kāna la-hum*); and, finally, the complete omission of any tribute requirement. 84 Similarly, al-Wāqidī’s long account of the conquest of al-Raqqa, Harrān and Edessa seems to preserve the (pagan) Harrānians’ special pleading.85 This said, Christian perspectives are naturally most abundant in the surviving Syriac tradition, and there one finds that the function of many Christian accounts is not so much to record history as it is to prescribe harmonious coexistence, an accommodating *modus operandi* that was rooted in, and exemplified by, lines of patronage. Within this retrojected framework of coexistence and patronage is then made a set of claims: claims about Church institutions (e.g. churches and monasteries), the poll tax and public rituals (e.g. the striking of sounding-boards and processions on holy days).

There are many examples, including one in the *Life* of Simeon of the Olives (d. 734): wishing to build churches and monasteries in Nisibis, Simeon secures a document (*ktaḥba*) from the governor (*shallīt*) of city, which he takes to the ‘great king of the Arabs’, along with a variety of precious gifts; he duly returns with another document, this one written by the ‘king’, which stipulates that the ‘laws of the Christians’ be respected in the Arabs’ territory.86 Another example appears in the Syriac *Life* of Gabriel of Qartmīn, the metropolitan bishop of Dārā from 634 to 648.

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Now this Mor Gabriel went to the court of the sovereign (shultānā) of the Arabs [lit. ‘sons of Hagar’], who was ‘Umar the son of Khattāb, in the city of Jazīrē. He was received with great gladness and after a few days the Blessed One [i.e. Gabriel] petitioned the commander (amīrā) and received his written authority concerning the statutes (qūnē) and laws (mnūsē) and 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 [lit.: vertebrae], and to monks that they should be exempt from tribute (mdattā), 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. The sovereign (shallītā) was pleased that the Blessed One had come to him; and the holy man returned to the abbey with great joy.87

Palmer argues that the text is legendary, partly on the grounds that the caliph ‘Umar would have had nothing to do with securing a conquest treaty in the backwoods of Tūr ‘Abdīn; he must be correct, even if the ‘Umar in question may be a local figure.88 Considering the wide range of evidence, we have no choice but to regard Gabriel’s account, and equally those treaties that stipulate the precise contrary to the arrangements set down by Gabriel, as polemical assertions and counter-assertions, which freeze, and then embellish upon, episodes in an ongoing process whereby Christian communities and Muslim authorities negotiated and adjusted their way towards coexistence. The affected reference to the caliph’s ‘written authority’ merely underlines the view, held equally by Christians and Muslims alike, that negotiations were to be carried out with reference to what Abū Yūsuf’s ‘learned people’ called ‘how things were at the beginning’; they were also to be written down.89

It was not enough that relations between Christians and Muslims simply be given contractual form. In a political culture conditioned by emerging norms rather than fixed rules and institutions, Christian claims that churches could be rebuilt or that sounding-boards could be struck were most effectively made by those who enjoyed the favour of Muslim authorities. Harmonious relations prescribed by dry treaty stipulations were thus vividly exemplified by individuals – principally bishops and holy men; Gabriel, his hagiographer writes, ‘was received with great gladness’. Christians, for their part, reciprocated, and are often given to receive the conquerors warmly, frequently offering provisions and food. The conquest story that appears in the Syriac Ecclesiastical History of Bar Hebraeus (d. 1286) is a case in point. The protagonist is Mārūtā, the Monophysite maphrian of Takrit, and the section in question begins with his reforms of 629, which resulted in the establishment of Takrit as the see of the Monophysite metropolitan; it then turns to the events of the conquest itself:

87 See microfilm 1 enclosed in Palmer, Monk and Mason, LXXII; I follow Palmer’s translation closely. 88 Robinson, ‘Ibn al-Azraq’, p. 20. 89 Cf. accounts concerning the conquest of Tustar, where instructions are emphatically written; see Ibn A’tīham, Futūb, II, p. 11 (wa-a’tīham ‘ahd wa-kitāb maktab).
When these matters were settled, Mārūtā went to Tagrīt, and he decorated and adorned it with monasteries and churches, which he built there. In his days, the kingdom of the Arabs (malkūtā d-tayyāyē) took control of Persia (bēt parsāyē), and in his wise administration he opened the fortress (hesnū) of Tagrīt to them; [as a result], not a soul was injured.90

There is little hope of reconciling this account with those preserved by the Islamic tradition, which is itself inconsistent on the fate of the city, and Posner sensibly discarded it in favour of the Islamic material.91 Although the provenance of this report is difficult to pin down, it is unlikely to be early. Unlike much in Bar Hebraeus, it does not derive from Michael the Syrian, whose sources are not only better known to us, but are often quite early. More important, it is not included in the biography of Mārūtā, which was penned by his successor, Denha.92 In fact, the account is too lean and confused to inspire any confidence at all: it lacks any temporal precision (‘When these [matters] were settled . . .’), and fails to mention any figures by name. It rather shows all the signs of being legendary, and is absent in Denha’s biography for the simple reason that the legend had not yet emerged.

For later authorities, it did have two things to offer, however. The first, particular to Mārūtā, was praise for his firm stewardship of the church in a time of crisis, when bishops not infrequently fled their sees. A western synod of 636, for example, expressly prohibits bishops from moving around, despite ‘the many disturbances and discords’.93 The second, common to a large number of accounts, was to project a harmonious and orderly set of confessional relations, which were to be anchored by lines of patronage and authority; the conquest past could serve to underpin Christian and Muslim authority alike. In this particular narrative Mārūtā’s acknowledgment of Muslim authority is


93 See A. Vööbus, ed. and trans., The Synodicon in the West Syrian Tradition I (Louvain, 1975; CSCO 367–8), pp. 91/99 and 113/117. Cf. Mārūtā of Maipherqat, The Canons Ascribed to Mārūtā of Maipherqat, ed. and trans. A. Vööbus (Louvain, 1982; CSCO 439–40), pp. 52/42; S. P. Brock, Christians in the Sasanid empire: A case of divided loyalties’, in S. Mews, ed., Religion and National Identity: Papers Read at the Nineteenth Summer Meeting and the Twentieth Winter Meeting of the Ecclesiastical History Society (Oxford, 1982; Studies in Church History 18), p. 15, where he notes not only the synod of 554, but also the bridal imagery that lies behind it: ‘In the synod of 554 the transfer of bishops from one see to another is forbidden on the grounds that this is a form of adultery; each bishop’s see being “a pure spiritual wife who has been given to him”.’
expressed with some economy (‘he opened the fortress of Tagrīt to them, and not a soul was injured’); others are considerably less economical. Mār Emmeh, the (Nestorian) bishop of Nineveh at the time of the conquests, is said to have provided provisions for the conquering Muslim armies, and to have yielded the land to them as well; for his co-operation with the Muslim commander in the conquests he was duly rewarded with the patriarchate in 646/7. He would later receive a letter of investiture from ‘Affī, conferring upon him authority over (Nestorian) Christians, which he would display to Muslim military officials as proof of his status. To Landron, accounts such as these suggest that the Nestorians reacted to the conquests with a certain ‘passivity’ that was born of their experiences as a persecuted minority in the Sasanian empire; Hill, who revives the old bogey that the conquest of the north was facilitated by Melkite persecution of the Monophysites, would probably agree. But the eirenic tone cannot be explained by earlier oppression, be it Sasanian or Byzantine; it rather functions as a generic model for Muslim–Christian relations, and this, no doubt more than simple historiographic exchange, explains why similar accounts appear in the Islamic tradition as well.

Thus, according to Ibn A’tham’s account of conquest events at Edessa, the bishop of the city, having prepared a great feast in the cathedral, invites ‘Iyāḏ to dine with him; ‘Iyāḏ’s attendance, we read, will impress the bishop’s fellow Christians. But ‘Iyāḏ, citing ‘Umar’s humble entrance into Jerusalem and his refusal to dine with its bishop, refuses. The bishop then suggests that the commander have his men accept the invitation, but again he declines.

The bishop stood before ‘Iyāḏ not knowing what to say. So ‘Iyāḏ said to him: O bishop! You are only doing this for us out of fear for your land; you should rather do it for those who come after us (bi-man ya’īlka min ba’dinā). We have granted you a ṣuh, so do not fear any oppression on our part; nor shall we impose upon you something beyond your means. So the bishop returned to his men saying, ‘This is the finest man there could ever be!’ (ḥādhā afdal rajul yakūn).

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95 Wa-kataba la-hu ‘Alī b. Abī Ta’lib ‘alayhi al-salām kitāb bi’l-wasāḥah ‘alayhi bi’l-nasārā wa-ra’i’ayat dhimmithim; thus Mārī b. Sulaymān, Kitāb al-Majdāl, p. 62. The ‘commanders’ (antīrē) of Nisibis, Harrān, Edessa and Amida were impressed not only by the holiness of Simeon of the Olives but also by his possession of the caliph’s written orders; see his Life in Dolabani, Maktabzabne, p. 134. For diplomas, see Conrad, ‘Nestorian diploma’, pp. 99f.; and P. Kawerau, Die jakobitische Kirche im Zeitalter der syrischen Renaissance (Berlin, 1960), pp. 86ff.


98 Ibn A’tham, Fīṭāḥ, I, p. 331. Conquest accounts in demonstrably late compilations (e.g., ps.-Wāqīdī) frequently take the form of intra-confessional dialogues.
The point here, as elsewhere,\textsuperscript{99} is to contrast the pious modesty of the (victorious) early Muslims with the arrogant wealth of the (ignominiously defeated) Christians; it is also to anchor ideals of co-operation and co-existence in a formative beginning.

In the examples adduced so far, bishops and holy men have played starring roles; this is because the narratives served not only communal interests, but also factional interests in intra-Christian competition for Muslim favour.\textsuperscript{100} Their prominence should not be taken to mean that conquest accounts featuring civil authorities do not appear in the tradition, however. A fairly complex example comes in the treaty account recorded in a number of Christian sources (i.e. the Syriac history of Michael the Syrian and the \textit{Chronicle of 1234}, the Christian Arabic chronicle of Agapius (Maḥbūb) of Manbij (d. c. 950), and the Greek history usually attributed to Theophanes (d. 818));\textsuperscript{101} it is particularly noteworthy because it figures prominently in a number of modern reconstructions of the conquest of the north.\textsuperscript{102} Aside from relatively minor chronological inconsistencies, the accounts are at one in describing a treaty concluded between a Byzantine figure (usually John) on the one hand and (almost invariably) ‘Īyād b. Ghanm on the other. According to the treaty, the Byzantines were to pay an annual tribute of 100,000 gold coins, in return for which the Muslims, having already conquered Syria, would refrain from crossing the Euphrates into the Jazira proper. It is only in the second (or third) year, when the Byzantines fail to make good on the tribute, that ‘Īyād crosses the river, moving first to Edessa; this campaign results in the conquest of Byzantine Mesopotamia. Now below I will argue that the conquering Muslims did march into the Jazira from Syria, and indeed that Edessa was the first major city to fall. But what meaning did the account bear in the early period, and what is its exact provenance?

The authority responsible for the accounts, whom we can assume to be Theophilus of Edessa (d. 785),\textsuperscript{103} is anything but naïve about Islamic rule, knowing what can only be described as a fairly arcane point of imperial history, namely that in the post-conquest period Qinnasrîn and Ḥims were

\textsuperscript{99} For an example from the south (Hurmuẓān), see Robinson, ‘The conquest of Khūzistān’.

\textsuperscript{100} A particularly good example involves the Nestorian patriarch Ḥnānîsho (d. 699 or 700); see Mārî b. Sulaymān, \textit{Kitāb al-Majdal}, p. 63; and further Hoyland, \textit{Seeing Islam}, pp. 200ff.


administratively connected until the reign of Yazīd b. Muʿāwiya; as Kaegi has noted, a passage in Theophanes' version (‘that he would not cross the Euphrates either peacefully or by force of arms’) may also echo the suḥl/ʿanwa distinction of the Muslim lawyers. It is thus imprecise to call the account merely Christian, particularly since Theophilus, a Maronite by confession, is unmistakably hostile to the emperor Heraclius and his Monothelitism; it is out of his arrogance that he refuses to pay the tribute. In fact, the account betrays an unmistakably Edessan pedigree: in opening the gates of their city to the conquerors, the Edessans are given to enter into an agreement that generously preserves not only their own possessions but (inexplicably) the lives of the Byzantine garrison; and in coming to peaceful terms with the Muslims, the townsfolk possess a foresight unknown to Heraclius, and also to the people of Tellah and Dārā, who capitulated only after a Muslim attack.

In a political milieu where the legacy of the past conditioned the law of the present, the stakes in history writing were high. There is no room in Theophilus’ account for a violent attack, much less any heroic resistance on the part of the city folk, for the Edessan élite stood to gain nothing by generating or transmitting such a conquest memory: familiar as he was with the Islamic tradition, Theophilus would have known of the legal consequences of ‘ʿanwa conquests, just now starting to crystallise; and (apparently) comfortable as he was as part of the caliph’s court, he knew equally well the gains to be had from coexistence. This, rather than the events’ facticity, is sure: for other accounts have Edessa falling not peaceably, but rather under military attack, or reneging on their first agreement, just as other accounts have Dārā and Tellah entering into the same suḥl as had Edessa.

Administration and apologia

Conquest traditions were thus shaped by confessional relations in the early Islamic north. Christian and Muslim élites came to share the view that conquest events set precedents and were to be adduced to adjudicate disputes between their communities; they naturally disagreed about what exactly these precedents were. It is in the light of these disagreements, as well as those of Muslim jurists, that we must read conquest accounts that narrate sieges, capit-

104 See al-Baladhurī, Futūḥ, pp. 131f.
105 Kaegi, Byzantium and the Early Islamic Conquests, p. 159; whether it was ‘original’ is another matter. On Theophanes’ reliance on the Arabic tradition more generally, see Conrad, ‘Theophanes’.
107 Thus al-Baladhurī, Futūḥ, pp. 174ff.