Empire and Elites after the Muslim Conquest

The Transformation of Northern Mesopotamia

CHASE F. ROBINSON

University of Oxford

CAMBRIDGE
UNIVERSITY PRESS

Contents

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-Azdī'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)).

[2] See D. C. Dennett, *Conversion and the Poll Tax in Early Islam* (Cambridge, MA, 1950). Cf. A. Noth, 'Die literarisch überlieferten Verträge der Eroberungszeit als historische Quellen für die Behandlung der unterworfenen Nicht-Muslime durch ihre neuen muslimischen Oberherren', in T. Nagel *et al.*, eds., *Studien zum Minderheitenproblem im Islam I* (Bonn, 1973), pp. 282–314; and K. Morimoto, *The Fiscal Administration of Egypt in the Early Islamic Period* (Kyoto, 1981), Introduction.

We can begin with a chapter in the *Kitāb al-Kharāj* attributed to the jurist Abū Yūsuf (d. 182/798), a legal work concerned primarily with taxation issues and their origins in the conquest period.[3] 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 Yūsuf 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-Jazīra*)[4] who possesses knowledge (*ʿilm*) 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 (*mā ʿindī min ʿilm al-Shām wa'l-Jazīra*);[5] it is nothing that I learned orally (*ḥafiẓtuhu*) from any jurists (*fuqahāʾ*), nor from anybody who can provide it with a chain of authorities to any jurists (*wa-lā ʿamman yusniduhu ʿan al-fuqahāʾ*). It is merely one of many reports from one who can be described as possessing knowledge in this matter (*ḥadīth min ḥadīth man yūṣaf bi-ʿilm dhālika*), 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, ʿIyāḍ b. Ghanm, is said to have imposed a universal capitation tax that consisted of one dīnār, two *mudd*s of wheat and two *qisṭ*s of oil and vinegar.[6] 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 *ṣulḥ* text, on a practice that I can verify (*amr uthbituhu*), transmission from jurists, or an authoritative chain of authorities (*isnād thābit*)'.[7] 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 Yūsuf, *Kitāb al-Kharāj* (Būlāq, 1302). As will become clear, I have learned a great deal from Calder's discussion of Abū Yūsuf (*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 ʿAbbāsids: The Emergence of the Proto-Sunnī Elite* (Leiden, 1997), pp. 91ff.; and cf. H. Motzki, 'The prophet and the cat: on dating Mālik's *Muwaṭṭaʾ* and legal traditions', *JSAI* 22 (1998), pp. 18–83.

[4] Abū Yūsuf, *Kitāb al-Kharāj*, p. 39; I follow the reading in the Taymūriyya manuscript; see also the edition by I. ʿAbbās (Beirut and Cairo, 1985), p. 136.

[5] So the Salafiyya edition (Cairo, 1927); ʿAbbās's edition reads *min al-ʿilm bi-amr al-Jazīra wa'l-Shām*.

[6] In early Islamic Iraq, a *mudd* was approximately 1.05 litres (of dry measure), and a *qisṭ* between 1.07 and 2.14 kg. (W. Hinz, *Islamische Masse und Gewichte* (Leiden, 1955), s.vv.).

[7] Abū Yūsuf, *Kitāb al-Kharāj*, p. 41.

waliya min khulafāʾ al-muslimīn),[8] he writes that 'a learned man who claims expertise in this matter' (*baʿḍ ahl al-ʿilm mimman zaʿama anna la-hu ʿilm bi-dhālika*) argues that the rural folk must provide for armies (*arzāq 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-ʿilm bi'l-ḥujja yaqūlūna*): our right is in our possession, and those before you held us to it; it is [also] established in your records (*wa-huwa thābit fī dawāwīnikum*). You are now ignorant, as we are now ignorant, of how things were at the beginning (*wa-qad jahiltum wa-jahilnā kayfa kāna 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 *ṣulḥ* 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 *ṣulḥ* treaty, one probably in text form.[11]

   Here comparing Abū Yūsuf with Ibn Isḥāq (d. 144/761), Sayf b. ʿUmar (d. 180/796), Abū ʿUbayd (d. 223/837) and the sources quoted by al-Balādhurī (d. 279/892) is instructive. Abū Yūsuf's informant is confident that the battle of Edessa ended with a *ṣulḥ* agreement, but he suspends judgement on the crucial question of fixed versus flexible tribute, stressing instead that the determined resistance of the Edessans persuaded ʿIyāḍ to agree to their terms: 'He [ʿIyāḍ] entered into a *ṣulḥ* with them on the terms they requested. Only God knows more than that a *ṣulḥ* was concluded, according to which

---

[8] These would apparently include Muʿāwiya, who transformed a levy (*wazīfa*) into *jizya* (see al-Balādhurī, *Futūḥ al-buldān* (Leiden, 1866), p. 173), as well as ʿAbd al-Malik b. Marwān (as I suggest below). The earliest instance of the term *wazīfa* in the literature is probably found in Ibn al-Muqaffaʿ, *Risāla fī al-ṣaḥāba*, ed. and trans. C. Pellat as *Conseilleur du calife* (Paris, 1976), pp. 59/58, where it is a calculation levied upon districts (*kuwar*); see also F. Løkkegaard, *Islamic Taxation in the Classic Period* (Copenhagen, 1950), pp. 126f.; and C. E. Bosworth, 'Abū ʿAbdallāh al-Khwārazmī on the technical terms of the secretary's art', *JESHO* 12 (1969), p. 139.

[9] Abū Yūsuf, *Kitāb al-Kharāj*, 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.'[12] 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 Isḥāq and Sayf knew that Edessa's *ṣulḥ* was
granted in exchange for payment of the *jizya*;[13] Abū ʿUbayd had access to an
Edessan 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 Jazarī scholar
Sulaymān b. ʿAṭāʾ 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-Wāqidī
(d. 208/823),[17] and the other on the authority of a Raqqan *qāḍī*, Dāwūd b.
ʿAbd al-Ḥamīd, here transmitting on the authority of his father and grand-
father.[18] Both have ʿIyāḍ stipulate the terms, and both are directly germane
to the controversy to which Abū Yūsuf's informant is speaking; while the
first specifies a tribute (one *dīnār* and two *mudd*s of wheat), the second does
not (*idhā addū al-ḥaqq alladhī ʿalayhim*) ('if they yield that owed by them').[19]
This second one is almost certainly a fuller version of that cited by Abū
ʿUbayd.[20]

   Now Calder argues that the final redaction of Abū Yūsuf is a product of
the 860s, hearing in it echoes of the fiscal crisis of the Sāmarrāʾ period;[21] Hill
would presumably argue that all notice of fixed tribute belongs in ʿUmar's
reign, and that Abū Yūsuf 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

---

[12] Abū Yūsuf, *Kitāb al-Kharāj*, p. 40.

[13] Al-Ṭabarī, *Taʾrīkh al-rusul wa'l-mulūk* (Leiden, 1879–1901), I, pp. 2505 and 2507; I leave aside
exactly what *jizya* means here.

[14] Abū ʿUbayd, *Kitāb al-Amwāl* (Cairo, 1968), p. 298; Ibn Zanjawayh, *Kitāb al-Amwāl* (Riyadh,
1986), p. 474.   [15] See al-Balādhurī, *Futūḥ*, pp. 172ff.

[16] And so too in Qudāma b. Jaʿfar, *Kitāb al-Kharāj wa-ṣināʿat al-kitāba* (Baghdad, 1981), p. 312,
which is heavily indebted to al-Balādhurī.

[17] The account begins at *Futūḥ*, p. 172:9 (I take the *qālū* of p. 174:2 to refer to al-Wāqidī). Ibn
Aʿtham al-Kūfī (*Kitāb al-Futūḥ* (Hyderabad, 1968–1975), I, pp. 326ff.) seems to be drawing
loosely on al-Wāqidī too; he reports a *ṣulḥ* with a four-*dīnār* tribute.

[18] The account begins at *Futūḥ*, p. 174:14. Little can be said about Dāwūd, a Kufan native and
qāḍī who settled in al-Raqqa, except that he appears fairly frequently as a source for al-
Balādhurī (thus *Futūḥ*, pp. 57, 167, 468; and al-Balādhurī, *Ansāb al-ashrāf*, V (Jerusalem,
1936), p. 313 where he reports on the authority of *mashāyikh min al-Qaysiyyīn*), and that in
ḥadīth matters he was considered *ḍaʿīf* or *munkar al-ḥadīth*; see Ibn Abī Ḥātim al-Rāzī, *Kitāb
al-Jarḥ wa'l-taʿdīl* (Beirut; reprint of Hyderabad, 1953), III, p. 418; and Ibn Ḥajar, *Lisān al-
mīzān* (Hyderabad, 1331), II, pp. 420f.   [19] Al-Balādhurī, *Futūḥ*, p. 174.

[20] Abū ʿUbayd, *Kitāb al-Amwāl*, p. 298; Ibn Zanjawayh, *Kitāb al-Amwāl*, p. 474. It is addressed
in Abū ʿUbayd's version 'to the people of Edessa', and in al-Balādhurī's to 'the bishop of
Edessa'.

[21] Calder, *Studies*, pp. 147f., where he tentatively proposes that the work is to be credited to al-
Khaṣṣāf (d. 261/874).

[22] D. R. Hill, *The Termination of Hostilities in the Early Arab Conquests AD 634–656* (London,
1971), pp. 95 and 98.

to both Dāwūd and Abū ʿUbayd – in support of his argument? It could be argued that our informant did know of existing *ṣulḥ* texts, but that he chose to suppress them, or, very differently, that although appropriate *ṣulḥ* texts did exist, he was simply ignorant of them. Both explanations are unpromising, however: one suppresses not all *ṣulḥ* texts, but rather only those that do damage to one's argument; and Abū Yūsuf – who was, after all, Hārūn al-Rashīd's chief *qāḍī* – 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.[23] Much of this growth probably took place in early Abbasid al-Raqqa,[24] which dominated Jaziran learning in this period. This is the impression created not only by al-Balādhurī's frequently Raqqan sources (e.g. Sulaymān b. ʿAṭāʾ, Dāwūd b. ʿAbd al-Ḥamīd,[25] Abū Ayyūb *al-muʾaddib*, ʿAmr al-Nāqid, Abū ʿAffān and 'learned men from among the Raqqan scribes'), but also by Abū ʿUbayd's treaty text, which comes on the authority of another Raqqan native, Kathīr b. Hishām (d. 207/822),[26] who transmitted from his teacher and fellow Raqqan, Jaʿfar b. Burqān (d. 151/768).[27]

To judge by the *Kitāb al-Kharāj*, knowledge of an increasingly remote past was thus at once both obscure and deeply controversial. Abū Yūsuf 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

---

[23] The production of knowledge in this period is certainly not unique to the Jazira: for an argument that biographical details of the Prophet's life grew during the late eighth and early ninth centuries, see M. Cook, *Muhammad* (Oxford, 1983), pp. 62f.; and for a response, M. Lecker, 'The death of the Prophet Muḥammad's father: did Wāqidī invent some of the evidence?', *ZDMG* 145 (1995), pp. 9–27.

[24] Cf. M. Abiade, *Culture et education arabo-islamiques au Šām pendant les trois premiers siècles de l'Islam* (Damascus, 1981), p. 174 (which shows a clear Raqqan predominance in the Jaziran authorities cited by Ibn ʿAsākir). On some scholarship in al-Raqqa in this period, see now J. van Ess, *Theologie und Gesellschaft im 2. und 3. Jahrhundert Hidschra* (Berlin and New York, 1997), II, pp. 471ff. (which provides an overview of Sulaymān al-Raqqī and Raqqan Shīʿism).

[25] Since the famous *kātib* ʿAbd al-Ḥamīd is said to have left descendants in al-Raqqa (thus al-Ṣafadī, *al-Wāfī biʾl-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-Qāḍī ('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.

[26] See Ibn Saʿd, *Kitāb al-Ṭabaqāt al-kubrā* (Leiden, 1905–40), VII², p. 76; al-Mizzī, *Tahdhīb al-kamāl fī asmāʾ al-rijāl* (Beirut, 1992), XXIV, pp. 163ff.; Ibn Ḥajar, *Tahdhīb al-tahdhīb* (Hyderabad, 1327), VIII, pp. 429f.

[27] See Ibn Saʿd, *Kitāb al-Ṭabaqāt*, VII², p. 181; al-Mizzī, *Tahdhīb al-kamāl*, 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 Hishām's court in Ruṣāfa); Ibn Ḥajar, *Tahdhīb*, II, pp. 84ff.; al-Dhahabī, *Tadhkirat al-ḥuffāẓ* (Hyderabad, 1958), pp. 171f.; al-Qushayrī, *Taʾrīkh al-Raqqa* (Damascus, 1998), pp. 86ff.; 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-Mizzī, and see also M. Cook, 'The opponents of the writing of Tradition in early Islam', *Arabica* 44 (1997), p. 495, note 516.

elsewhere in the north,[28] 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);[29] 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 'Iyāḍ'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 *ṣulḥ* 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.[30] The élites 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;[31] and local Arabs, *foederati* and otherwise, appear in treaties frequently enough that one must infer that they understood their significance.[32] Indeed, there is every reason to think so, for there was a practice of Jāhilī treaty writing

---

[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.

[29] The argument for discontinuity in historical transmission is most vigorously put by P. Crone, *Slaves on Horses* (Cambridge, 1980), chapter 1; and more recently, Lawrence I. Conrad, 'The conquest of Arwād: a source-critical study in the historiography of the early medieval Near East', in Cameron and Conrad, eds., *The Byzantine and Early Islamic Near East*, esp. at p. 363.

[30] On treaties of the very early period, see M. Muranyi, 'Die Auslieferungsklausel des Vertrages von al-Ḥudaibiya und ihre Folgen', *Arabica* 23 (1976), pp. 275–95; Noth, 'Verträge'; Noth/Conrad, *Early Arabic Historical Tradition*, pp. 63ff.; and W. al-Qāḍī, 'Madkhal ilā dirāsat 'uhūd al-ṣulḥ al-islāmiyya zaman al-futūḥ', in A. al-Bakhit and I. Abbas, eds., *Proceedings of the Second Symposium on the History of Bilād al-Shām during the Early Islamic Period up to 40 AH/640 AD* (Arabic articles) (Amman, 1987), pp. 193–269.

[31] See, *inter alia*, the 'document' that the bishop of Sergiopolis sets down at Khusraw's request (Procopius, *A History of the Wars*, ed. and trans. H. B. Dewing (London and New York, 1914–1940), II.v.30); and the events that followed Qawād's unsuccessful siege of Amida, when the city folk demanded compensation for the foodstuffs and wine that his Sasanian army had confiscated: see ps.-Zacharias Rhetor, *Historia ecclesiastica Zachariae Rhetori vulgo adscripta*, ed. and trans. E. W. Brooks (Paris, 1919, 1921, 1924; *CSCO* 83–4, 87–8), II, pp. 25f./16f. (Syr./translation). According to one early sixth-century chronicle, the signing of peace treaties is said to have triggered huge outpourings of joy among the people of the north; see ps.-Joshua, *The Chronicle of Joshua the Stylite*, ed. and trans. W. Wright (Cambridge, 1882), pp. 90f./75f.

[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,[33] which was apparently sanctioned by the Qur'ān itself,[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;[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 *ṣulḥ/amān* agreement on the (following terms)' (*fa-ṣālaḥa(ū)-hu(hā) 'alā . . . /wa-āmana(ū)-hu(hā) 'alā*); 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 *verbatim*, and its most distinctive feature is a striking concern with authenticity. It generally begins with a *praescriptio* consisting in a *basmala* and names of the addresser and addressee,[36] and marks its end with concluding formulae of various kinds (e.g. *wa-kafā bi'l-llāh shahīdan*). It is occasionally prefaced or followed by the compiler's attestation to authenticity (e.g. *wa-khatama 'Iyāḍ bi-khātimihi*; *wa-kataba la-hum kitāb nasakhtuhu*).[37] Despite

in the peace treaty of AD 561', *Arabica* 3 (1956), pp. 192ff.; I. Shahid, *Byzantium and the Arabs in the Sixth Century*, I, part 1 (Washington, D.C., 1995), pp. 266ff. Cf. ps.-Joshua, *Chronicle*, pp. 82/69f., where five Arab chiefs (*rīshānē*; Wright translates 'shaikhs') are executed for failing to follow orders; the *foederati* are clearly involved here too.

[33] On Jāhilī treaty writing, see G. Schoeler, 'Schreiben und Veröffentlichen. Zu Verwendung und Funktion der Schrift in den ersten islamischen Jahrhunderten', *DI* 69 (1992), pp. 2ff.; J. Pedersen, *The Arabic Book*, trans. G. French (Princeton, 1984), p. 10; cf. G. Khan, 'The pre-Islamic background of Muslim legal formularies', *Aram* 6 (1994), pp. 193–224; and for literacy in Medina, see now M. Lecker, 'Zayd b. Thābit, "A Jew with two sidelocks": Judaism and literacy in pre-Islamic Medina (Yathrib)', *JNES* 56 (1997), pp. 259–73.

[34] 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 *ḥadīth*, see J. A. Wakin, *The Function of Documents in Islamic Law* (Albany, 1972), pp. 5f.

[35] See M. Ḥamīd Allāh, *Majmū'at al-wathā'iq al-siyāsiyya li'l-'ahd al-nabawī wa'l-khilāfa al-rāshida*, 4th edn (Beirut, 1983), p. 24. For a brief survey of conquest treaties, see W. Schmucker, *Untersuchungen zu einigen wichtigen bodenrechtlichen Konsequenzen der islamischen Eroberungsbewegung* (Bonn, 1972), pp. 24ff.

[36] A relatively full example appears in ps.-Wāqidī, (*Futūḥ al-Shām* (Calcutta, 1854), II, p. 94), and concerns Ḥimṣ: *min Abī 'Ubayda b. al-Jarrāḥ al-Fihrī 'āmil amīr al-mu'minīn 'Umar b. al-Khaṭṭāb 'alā al-Shām wa-qā'id juyūshihi*.

[37] Thus al-Balādhurī, *Futūḥ*, pp. 173f. Cf. the account preserved by Ibn A'tham (*Futūḥ*, I, p. 327), which has the bishop of al-Raqqa insist that 'Iyāḍ give written form to his spoken offer of safe passage; 'Iyāḍ does so, duly authenticating it as well (*fa-kataba la-hu 'Iyāḍ amān wa-ba'atha ilayhi manshūr qad khatamahu bi-khātimihi*). Abū 'Ubayda first folds, then seals, his letter to 'Umar: ps.-Wāqidī, *Futūḥ al-Jazīra*, *Libri Wakedii de Mesopotamiae expugnatae historia* (Göttingen, 1827), p. 1; cf. Qur'ān 21: 104; and, for a discussion of the relevant techniques of folding and storing papyri and parchment, N. Abbott, *The Ḳurrah Papyri from Aphrodito 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, *Geschichte der Eroberung von Mesopotamien und Armenien* (Hamburg, 1847)), and now an edition, based on photographic copies of an Istanbul MS (*Ta'rīkh futūḥ al-Jazīra wa'l-Khābūr wa-Diyār Bakr wa'l-'Irāq* (Damascus, 1996)). In general, see Brockelmann, *GAL*, I, p. 136; and Sezgin, *GAS*, I, p. 296.

the apparent artificiality of the second type, which in its essentials conforms to the *amān* letters prescribed by Ibn Qutayba (d. 276/889),[38] 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-Wāqidī'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,[39] while the accompanying treaty text is in some respects promising.[40]

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.[41] An illustration comes in an account concerning the conquest of Edessa, which is attributed to Sulaymān b. ʿAṭāʾ, one of several Jaziran natives involved in building the tradition.[42] On the one hand, it arouses suspicion on at least three counts: it includes transparently legendary ingredients (ʿIyāḍ is mounted on a chestnut-brown horse),[43] 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.[44] 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 tarakū shayʾ mimmā shuriṭa 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

[38] Ibn Qutayba, ʿ*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 yuḥdithū maghīla*), along with the Syriacism (*baʿuthā*; 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.

[41] Cf. Conrad, 'The conquest of Arwād', p. 399, note 213. For one effort to control the Arabic conquest tradition with an early Syriac source, see C. F. Robinson, 'The conquest of Khūzistān: a historiographical reassessment', in L. I. Conrad, ed., *History and Historiography in Early Islamic Times: Studies and Perspectives* (Princeton, forthcoming).

[42] Al-Balādhurī, *Futūḥ*, p. 172.

[43] Given as *faras kumayt*, but reports naturally differed about the precise colour: cf. al-Qushayrī, *Taʾrīkh al-Raqqa*, pp. 24f. (*maḥdhūf aḥmar*).

[44] The idea is ubiquitous in the literature; for jurists' examples, see Abū ʿUbayd, *Kitāb al-Amwāl*, p. 298; Ibn Zanjawayh, *Kitāb al-Amwāl*, p. 474; Qudāma b. Jaʿfar, *Kitāb al-Kharāj*, p. 313; Abū Yūsuf, *Kitāb al-Kharāj*, pp. 39ff. Cf. Calder, *Studies*, pp. 138f.

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 *isnād*less *akhbār* 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.[45] Whether copied *verbatim*, loosely paraphrased or excerpted,[46] 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[47] and, of course, forging.[48] Copies seem to have been retained by Christian and Muslim authorities in the provinces, the former apparently storing theirs in church archives;[49] one infers from Abū Yūsuf's passage that imperial authorities kept theirs in

---

[45] Cf. M. Chamberlain, *Knowledge and Social Practice in Medieval Damascus, 1190–1350* (Cambridge, 1994), pp. 2f.

[46] Thus Abū 'Ubayd (*Kitāb al-Amwāl*, p. 297; Ibn Zanjawayh, *Kitāb al-Amwāl*, p. 473) preserves the operative section of Khālid b. al-Walīd's treaty with the Ḥimṣīs, 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-Kharāj*, p. 54, where Mūsā b. Ṭalḥa volunteers his confusion (*'indanā kitāb katabahu al-nabī (ṣ) li-Mu'ādh aw qāla nuskha aw wajadtu nuskha hākadhā*). The Prophet's letter concerning the Thaqīf is said to have been written on a *ṣaḥīfa*, the copying of which was witnessed by 'Alī, Ḥasan and Ḥusayn, whereas his letter to the people of Dūmat al-Jandal, written on vellum, was simply copied word by word, without witnesses; see Ibn Zanjawayh, *Kitāb al-Amwāl*, pp. 456ff.

[48] The treaty of Khaybar was particularly notorious among medieval authorities: presented with a text purporting to come from the Prophet's hand, Ibn al-Furāt detected *tazwīr* on dating grounds – the city actually fell sixty-seven days after the date recorded in the letter; see Hilāl al-Ṣābi', *Kitāb Tuḥfat al-umarā' fī ta'rīkh al-wuzarā'* (Leiden, 1904), pp. 67f.; cf. al-Ṣafadī, *al-Wāfī bi'l-wafayāt*, I, pp. 44f. On Khaybar (and its forgeries), see A. Noth, 'Minderheiten als Vertragspartner im Disput mit dem islamischen Gesetz: Die 'Nachkommen der Juden von Ḥaibar' und die Ǧizya', in H. R. Roemer and A. Noth, eds., *Studien zur Geschichte und Kultur des Vorderen Orients* (Festschrift for B. Spuler) (Leiden, 1981), pp. 289–309, esp. 294f.; M. Gil, *A History of Palestine, 634–1099*, trans. E. Broido, rev. edn (Cambridge, 1992), p. 152; and M. Schöller, *Exegetisches Denken und Prophetenbiographie* (Wiesbaden, 1998), pp. 334ff. and 433ff.

[49] Khalīfa b. Khayyāṭ (*Ta'rīkh* (Beirut, 1995), p. 77) tells us that the *ṣulḥ* contracted by 'Iyāḍ was retained by the inhabitants of the Jazira, but not precisely where; cf. the case of Mayyāfāriqīn (C. F. Robinson, 'Ibn al-Azraq, his *Ta'rīkh Mayyāfāriqīn*, and early Islam', *JRAS* 3, 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-Ḥikma*; see the *Histoire Nestorienne*, II (2) ed. and trans. F. Nau in *PO* 13 (1919), pp. 601ff. The Latin loan word used here (*sijill*) had already entered Arabic via Aramaic by the time of the Qur'ān, and it appears in Syriac conquest accounts too; thus Michael the Syrian, *Chronique de Michel, patriarche jacobite d'Antioche (1166–1199)*, ed. and trans. J.-B. Chabot (Paris, 1899–1924), xi.vii ('livre'.'chapitre') (the document 'Umar 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 ʿUbayd's Edessa treaty text is said to have come to light when
the caliph ʿUmar II (r. 717–720) directed one of his subordinates to 'ask the
people of al-Ruhā [Edessa] if they have a *ṣulḥ*', whereupon 'their bishop'
(*usqufuhum*) promptly produced one, stored in a cylindrical container of some
kind: 'This is the letter (*kitāb*) from ʿIyāḍ 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."'[50] According to one of al-Balādhurī's Takrītī
*shaykh*s, a conquest treaty (*kitāb amān wa-shuraṭ la-hum*) had been in the pos-
session of the people of Takrit until a certain al-Ḥ/J/Kh-r-sh-ī ripped it up;[51]
the person in question is almost certainly Yaḥyā b. Saʿīd al-Ḥarashī,[52] who was
appointed governor of Mosul in 796, and whose methods in levying taxes were
as destructive as they were effective.[53] In shredding the Takrītī treaty, Yaḥyā b.
Saʿīd was not so much rejecting a specific treaty stipulation as he was announc-
ing 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-Maʾmūn's tax agents later tried to
modify *kharāj* practices in Mosul, they claimed ignorance of the written prece-
dent upon which city notables had insisted; at this point, a copy of the docu-
ment was kept in the *dīwān* in Baghdad.[54]

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 *ṣulḥ* treaty, but disputes the existence of a surviving text, since
it apparently prescribed a tax arrangement contrary to his interests. If the exis-
tence 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 (*ʿalā shayʾ musammā/sammawhu*),[55] or variable according

---

[50] Abū ʿUbayd, *Kitāb al-Amwāl*, p. 298; Ibn Zanjawayh, *Kitāb al-Amwāl*, p. 474; see also al-
Qushayrī, *Taʾrīkh al-Raqqa*, p. 26. Cf. the case in Damascus, where fifteen churches are said to
have been specified in the city's *ṣulḥ*; when one of these is confiscated, the Christians take their
grievance to ʿUmar II, who rebukes Ḥassān b. Mālik al-Kalbī: 'If this is one of the fifteen
churches which are in their treaty (*ʿahd*), then you have no claim on it' (*fa-lā sabīl la-ka ilayhā*);
see Ibn Manẓūr, *Mukhtaṣar taʾrīkh madīnat Dimashq* (Damascus, 1988), I, p. 290.

[51] Al-Balādhurī, *Futūḥ*, p. 333; de Goeje reads 'al-Jurashī', but his name is frequently garbled: see
p. 311, note c; al-Azdī, *Taʾrīkh al-Mawṣil* (Cairo, 1967), p. 286, note 3; and Crone, *Slaves*, p. 145.

[52] Cf. M. Morony, *Iraq after the Muslim Conquest* (Princeton, 1984), p. 200, note 123, and 'The
effects of the Muslim conquest on the Persian population of Iraq', *Iran* 14 (1976), p. 52, note
133, where he is taken to be a Khārijite.

[53] Al-Azdī, *Taʾrīkh*, pp. 286f. and 32 (for Yaḥyā's father in the service of Hishām in 112/731). On
al-Ḥarashī, see also P. G. Forand, 'The governors of Mosul according to al-Azdī's *Taʾrīkh al-
Mawṣil*', *JAOS* 89 (1969), pp. 97f.

[54] Al-Azdī, *Taʾrīkh*, 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 maʿlūm* (Ibn Zanjawayh, *Kitāb al-Amwāl*,
p. 187).

to the capacity of those paying (*'alā qadr al-ṭāqa*). Al-Balādhurī's authorities preferred the former; thus accounts of the conquest of al-Raqqa put the tribute at one and four *dīnār*s, sometimes including a portion in kind.[56] 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.[57]

In addition to governing tribute obligations, treaty texts were also held to determine the legal status of the Christians' public worship and churches;[58] 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 *iḥdāth* – 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-farīqān*) to the nearby town of Balad, presumably to distance the proceedings from angry crowds; there he ultimately decided in favour of the Muslims.[59] The events are also preserved in the biographies of the city's *qāḍī*, al-Ḥasan b. Mūsā al-Ashyab (d. 824); the Christians offer him a generous sum to judge in their favour, but he declines.[60] Later, when Hārūn visited Edessa in 793, the Muslims (*ṭayyāyē*) 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' (*'idtā*) should be razed, and its bell cease ringing.[61] The first allegation

[56] Al-Balādhurī, *Futūḥ*, pp. 173f.

[57] Thus 'Umar II is said to have proposed a tax of 2 dīnārs 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.

[58] See, for example, al-Wāqidī's text (*lā yuḥdithū kanīsa wa-lā bī'a wa-lā yuẓhirū nāqūs wa-lā bā'uth wa-lā ṣalīb*) in al-Balādhurī, *Futūḥ*, p. 173; cf. Ibn Zanjawayh, *Kitāb al-Amwāl*, p. 280; Abū 'Ubayd, *Kitāb al-Amwāl*, pp. 137ff.; and al-Shaybānī, *Sharḥ kitāb al-siyar al-kabīr* (Cairo, 1960), pp. 56ff.   [59] Al-Azdī, *Ta'rīkh*, pp. 244 and 340.

[60] See al-Khaṭīb al-Baghdādī, *Ta'rīkh Baghdād* (Cairo, 1931), VII, pp. 426ff.; J. M. Fiey, *Mossoul Chrétienne: Essai sur l'histoire, l'archéologie et l'état actuel des monuments chrétiens de la ville de Mossoul* (Beirut, 1959), p. 20. Al-Ḥasan, who also served as the *qāḍī* of Ḥimṣ, was a man of some learning, transmitting *ḥadīth*s to Aḥmad b. Manṣūr al-Ramādī among others; see the literature cited in G. H. A. Juynboll, *Muslim Tradition: Studies in Chronology, Provenance and Authorship of Early Ḥadīth* (Cambridge, 1983), p. 227; al-Azdī, *Ta'rīkh*, pp. 335ff. (first appointed in 199/814 and dismissed in 206/821). A collection of his *ḥadīth*s is apparently preserved in the Ẓāhiriyya Library; see M. N. al-Albānī, *Fihris makhṭūṭāt Dār al-Kutub al-Ẓāhiriyya* (Damascus, 1970), p. 178.

[61] See the *Chronicle of 1234* (trans. J.-B. Chabot as *Chronicon anonymum ad annum Christi 1234 pertinens*), I (Paris, 1916 and 1937; *CSCO* 81 and 109) and II (Paris and Louvain, 1920 and 1974; *CSCO* 82 and 354), II, pp. 3/1; J. B. Segal, *Edessa, 'The Blessed City'* (Oxford, 1970), pp. 200f.; J. M. Fiey, *Chrétiens syriaques sous les Abbassides surtout à Bagdad (749–1258)* (Louvain, 1980; *CSCO* 420), p. 49.

echoes treaty clauses that call upon city folk to 'help Muslims against their enemies',[62] and perhaps northern Syrian anxieties about a Byzantine *reconquista* too.[63]

The fullest example is provided by the Monophysite patriarch Dionysius of Tell Maḥrē (d. 845) in his history, here cited by the late twelfth-century patriarch Michael the Syrian.[64] The point at issue was patriarchal authority, particularly vis-à-vis that of the *qāḍī* 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 (*ṭayyāyē*), [that is, that it was a *ṣulḥ*] and that he who conquered it entered into a treaty (*qyāmā*) 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.'[65] In response to the patriarch's words, the caliph ordered the chief *qāḍī*, at this point Yaḥyā b. Aktham,[66] 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 Abū Yūsuf'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,[67] but we know that they frequently were;[68] in

---

[62] Thus al-Balādhurī, *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.

[63] See S. Bashear, 'Apocalyptic and other materials on early Muslim–Byzantine wars: a review of Arabic sources', *JRAS* 3,1 (1991), pp. 173–207; and also M. Cook, 'The Heraclian dynasty in Muslim eschatology', *al-Qanṭara* 13 (1992), pp. 3–23, esp. 18, note 92.

[64] On Dionysius and his work, see R. Abramowski, *Dionysius von Tellmahre, jakobitischer Patriarch von 818–845* (Leipzig, 1940); R. Hoyland, *Seeing Islam as Others Saw it: A Survey and Evaluation of Christian, Jewish and Zoroastrian Writings on Early Islam* (Princeton, 1997), pp. 416ff.; and, for a translation of the work as it is preserved in Michael and the *Chronicle of 1234*, A. Palmer, *The Seventh Century in the West-Syrian Chronicles* (Liverpool, 1993), pp. 85ff. For a tentative argument that Tell Maḥrē is to be identified with Tell Sheikh Hassan, which lies c. 40 km north of al-Raqqa, see K. Bartl, 'Tell Sheikh Hasan: a settlement of the roman-parthian to the Islamic period in the Balikh valley/northern Syria', *Archéologie Islamique* 4 (1994), pp. 14f.

[65] Michael the Syrian, *Chronique*, xii.xiv, which is also cited in Fiey, *Mossoul*, pp. 26f.

[66] On Yaḥyā (d. 243/857), author of a *shurūṭ* work and prominent in the *miḥna*, see al-Azdī, *Ta'rīkh*, pp. 369, 373, 395, and 405; al-Khaṭīb al-Baghdādī, *Ta'rīkh Baghdād*, XIV, 191ff.; Ibn Ḥajar, *Tahdhīb*, XI, pp. 179ff.; Ibn Khallikān, *Wafayāt al-a'yān* (Beirut, 1977), VI, pp. 147ff.; Wakin, *The Function of Documents*, p. 18, note 7.

[67] In addition to the *Life* of Gabriel cited below, see the Christian account preserved in the (Islamic) *Ta'rīkh Mayyāfāriqīn wa-Āmid* 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. 225/489f.; 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 *amṣār*.[73] But regardless of what jurists of the ninth and tenth centuries may have said, in the north (particularly Edessa and Ṭūr ʿAbdīn) 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. Muṣʿab 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 anonymum pseudo-Dionysianum vulgo dictum II* (Paris and Louvain, 1933 and 1989; *CSCO* 104 and 507), pp. 259f./204f.

[70] Thus Thomas of Marga, *Governors*, pp. 30/54. For the practice more generally, see L. I. Conrad, 'A Nestorian diploma of investiture from the *Taḏkira* of Ibn Ḥamdūn: the text and its significance', in W. al-Qāḍī, ed., *Studia Arabica et Islamica* (Festschrift for Iḥsān ʿAbbās) (Beirut, 1981), pp. 99f.

[71] The prohibition of new church building is well attested in the Arabic literature, and it is included in the 'covenant of ʿUmar'; see A. S. Tritton, *The Caliphs and their Non-Muslim Subjects* (London, 1930), pp. 37ff. and for a more recent – and in many respects, more optimistic – reading, see A. Noth, 'Abgrenzungsprobleme zwischen Muslimen und nicht-Muslimen: Die ʿBedingungen ʿUmars (aš-šuraṭ al-ʿumariyya)ʾ unter einem anderen Aspekt gelesen', *JSAI* 9 (1987), pp. 290–315.

[72] Whereas the clause in Sulaymān b. ʿAṭāʾʾs treaty (*lā yuḥdithū kanīsa illā mā kāna la-hum*) assumes that *iḥdāth* means maintenance and repair, elsewhere it is taken to mean building as well as rebuilding; thus al-Balādhurī, *Futūḥ*, p. 172; cf. also Abū Yūsuf, *Kitāb al-Kharāj*, p. 138.

[73] Thus Ibn Abī Shayba, *al-Muṣannaf* (Beirut, 1989), VII, pp. 635f.; al-Shaybānī, *Sharḥ kitāb al-siyar*, p. 58 (where a distinction is drawn between *al-qurā* and *al-amṣār*); Ibn Ḥanbal, *Masāʾil* (Beirut, 1981), p. 260 (I owe this last reference to Michael Cook).

[74] See M. M. Mango, 'The continuity of the classical tradition in the art and architecture of Northern Mesopotamia', in N. G. Garsoian, *et al.*, eds., *East of Byzantium: Syria and Armenia in the Formative Period* (Washington DC, 1982), pp. 115–34 (several eighth-century examples from Ṭūr ʿAbdīn). This appears to be in line with Syria and Palestine in the same period; thus I. Shahid (Kawar), *Byzantium and the Arabs in the Fourth Century* (Washington DC, 1984), pp. 425f.; and R. Schick, *The Christian Communities of Palestine from Byzantine to Islamic rule* (Princeton, 1995), esp. pp. 112ff.

[75] For Ṭūr ʿAbdīn, see Palmer, *Monk and Mason*, chapter 5 (drawing on, *inter alia*, the *Life* of Simeon, which documents the holy man's enthusiasm for building), and table 2, on pp. 194f.; for Athanasius' building projects in Edessa, see the *Chronicle of 1234*, I, pp. 294f./229; and, in general, W. Hage, *Die syrisch-jakobitische Kirche in frühislamischer Zeit* (Wiesbaden, 1966). pp. 59ff. ('Das 7. und 8. Jahrhundert sah die syrisch-jakobitische Kirche in einer regen Bautätigkeit, die auch unter der Herrschaft des Islams keine Einschränkung erkennen ließ').

culture during the seventh and eighth centuries.[76] 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.[77] Writing as the Nestorian bishop of Nineveh soon after the conquest of Mosul, Īshōʿyab III complained of the construction of a Monophysite church;[78] 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 Īshōʿyab was his adversaries' ability to curry favour with the authorities, and the meddling of Takritī Monophysites in Nineveh affairs. Simeon of the Olives is singled out for having used funds from Ṭūr ʿAbdīn to rebuild a church in Nisibis that had been destroyed by Jews and Nestorians, and which was completed in 706/7;[79] once again, the issue turns on Nestorian and Monophysite competition for Muslim favour, rather than the legality of church construction *per se*.[80]

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.[81] 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;[82] certainly this dating would explain an awkward account of the construction of a church near Ṣalaḥ around 755.[83] It follows that conquest

[76] For an overview, see Fiey, *Mossoul*.

[77] See Chabot, ed. and trans., *Synodicon Orientale*, pp. 217f./483; cf. E. Sachau, *Syrische Rechtsbücher* (Berlin, 1907–14), II, pp. 36f.

[78] This in the collection of his letters edited and translated by R. Duval as *Išōʿyahb patriarchae III Liber epistularum* (Paris, 1904 and 1905; *CSCO* 11–12), pp. 82/63f.; see also Fiey, *Mossoul*, p. 19, note 1. The Nestorian *History of Rabban Hôrmîzd* is filled with similar stories, many of which are certainly legendary; see Rabban Hormizd, *The Histories of Rabban Hôrmîzd the Persian and Rabban Bar ʿIdtâ*, ed. and trans. E. A. W. Budge (London, 1902).

[79] See the discussion in Palmer, *Monk and Mason*, p. 160.

[80] Cf. the case of Takrit, discussed by J. M. Fiey, 'Tagrît. Esquisse d'histoire chrétienne', *L'Orient Syrien* 8 (1963), pp. 312f.; reprinted in his *Communautés syriaques en Iran et Irak des origines à 1552* (London, 1979).

[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 Mahré', *Arabica* 1 (1954), pp. 136–152; cf. Fiey, *Chrétiens syriaques*, pp. 24f.

[82] In addition to the accounts already cited, see the *Chronicle of 1234*, II, pp. 22f./16, where al-Maʾmūn goes to Ḥarrān, 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'Etudes 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. 'Aṭā' (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 Ḥarrān, 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-mā ḥawlahu*) and the indefinite 'any church' (*kanīsa*); the permission given to repairing preexisting churches (*lā yuḥdithū kanīsa illā mā 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, Ḥarrān and Edessa seems to preserve the (pagan) Ḥarrānians' 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 (*ktābā*) from the governor (*shallīṭā*) 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 Qarṭmīn, the metropolitan bishop of Dārā from 634 to 648.

---

[84] Al-Balādhurī, *Futūḥ*, p. 172.   [85] Al-Balādhurī, *Futūḥ*, p. 174.
[86] See the *Life* of Simeon, ed. P. Dolabani, *Maktabzabnē d-'umrā qaddīshā d-Qarṭmīn* (Mardin, 1959), p. 134. For a summary of the contents, see S. P. Brock, 'The Fenqitho of the monastery of Mar Gabriel in Tur 'Abdin', *Ostkirchliche Studien* 28 (1979), pp. 168–82; see also Palmer, *Monk and Mason*, pp. 159ff. (where Dolabani's text is called 'drastically edited'); and Hoyland, *Seeing Islam*, pp. 168ff.

Now this Mor Gabriel went to the court of the sovereign (*shulṭānā*) of the Arabs [lit. 'sons of Hagar'], who was 'Umar the son of Khaṭṭāb, in the city of Jazirē. 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 (*qnōnē*) and laws (*nmūsē*) 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 (*shallīṭā*) 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 Ṭur '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'tham, *Futūḥ*, II, p. 11 (*wa-a'ṭāhum 'ahd wa-kitāb maktūb*).

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-ṭayyāyē*) took control of Persia (*bēt parsāyē*), and in his wise administration he opened the fortress (*ḥesnā*) 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

---

[90] Bar Hebraeus, *Chronicon ecclesiasticum*, ed. and trans. J. B. Abbeloos and T. J. Lamy (Paris and Louvain, 1872–77), III, cols. 123–6 (Syriac and Latin). For criticisms of Fiey's account in his 'Tagrît', see N. Posner, 'The Muslim Conquest of Northern Mesopotamia: An Introductory Essay into its Historical Background and Historiography', Ph.D. thesis (New York University, 1985), pp. 320ff. On Bar Hebraeus and his sources, see Y. M. Isḥāq, 'Maṣādir Abī al-Faraj al-Malaṭī al-ta'rīkhiyya wa-atharuhā fī manāhijihi', *Aram* 1 (1989), pp. 149–72; on the events of 629, see Morony, *Iraq*, pp. 377f.

[91] See Posner, 'Muslim Conquest', pp. 314ff.; Fiey, 'Tagrît', p. 311. Cf. W. Kaegi, *Byzantium and the Early Islamic Conquests* (Cambridge, 1992), p. 154; and Morony, *Iraq*, p. 378.

[92] See Denha, *Histoire des divins actions de saint Mar Marouta l'ancien* in the *Histoires d'Aḥoudemmeh et de Marouta*, ed. and tr. by F. Nau in *PO* 3 (1909), pp. 79ff.; Posner, 'Muslim Conquest', pp. 320f.

[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 Maipherqaṭ, *The Canons Ascribed to Mārūtā of Maipherqaṭ*, 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.[94] He would later receive a letter of investiture from ʿAlī, conferring upon him authority over (Nestorian) Christians, which he would display to Muslim military officials as proof of his status.[95] 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;[96] Hill, who revives the old bogey that the conquest of the north was facilitated by Melkite persecution of the Monophysites, would probably agree.[97] 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 Aʿtham's account of conquest events at Edessa, the bishop of the city, having prepared a great feast in the cathedral, invites ʿIyāḍ to dine with him; ʿIyāḍ's attendance, we read, will impress the bishop's fellow Christians. But ʿIyāḍ, citing ʿUmar'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 ʿIyāḍ not knowing what to say. So ʿIyāḍ 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 yaʾtīka min baʿdinā*). We have granted you a *ṣulḥ*, 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!' (*hādhā afḍal rajul yakūn*).[98]

[94] See the *Histoire Nestorienne*, II (2), pp. 629f.; Mārī b. Sulaymān (attrib.), *Kitāb al-Majdal* (*Maris Amri et Slibae, De patriarchis Nestorianorum commentaria*, ed. and trans. H. Gismondi (Rome, 1899), p. 62) (this, presumably, drawing on the preceding: on the authorship and sources of the work, see B. Holmberg, 'A reconsideration of the *Kitāb al-Maǧdal*', in S. K. Samir, ed., *Actes du 4e Congrès International d'études Arabes chrétiennes* (Cambridge, 1992), *Parole de l'Orient* 18 (1993), pp. 255–73); and Fiey, *Mossoul*, p. 16.

[95] *Wa-kataba la-hu ʿAlī b. Abī Ṭālib ʿalayhi al-salām kitāb bi'l-waṣāh ʿalayhi bi'l-naṣārā wa-riʿāyat dhimmatihim*); thus Mārī b. Sulaymān, *Kitāb al-Majdal*, p. 62. The 'commanders' (*amīrē*) of Nisibis, Ḥarrān, 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, *Maktabzabnē*, p. 134. For diplomas, see Conrad, 'Nestorian diploma', pp. 99ff.; and P. Kawerau, *Die jakobitische Kirche im Zeitalter der syrischen Renaissance* (Berlin, 1960), pp. 86ff.

[96] M. B. Landron, 'Les Relations originelles entre Chrétiens de l'est (Nestoriens) et Musulmans', *Parole de l'Orient* 10 (1981–2), p. 192.

[97] Hill, *Termination*, p. 84; cf. G. Wiet, 'L'Empire néo-byzantin des omeyyades et l'empire néo-sassanide des Abbasides', *Cahiers d'Histoire Mondiale* 9 (1953), p. 64.

[98] Ibn Aʿtham, *Futūḥ*, I, p. 331. Conquest accounts in demonstrably late compilations (e.g., ps.-Wāqidī) frequently take the form of intra-confessional dialogues.

The point here, as elsewhere,[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.[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 *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);[101] it is particularly noteworthy because it figures prominently in a number of modern reconstructions of the conquest of the north.[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) ʿIyāḍ 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 ʿIyāḍ 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),[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 Qinnasrīn and Ḥimṣ were

---

[99] For an example from the south (Hurmuzān), see Robinson, 'The conquest of Khūzistān'.

[100] A particularly good example involves the Nestorian patriarch Ḥnānīshōʿ (d. 699 or 700); see Mārī b. Sulaymān, *Kitāb al-Majdal*, p. 63; and further Hoyland, *Seeing Islam*, pp. 200ff.

[101] Michael the Syrian, *Chronique*, xi.vii; *Chronicle of 1234*, I, pp. 256f./200f.; *The Chronicle of Theophanes Confessor*, trans. C. Mango and R. Scott (Oxford, 1997), AM 6128 and 6130; Agapius of Manbij, *Kitāb al-ʿUnwān, histoire universelle* 2(II), ed. and trans. A. A. Vasiliev in *PO* 8 (1912), p. 476 (hereafter *Kitāb al-ʿUnwān*).

[102] Thus Kaegi, *Byzantium and the Early Islamic Conquests*, pp. 159ff.; Posner, 'Muslim Conquest', pp. 274ff. and 356; Palmer, *Monk and Mason*, pp. 158f.

[103] For the argument in favour of Theophilus as the common 'Eastern' source behind Dionysius (as preserved in Michael the Syrian and the *Chronicle of 1234*), Agapius and Theophanes, see L. I. Conrad, 'Theophanes and the Arabic historical tradition: some indications of intercultural transmission', *Byzantinische Forschungen* 15 (1988), pp. 4ff.; Conrad, 'The conquest of Arwād', pp. 330ff.; the editors of Theophanes (*Chronicle*, pp. lxxxii ff.) accept it as a 'working hypothesis'; and so too Hoyland, *Seeing Islam*, pp. 631ff., where his work is reconstructed.

administratively connected until the reign of Yazīd b. Muʿāwiya;[104] 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 *ṣulḥ/ ʿanwa* distinction of the Muslim lawyers.[105] 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.[106] 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 Tella 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 Tella entering into the same *ṣulḥ* as had Edessa.[107]

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-Balādhurī, *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'.

[106] Thus the *Chronicle of 1234*, I, pp. 256/200: 'God had removed His Hand from the kingdom of the Romans' (so Palmer, *Seventh Century*, p. 163). On Theophilus, see Hoyland, *Seeing Islam*, pp. 400ff.; on Heraclius' Monothelitism, see F. Winkelmann, *Die östlichen Kirchen in der Epoche der christologischen Auseinandersetzungen* (Berlin, 1980); and J. F. Haldon, *Byzantium in the Seventh Century* (Cambridge, 1990), chapter 8. Cf. Eutychius' account in *Das Annalenwerk des Eutychios von Alexandrien*, ed. and trans. M. Breydy (Louvain, 1985; *CSCO* 471–2), pp. 141f., where it is the Muslims who provoke the conquest.

[107] Thus al-Balādhurī, *Futūḥ*, pp. 174ff.