

THE FORMATION OF THE CLASSICAL ISLAMIC WORLD

General Editor: *Laurence I. Conrad*

- 1 Byzantium before the Rise of Islam
Averil Cameron
- 2 The Sasanian East before the Rise of Islam
Shaul Shaked
- 3 The Arabs and Arabia on the Eve of Islam
Frank E. Peters
- 4 The Life of Muḥammad
Uri Rubin
- 5 The Expansion of the Early Islamic State
Fred M. Donner
- 6 The Articulation of Islamic State Structures
Fred M. Donner
- 7 Problems of Political Cohesion in Early Islam
R. Stephen Humphreys
- 8 Arab-Byzantine Relations in Early Islamic Times
Michael Bonner
- 9 The Turks in the Early Islamic World
C.E. Bosworth
- 10 Patterns of Everyday Life
David Waines
- 11 Production and the Exploitation of Resources
Michael G. Morony
- 12 Manufacturing and Labour
Michael G. Morony
- 13 Trade and Exchange in Early Islam
A.L. Udovitch
- 14 Property and Consumption in Early Islamic Society
Baber Johansen
- 15 Cities in the Early Islamic World
Hugh Kennedy
- 16 Nomads and the Desert in the Early Islamic World
Hugh Kennedy
- 17 Society and the Individual in Early Islam
to be announced
- 18 Muslims and Others in Early Islamic Society
Robert E. Hoyland
- 19 The Christian Communities in the Early Islamic World
Sidney H. Griffith
- 20 The Jewish Communities of the Early Islamic World
David Wasserstein
- 21 Archaeology and Early Islam
Donald Whitcomb
- 22 Early Islamic Numismatics and Monetary History
Michael Bates
- 23 Early Islamic Art and Architecture
Jonathan Bloom
- 24 The Qur'ān: Style and Contents
Andrew Rippin
- 25 The Qur'ān: Formative Interpretation
Andrew Rippin
- 26 The Development of Islamic Ritual
G.R. Hawting
- 27 The Formation of Islamic Law
Wael B. Hallaq
- 28 *Ḥadīth*: Origins and Development
Harald Motzki
- 29 Early Islamic Historiographical Traditions
Laurence I. Conrad
- 30 Early Islamic Theology
Josef van Ess
- 31 Eschatology and Apocalyptic in Early Islam
Wilferd Madelung
- 32 Early Islamic Visions of Community
Wadād al-Qaḍr
- 33 Shi'ism: Origins and Early Development
Elian Kohlberg
- 34 Khārījite Movements in Early Islam
Ridwan al-Sa'īd
- 35 The Emergence of Islamic Mysticism
Berni Radtke
- 36 The Islamic Philological Tradition
Ramzi Baalbaki
- 37 Early Arabic Poetry and Poetics
Suzanne Stetkevych
- 38 Early Arabic Prose Literature
Fedwa Malti-Douglas
- 39 The Rise of Islamic Philosophy
Everett Rowson
- 40 The Rise of Arab-Islamic Medicine
Laurence I. Conrad
- 41 The Exact Sciences in Early Islam
Jamil Ragep
- 42 Magic and Divination in Early Islam
Emilie Savage-Smith
- 43 Education and Learning in the Early Islamic World
Claude Gillot
- 44 The Early Islamic Manuscript Tradition
Jan Just Witkam
- 45 Early Islamic North Africa
Elizabeth Savage
- 46 The Formation of al-Andalus I
Manuela Marín
- 47 The Formation of al-Andalus II
M. Pío Ferrero/J. Sanz
- 48 The Modern Study of Early Islam
Laurence I. Conrad

THE FORMATION OF THE CLASSICAL ISLAMIC WORLD

General Editor: *Laurence I. Conrad*

Volume 18

Muslims and Others in Early Islamic Society

edited by
Robert Hoyland

This edition copyright © 2004 by Ashgate Publishing Limited, and Introduction by Robert Hoyland. For copyright of individual articles refer to the Acknowledgements.

CONTENTS

Published in the series **The Formation of the Classical Islamic World** by

Ashgate Publishing Limited Gower House, Croft Road Aldershot, Hants GU11 3HR Great Britain	Ashgate Publishing Company Suite 420 101 Cherry Street Burlington, VT 05401-4405 USA
--	--

ISBN 0-86078-713-3

British Library CIP Data

Muslims and Others in Early Islamic Society – (The Formation of the Classical Islamic World)
1. Islam – History 2. Islam – Relations
I. Hoyland, Robert
297'.09

US Library of Congress CIP Data

Muslims and Others in Early Islamic Society / edited by Robert Hoyland
p. cm. – (The Formation of the Classical Islamic World; v. 18)
Includes bibliographical references.
1. Islamic Empire – History – 622-661 – Historiography. 2. Islamic Empire – History – 661-750 – Historiography. 3. Islamic Empire – History – 750-1258 – Historiography. 4. Historiography – Islamic Empire. 5. Islamic Empire – Ethnic Relations. 6. Dhimmis.
I. Hoyland, Robert G., 1966 – II. Series.
DS38.1.M8762002
909.097671-dc21

2001027829

This volume is printed on acid-free paper.

Printed and bound in Great Britain by The Cromwell Press, Trowbridge, Wiltshire

Acknowledgements	vii
General Editor's Preface	xi
Introduction	xiii
1. Religious Communities in Late Sasanian and Early Muslim Iraq <i>Michael G. Morony</i>	1
2. Dhimmah in Qur'an and Hadith <i>Mahmoud Ayoub</i>	25
3. The Legislative Autonomy of Christians in the Islamic World <i>Néophyte Edelby</i>	37
4. How Dhimmis Were Judged in the Islamic World <i>Antoine Fattal</i>	83
5. Problems of Differentiation between Muslims and Non-Muslims: Re-reading the "Ordinances of 'Umar" (<i>Al-Shurūt al-'umariyya</i>) <i>Albrecht Noth</i>	103
6. "Do not Assimilate Yourselves ..." <i>Lā tashabbahū</i> ... <i>M.J. Kister</i>	125
7. Minority Selfrule and Government Control in Islam <i>S.D. Goitein</i>	159
8. Comparative Religion in the Apologetics of the First Christian Arabic Theologians <i>Sidney H. Griffith</i>	175
9. Jewish Polemics against Islam and Christianity in the Light of Judeo-Arabic Texts <i>Sarah Stroumsa</i>	201

10. Muslim Studies of Other Religions: The Medieval Period <i>Jacques Wardenburg</i>	211
11. Christian Polemic and the Formation of Islamic Dogma <i>C.H. Becker</i>	241
12. Socio-Economic History and Islamic Studies: Problems of Bias in the Adaptation of the Indigenous Population to Islam <i>Claude Cahen</i>	259
13. Mawlas: Freed Slaves and Converts in Early Islam <i>Daniel Pipes</i>	277
14. Conversion in Early Islamic Egypt: The Economic Factor <i>Gladys Frantz-Murphy</i>	323
15. Questions Concerning the Mazdaeans of Muslim Iran <i>Jean de Menasce</i>	331
General Index	343

ACKNOWLEDGEMENTS

The chapters in this volume are taken from the sources listed below. The editor and publishers wish to thank the authors, original publishers or other copyright holders for permission to use their material as follows:

CHAPTER 1: Michael G. Morony, "Religious Communities in Late Sasanian and Early Muslim Iraq", *Journal of the Economic and Social History of the Orient* 17 (Leiden, 1974), pp. 113-35.

CHAPTER 2: Mahmoud Ayoub, "Dhimmah in Qur'an and Hadith", *Arab Studies Quarterly* 5 (Washington, 1983), pp. 172-82. With kind permission from the Association of Arab-American Graduates, Washington, D.C.

CHAPTER 3: Translation of: Néophyte Edelby, "L'autonomie législative des chrétiens en terre d'Islam", *Archives d'histoire du droit oriental* 5 (Brussels, 1950-51), pp. 307-51. Translation by Bruce Inksetter; Copyright ©2004 Ashgate Publishing Ltd.

CHAPTER 4: Translation of: Antoine Fattal, "Comment les Dhimmis étaient jugés en terre d'Islam", *Cahiers d'histoire égyptienne* 3 (Cairo, 1951), 321-41. Translation by Susan Pickford; Copyright ©2004 Ashgate Publishing Ltd.

CHAPTER 5: Translation of: Albrecht Noth, "Abgrenzungsprobleme zwischen Muslimen und Nicht-Muslimen. Die 'Bedingungen 'Umans (aṣ-Ṣurūt al-'umariyya)' unter einem anderen Aspekt gelesen", *Jerusalem Studies in Arabic and Islam* 9 (Jerusalem, 1987), pp. 290-315. Translation by Mark Muehlhaeuser; Copyright ©2004 Ashgate Publishing Ltd.

CHAPTER 6: M.J. Kister, "'Do not Assimilate Yourselves ...' Lā tashabbahū ...", *Jerusalem Studies in Arabic and Islam* 12 (Jerusalem, 1989), pp. 321-53.

CHAPTER 7: S.D. Goitein, "Minority Selfrule and Government Control in Islam", *Studia Islamica* 31 (Paris, 1970), pp. 101-16.

CHAPTER 8: Sidney H. Griffith, "Comparative Religion in the Apologetics of the First Christian Arabic Theologians", *Proceedings of the Patristic, Medieval and Renaissance Conference* (Villanova University, Pennsylvania) 4 (Philadelphia, 1979), pp. 63-86.

CHAPTER 9: Sarah Stroumsa, "Jewish Polemics against Islam and Christianity in the Light of Judaeo-Arabic Texts", in Norman Golb, ed., *Judaeo-Arabic Studies. Proceedings of the Founding Conference of the Society for Judaeo-Arabic Studies* (Studies in Muslim-Jewish Relations 3; Amsterdam, 1997), pp. 241-50.

CHAPTER 10: Jacques Waardenburg, "Muslim Studies of Other Religions: The Medieval Period", in G.J. van Gelder and E. de Moor, eds., *The Middle East and Europe: Encounters and Exchanges* (Orientations 1; Amsterdam, 1992), pp. 10-38.

CHAPTER 11: Translation of: C.H. Becker, "Christliche Polemik und islamische Dogmenbildung", *Zeitschrift für Assyriologie* 25 (Leipzig, 1911), pp. 175-95. Translation by Mark Muehlaenster; Copyright ©2004 Ashgate Publishing Ltd.

CHAPTER 12: Translation of: Claude Cahen, "Histoire économique-sociale et islamologie: le problème préjudiciel de l'adaptation entre les autochtones et l'Islam", *Correspondance d'Orient* (Brussels, 1961), pp. 197-215; repr. in *idem*, *Les peuples musulmans* (Damascus, 1977), pp. 169-88. Translation by Philip Ditchfield; Copyright ©2004 Ashgate Publishing Ltd.

CHAPTER 13: Daniel Pipes, "Mawlas: Freed Slaves and Converts in Early Islam", *Slavery and Abolition* 1 (London, 1980), pp. 132-77.

CHAPTER 14: Gladys Frantz-Murphy, "Conversion in Early Islamic Egypt", in Yusuf Raghib, ed., *Documents de l'Islam médiéval: nouvelles perspectives de recherche* (Cairo, 1991), pp. 11-17.

CHAPTER 15: Jean de Menasce, "Problèmes des mazdeens dans l'Iran musulman", in Gernot Wiessener, ed., *Festschrift für Wilhelm Eilers* (Wiesbaden, 1967), 220-30. Translation by Philip Ditchfield; Copyright ©2004 Ashgate Publishing Ltd.

Every effort has been made to trace all the copyright holders, but if any have been inadvertently overlooked the publishers will be pleased to make the necessary arrangement at the first opportunity.

PUBLISHER'S NOTE

The pagination of articles originally published in English has been maintained for this volume. In articles translated into English, the original pagination has been indicated in the text in bold-face type.

INTRODUCTION

Muslims and Others

Robert Hoyland

IN THE COURSE of the third and fourth centuries AD the Middle East witnessed the loose-knit empires of the Romans (in the west) and the Parthians (in the east) give way to the integrated empires of the Byzantines and the Sasanians. Whereas the ruling elites of the former pair were largely indifferent to the beliefs of the masses, those of their successors shared their creed with the majority of their subjects and sought not only to control political power within their lands, but also to promote religious uniformity. Moreover, warfare between them assumed an increasingly religious character and religious difference frequently became equated with political dissidence, the result being persecutions. This drive towards greater integration and conformity, which intensified during the sixth century as a result of an escalation of the conflict between the two superpowers, provoked those sectarian groups jealous of their own independence to establish a certain distance between themselves and imperial culture. Gradually, and especially in pluralist Iraq, they transformed themselves into communal organizations with their own schools, law courts, places of worship, religious hierarchy, and so on. They were effectively socio-legal corporations ordered along religious lines.

It was within this environment that Islam grew up and, naturally enough, it continued and even extended these trends (Chapter 1). It divided up the world primarily along religious lines, seeing only believers (*ahl al-islām*) and infidels (*ahl al-kufr*). The latter were generally left—indeed expected—to manage their own affairs and to conduct themselves according to their own laws and beliefs. The only major demand made of them was that they pay a special tax (*jizya*) to demonstrate their twin shame of having been conquered and having rejected the true religion and its prophet Muḥammad. This laissez-faire attitude was noted of the Muslim conquerors by a north-Mesopotamian resident writing in the 690s:

Their robber bands went annually to distant parts and to the islands, bringing back captives from all the peoples under the heavens. Of each person they required only tribute, allowing them to remain in whatever faith they wished... There was no

distinction between pagan and Christian, the faithful was not known from a Jew.¹

For their part the early Muslims preferred to distance themselves from the conquered population, living in separate garrison towns and eschewing the customs and practices of others. But the possession of wealth and power by the Muslims meant that the conquered peoples would inevitably seek them out, whether to win their support in internal conflicts, or to earn a share in their privileges and riches, or simply to seek a living in their employ. So the garrison towns became cosmopolitan cities in which Muslims and non-Muslims interacted in a variety of different ways. Some examples of this will be given here and the select bibliography at the end will suggest further directions for study.

Independence of Non-Muslims from Muslims

In return for paying their taxes the non-Muslims received a guarantee of protection (*dhimma*) with regard to their lives and property and the right to practise their faith without hindrance (Chapter 2). Since certain Qur'anic verses (e.g. 22:17, 98:1) distinguish between the Jews and Christians as possessors of a recognized scripture (*ahl al-kitāb*), and polytheists (*ahl al-shirk*), some Muslims argued that only the former qualified for protection whereas the latter should be fought to the death. But as the Muslims pushed further east, vanquishing such peoples as the Zoroastrians and the Hindus, any initial objections were soon brushed aside and the category of people qualifying for protected status (*ahl al-dhimma*) expanded to comprise pretty much all non-Muslims. Thus Muhammad ibn al-Qasim (d. 96/715), the first Muslim general to conquer an Indian town and to face the problem of what to do with its population, ruled that their holy places were "akin to the churches of the Christians and the synagogues of the Jews and the fire-temples of the Zoroastrians".² And this judgement formed the theoretical basis for subsequent Muslim tolerance of Hindus and their worship. The only major exception to this principle involved non-Muslim Arabs, who, whether the pagan Arabs of Muhammad's Arabia or the Christian Arabs

of the Fertile Crescent, were sometimes the target of Muslim missionary efforts.³

To qualify for protection and tolerance the various non-Muslim communities were expected to be in possession of the legal wherewithal to exercise autonomy (Chapters 3 and 4). This would seem to have been an early concern, since the Qur'ān already demands that "the adherents of the Gospel judge by that which God has revealed therein" (5:47). And in one early Christian-Muslim debate text an Arab general issues to his Christian interlocutor the ultimatum: "Show me that your laws are written in the Gospel and that you conduct yourselves by them, or else submit to the law of the Muslims".⁴ This was problematic for the Christians, since the Gospel is much less explicit about most areas of human social intercourse than the Torah and the Qur'ān and is little interested in legal matters. Under pressure from Islam eastern Christian clerics set about rectifying this. One of the earliest such authors whose works have survived is an eighth-century Iranian archbishop, Isho'bokht of Fars, who wrote a six-volume tract called simply *Composition on the Laws* by its Syriac translator. It is not merely a collection of canons, but an attempt to systematize and codify the Christian law, treating jurisprudence (Volume 1), marriage (2-3), inheritance (4), and contract (5-6). Interest in such subjects is not found in pre-Islamic Christian legal writings. There are some hints of related activity by authors of the late seventh and early eighth centuries,⁵ but it is the work of Isho'bokht which first embarks upon a proper treatment of the matter, and so he is something of a pioneer. What spurred him to this innovation is clear from his introduction:

Whereas the Jews in every place have one law, as also the error of the Magians, and likewise also those who now rule over us (i.e. the Muslims), among the Christians the laws which are determined in the land of the Romans are distinct from those in the land of the Persians, and they in turn are distinct from those in the land of the Aramaeans, and different from Ahwaz, and different in Maysan, and likewise also in other places... Because of this... [I am writing this book].⁶

³For examples see Robert Hoyland, *Seeing Islam as Others Saw It* (Princeton, 1997), 352-54.

⁴F. Nau, "Un colloque du patriarche Jean avec l'émir des Agaréens", *JA* Ser. XI, 5 (1915), 252/262.

⁵See P. Crone, "Islam, Judeo-Christianity and Byzantine Iconoclasm", *JSAI* 2 (1980), 71-73 (arguing that certain legal texts were composed in response to Islam).

⁶Isho'bokht, *Maktūbāt d-'al dīmē*, in E. Sachau, ed. and trans., *Syrische Rechtsbücher*

¹John bar Penkaye, *Ktābā d-rīsh melle*, ed. and trans. A. Mingana in his *Sources syriques* (Leipzig, 1907), 147/175, 151/179. Compare the words of the first caliph Abū Bakr (r. 11-13/632-34) to his generals on how to treat the conquered peoples: "Let them bring tribute as determined between you, and let them be left in their faith and their land" (*Chronicon ad 1234*, trans. Andrew Palmer in *The Seventh Century in West-Syrian Chronicles*, Liverpool 1993, 145).

²Al-Baladhuri, *Futūḥ al-buldān*, ed. M.J. de Goeje (Leiden, 1866), 439.

But Ishoʿbokht did not reach this conclusion simply by observation, rather it was pointed out to him, as we see from the heading of one of the chapters of his first book: "Concerning what is said by the Jews and the Muslims (*ḥanpē*) that the Christians have no laws and it is not possible that their lives be conducted without laws".⁷ The usual Jewish accusation had been that the Christians did not hold to the law of Moses and not that they had no laws, so the question must have originated with the Muslims ("those who now rule over us"). And indeed, it is only in the churches of Muslim-ruled lands that we find such developed Christian law codes. These went far beyond the usual chapters on doctrine, scripture, sacraments and hierarchical administration, including sections on marriage and divorce, dowries and settlements, inheritances, degrees of consanguinity, debts and loans, selling and buying, contracts and partnerships, pledges and oaths, and so on.⁸

Besides this basic requirement there were a number of rules for social conduct by which the non-Muslims were expected to abide. These most famously appear listed in the so-called "Pact of ʿUmar", which purports to be a letter sent at the time of the Muslim conquests from the Christians of Syria to the caliph ʿUmar I requesting protection and promising observance of certain obligations. The document has provoked much discussion both as regards its authenticity and its significance. Earlier scholars tended to regard it as a late invention and as an indication of the discrimination and isolation endured by non-Muslims of later times. More recently it has been argued that the list does reflect the conditions of the earliest period of the conquests and that its contents were intended for the benefit of the Muslims rather than for the detriment of the non-Muslims (Chapter 5).⁹ Faced with a massive majority population of non-Muslims, the conquerors instituted measures to erect boundaries between themselves and the conquered peoples so as to prevent their assimilation after the fashion of the Germanic conquerors of Rome and so many Central Asian conquerors of China (Chapter 6). For example, one item on the list concerns the belt known as the *zunnār*. Since Christians wore such a thing before Islam, it is evident that the initial aim

(Berlin, 1907-14), III, 8-10 (1.1).

⁷Ishoʿbokht, *Maktūbāt d-ʿal dīnē*, III, 20 (1.XIV).

⁸See Richard B. Rose, "Islam and the Development of Personal Status Laws among Christian Dhimmis", *MW* 72 (1982), 159-79.

⁹On the radically divergent answers to the question of the nature of Muslim/non-Muslim co-existence and pertinent bibliography see Mark Cohen, "Islam and the Jews: Myth, Counter-myth, History", in Shlomo Deshen and Walter P. Zerner, eds., *Jews among Muslims: Communities in the Pre-Colonial Middle East* (Basingstoke, 1996), 50-63.

of the regulation was not specifically to humiliate Christians, but rather to make it possible to distinguish them from Muslims.¹⁰

Recourse of Non-Muslims to Muslims

Though in theory non-Muslim communities acted as separate entities within the Muslim state, with their own laws and leaders, in practice the Muslim authorities frequently became involved in the internal affairs of the various communities, largely at the instigation of the non-Muslims themselves (Chapter 7). For example, in his fight against the mutiny of Persian and east Arabian Christians in the 650s, the eastern Christian leader Ishoʿyāb III appealed to "the local governors and also to the governor of that time who was over the local governors". His successor, George I, came to face charges brought against him before the Muslim authorities by a disgruntled archbishop. And in Egypt a certain Theodore of Alexandria, a leader of the Chalcedonian Christian community, "went to Damascus to the chief of the Muslims, named Yazīd ibn Muʿāwīya (r. 60-64/680-83), and took from him a diploma empowering him over the people of Alexandria and Maryut and all its environs and declaring that the governor of Egypt had no authority over him, for he had paid Yazīd much money". And on his return Theodore "tyrannized the Coptic patriarch Agathon and troubled him".¹¹

However, community leaders also ran the risk of occasional unwanted intervention in their affairs, as happened to the patriarch Ḥnanishoʿ I (r. 686-93) during the second Arab civil war. Based at al-Madāʾin in southern Iraq, Ḥnanishoʿ found himself under the rule of rebels at al-Kūfa who were seeking to overthrow the Umayyad dynasty (660-750). The pro-Umayyad governor of Iraq, ʿUbayd Allāh ibn Ziyād, wooed John of Dasein, archbishop of Nisibis, promising him that "if you will accompany me, I will depose him (Ḥnanishoʿ) and establish you as patriarch in his place".¹² John was presumably courted for his connections at Nisibis, which was a hive of sedition during the civil war. Certainly Bishr ibn Marwān, brother of the caliph ʿAbd al-Malik (r. 65-86/685-705), winner of the civil war, seems to have made some agreement with John, for he forcibly installed him in place of Ḥnanishoʿ.¹³ Subsequently John's partisans in Nisibis, led by an aristo-

¹⁰See Mark Cohen, "At the Origins of the Distinctive Dress Regulation for Non-Muslims in Islam", in Lawrence I. Conrad, ed., *The Byzantine and Early Islamic Near East IV* (Princeton, forthcoming); Hoyland, *Seeing Islam*, 364.

¹¹Hoyland, *Seeing Islam*, 200-202; Ishoʿyāb and George, "History of the Patriarchs", ed. and trans. B. Evetts, *PO* 5 (1910), 5; Theodore.

¹²John bar Penkaye, 156/184.

¹³Marʿ ibn Sulaymān, *Kitāb al-majādal*, ed. and trans. H. Gismondi (Rome, 1899), 63/56, states that John bribed ʿAbd al-Malik and his brother Bishr.

cratic Iranian Christian physician named Mardānshāh, aided Muhammad ibn Marwān, another brother of 'Abd al-Malik, to recapture the city. The party of Hnanisho' was driven out and Mardānshāh was entrusted with the administration.¹⁴ After the death of John in 695 the new governor of Iraq, al-Hajjāj ibn Yūsuf, suspended the election of a new patriarch, thus instituting a Sasanian-style policy of government involvement in church affairs.

Dialogue of Non-Muslims with Muslims

The boundaries between confessional communities were patrolled by religious authorities whose task was to reinforce allegiance to their respective communities. This they did by urging exclusive attendance of the institutions of that community, by issuing laws prohibiting interaction and intermarriage with non-members, by promoting distinctive insignia and symbols, and by disseminating propaganda against the adherents and beliefs of all other groups. Much of this propaganda would have been for internal consumption only, as is clear from the somewhat stale and one-sided Christian anti-Jewish literature of pre-Islamic times, but in the early Islamic period a considerable proportion of the apologetic writing seems to derive from real debate. And this is graphically confirmed by the comment of the Muslim scholar 'Amr ibn Bahr al-Jāhiz (d. 255/868) regarding Christians:

They hunt down what is contradictory in our traditions, our reports with a suspect line of transmission and the ambiguous verses of our scripture. Then they single out the weak-minded among us and question our common people concerning these things... and they will often address themselves to the learned and the powerful among us, causing dissension among the mighty and confusing the weak.¹⁵

A number of factors favoured such debate in the early 'Abbāsīd era (ca. 750–950): the cosmopolitan nature of Baghdad and its province, the caliphs' patronage of scholarship, the emergence of Arabic as a *lingua franca*, the universal deployment of dialectical reasoning based upon categorical definitions, and the proliferation of converts and apostates, which meant that there were many with a genuine knowledge of two religions and with a real will to champion one over the other. But also, quite simply, there were

¹⁴ *Ibid.*, 63–65/56–57.

¹⁵ Al-Jāhiz, *Al-Radd 'alā l-nasārā*, in A.-S.-M. Hārūn, ed., *Rasā'il al-Jāhiz* (Cairo, 1964–79), III, 320. This very illuminating text has been translated by J. Finkel in *JAOS* 47 (1927), 311–34 (partial) and by I.S. Allouche in *Hesperis* 26 (1939), 129–53 (full).

matters that needed debating. Islam prompted questions that had not previously arisen, such as what were the attributes of a true prophet and how could one recognize an authentic scripture, and one can observe these and other questions being broached in an original way (Chapter 8). For instance, in a treatise aiming to demonstrate that Christianity was the true religion, the theologian Theodore Abū Qurra (d. ca. 820s) introduces a small thought-experiment:

Let us say that I grew up on a mountain ignorant of the nature of people, and one day, on account of some need that presented itself to me, I went down to the cities and to the society of people, and I perceived them to be of different religions... (Theodore reviews the nine principal creeds of his day)... Reflecting on the doctrine of each one of them, I perceived all of them to be in agreement on three points and in disagreement about them too... I reflected again and said to myself: It befits God, in His goodness and grace, when He perceived that His creation had deviated from the worship of truth, that He send to them a messenger and a book to make them realize that and to return them to it from their errors. But there came a plurality of messengers and books... It is appropriate that there should be among them only one true one in accordance with what is known of God's grace and providence for His creation, but what is the trick for recognizing this one?¹⁶

Two younger contemporaries of Theodore, the aforementioned Muslim writer al-Jāhiz and the Jewish thinker Dāwūd ibn Marwān al-Muqammis (d. ca. 860s) also posed themselves this question.¹⁷ The former, in his essay "On the Proofs of Prophecy", postulates two categories of proofs: those pertaining to "sensory perception" and those based upon a "cogent tradition", both cases requiring the involvement of the intellect for purposes of verification. The most important sensory experience in the determination of prophethood was a miracle performed by the contender:

¹⁶ Theodore Abū Qurra, *Fi wujūd al-khalq*, ed. Ignace Dick (Journich and Rome, 1982), 200, 211–12. This tract is discussed by Sidney H. Griffith, "Faith and Reason in Christian *Kalām*", in S.K. Samir and J.S. Nielsen, eds., *Christian Arabic Apologetics during the 'Abbāsīd Period* (Leiden, 1994), 1–43.

¹⁷ And it prompted the mid-ninth-century Zoroastrian author Mardānfarokh ī Ohrmazddādān, who had "traversed many lands and seas" in search of the truth, to compose his "Doubt-Dispelling Exposition" (*Shikand-gumānīg wizar*), on which see Hoyland, *Seeing Islam*, 511–12.

The signs of messengers, peace be upon them, and their miracles are more worthy of attention and renown and of being considered a compelling argument for hearts and minds than their preaching and their laws. Indeed, we know that Moses, peace be upon him, was unknown and of no repute except on account of his wonders and miracles, and the same is true of Jesus, peace be upon him. Were it not for that, they would have been just like the rest whose death and birth pass unnoticed.¹⁸

For al-Muqammi, too, the execution of miracles was a prerequisite for belief in a prophet, and he further stipulated that the content of the prophecy must be in accord with logic and common sense, and that "the tradition about him should not come from one direction, but rather from several quarters... not from only one nation, nor in only one language" (Chapter 9).¹⁹

These three works illustrate very well two salient characteristics of the polemic conducted by Christians, Jews and Muslims in the eighth to tenth centuries. Firstly, the combatants of each party entered the inter-confessional arena with the same intellectual armory: scriptures, authenticated traditions and dialectical reasoning based upon categorical definitions. The latter was the most important, as it enabled the debate to cross sectarian lines, and it is noticeable that the three tracts mentioned above each open with an excursus on the nature of knowledge and truth and on the procedure for deriving them. Secondly, as mentioned above, the debate was clearly a real one. The question of how to recognize a true prophet, given such careful reflection in the above texts, was scarcely considered by pre-Islamic Christian and Jewish authorities and was clearly provoked by Muslim claims about Muhammad's prophetic credentials.²⁰ Moreover, we very often find in dispute texts that arguments put forward by one party are taken up and refuted by another. This does not mean, however, that we have records of actual discussions, only that the authors of the texts, though purveyors of literary fictions, had tested their metal in the field.

The roots of these controversies between the Muslims and their subject peoples went back to the late seventh and early eighth centuries when Islam first began to present itself as "the religion of truth", so challenging other

¹⁸ Al-Jāhiz, *Fi huḥujj al-nubūwa*, in Harun, *Rasā'il al-Jāhiz*, III, 259.

¹⁹ Al-Muqammi, *Isḥrūn maḡāla*, ed. and trans. Sarah Stroumsa (Leiden, 1989), 265.

²⁰ For discussion see Sarah Stroumsa, "The Signs of Prophecy: the Emergence and Development of a Theme in Arabic Theological Literature", *HTHR* 78 (1985), 101-14.

faiths.²¹ But the debate only gathered momentum once Arabic, established as the administrative language of the empire by late Umayyad times, had become accepted as the international medium of scholarship. Whereas only eight authors are known to have polemized in Syriac against Islam from the seventh to the thirteenth century in Muslim-ruled lands, and even fewer in Greek, as many did so in Arabic in the first 'Abbāsid century (750-850) alone.²² The emergence of Arabic as a *lingua franca* and the patronage of scholarship by the early 'Abbāsid rulers sponsored a kind of Islamic "enlightenment", fuelled by the transmission of Greek learning into Arabic, and made Iraq of the ninth and tenth centuries a centre of lively altercations amongst Jews, Christians, Muslims, Zoroastrians, Manichaeans and pagan philosophers over the nature of truth and knowledge (Chapter 10).

The contest itself was conducted in an almost gentlemanly fashion:

It is hoped that you will treat us fairly in the discussion and that you will negotiate with us as brothers who share in the goods they inherit from their father. All of them share in them; nothing belongs to one to the exclusion of the other. So we and you should be on a par in the discussion.²³

But though the dialectical style of the disputants became ever more honed and their arguments ever more refined, the key objections were never overcome. Jews and Muslims could not forgive Christianity its dilution of God's unity and ascription to Him of a son; Muslims and Christians remained opposed to Judaism on the subjects of abrogation of the law and falsification of the scriptures; and Jews and Christians persisted in their rejection of Muhammad's prophethood and his claim to have brought a revelation

²¹ This expression (*dm al-haq*) first appears on the gold coins of 'Abd al-Malik dated 77/696. That such pretensions spurred non-Muslims to write is shown by the ninth-century Christian author Abū Rā'iṭa, *Rasā'il*, ed. and trans. Georg Graf (Louvain, 1951; *CSCO* 130-31 *Ser. arabici* 14-15), I, 1: "You have asked me to write for you a treatise in which I should make clear to you what is obscure to you of the doctrines of peoples and their claims about the correctness of what they hold to, especially the doctrine of the Muslims and their description of the excellence of their religion, its nobleness and its superiority over other religions."

²² See Sidney H. Griffith, *Arabic Christianity in the Monasteries of Ninth-Century Palestine* (Aldershot, 1992), especially articles 1-3.

²³ Abū Rā'iṭa, *Rasā'il*, I, 3-4. This at least is the approach of polemicists writing in Syriac and Arabic; writings in Greek, whether from within or outside the Muslim empire, tend to adopt a more hostile tone. See also Sarah Stroumsa, "Ibn al-Rāwandī's *Sū' adab al-muḡādal*, the Role of Bad Manners in Medieval Disputations", in Hava Lazarus-Yafeh, ed., *The Majlis: Interreligious Encounters in Medieval Islam* (Wiesbaden, 1999), 66-83.

from God, arguing that he was not announced in the scriptures and had worked no miracles. Yet in the process each was subtly transformed and drawn a few steps towards its opponents' position (Chapter 11). For example, Christianity came to place greater stress on monotheism; thus the religious encyclopaedia known as the *Book of the Tower* begins its exposition of Christianity (*Bāb* 2.1) with the words: "The acme of faith is the oneness of God" (*dhurwat al-īmān tawhīd Allāh*). And later Muslims came to put forward a "Jesus-like portrait of Muhammad's prophecy".²⁴

Conversion of Non-Muslims to Islam

What motivated religious authorities constantly to strive for the fidelity of their flock was the ever-present specter of apostasy. This was also a worry for Muslim leaders, especially in the first one or two centuries when Muslim numbers were small, but in the long run it was the non-Muslim communities that witnessed a steady loss of their members. There are indications that the Muslim Arab conquerors initially tended to think along genealogical lines: in order to be an Arab and so to share in the immense privileges conferred on Arabs since the conquests, one must be born as one. But the numerosness of the non-Arabs who wished to enjoy the same benefits as their new masters and the Qur'ān's stress on the universality of Muhammad's message (e.g. 4.79, 7.158, 34.28) meant that it was not easy to refuse into their ranks anyone who lacked the right descent.²⁵ And in general it was accepted that one could become a member of the conquest society by adopting the Arab faith. This fact constitutes one of the most important preconditions for the emergence of Islamic civilization, since the skills and sciences of the non-Muslims contributed enormously to its development (Chapter 12).

That the conquered peoples could join the ruling elite does not explain how, why and when they availed themselves of this option, and these are difficult questions to answer. Some idea of the procedure for converting to Islam, in the early 'Abbāsid period at least, is given by a late eighth-century chronicler who was a monk in northern Mesopotamia. While he was at Edessa, he heard about a deacon of that district who, despite the entreaties of "all the notables and priests", made up his mind to apostatize and sought out "a certain man from among the Arabs there", asking that "he become

²⁴See Bo Holmberg, "A Reconsideration of the *Kitāb al-Majādal*", *PO* 18 (1993), 255-73: on the *Book of the Tower*; Stroumsa, "The Signs of Prophecy", 114: portrait of Muhammad.

²⁵The Qur'ān emphasizes that it was revealed in Arabic (12.2, 13.37, 16.103, 26.195, 39.28, 41.3, 42.7, 43.3, 46.12), but otherwise does not mention the Arabs except for the fickle bedouin (*a'rāb*). Appeal is most commonly made simply to "those who believe".

a Muslim (*nahaggar*) by his hands". The Arab attempted to dissuade him, fearing for him should he repent the next day, but the deacon insisted on his sincerity. So the Arab asked whether he denied Christ, baptism, the cross, the eucharist and "all that the Christians profess". After the deacon had abjured each item in turn, the Arab instructed him to confess belief in Muhammad as the messenger of God, "the book which came down from heaven upon him" and Jesus as the Word and Spirit of God, that "he was a prophet and not God", then to remove his belt and pray to the south. As the deacon did so, a white dove emerged from his mouth; perceiving the loss of his soul, he bewailed his folly. Further on the chronicler records that whole groups of people would apostatize "without any kind of compulsion to do so" and "they would write their names in the register".²⁶

Turning to the reasons for conversion to Islam, one should first stress that compulsion was very rarely among them, as noted by the aforementioned chronicler and as is suggested by the comparatively small number of martyrdom accounts composed in Muslim times (compared to Roman and Sasanian times). Only residents of frontier areas and Christian Arabs would seem to have ever faced pressure to convert.²⁷ The decision to leave the religion in which one had been brought up was never one to be taken lightly, since it meant breaking ties with one's family, friends and neighbors. When Dioscorus of Alexandria became a Muslim, his sister wrote informing him that she could have no further association with him, and a Jewish woman who became a Christian was declared by her husband to be as good as dead.²⁸ So why did people convert? Spokesmen of the non-Muslim communities impressed upon their flock that the only advantages Islam had to offer were social and economic advancement, fame and gain.²⁹ Thus authors of martyrdom accounts never failed to present their heroes as being tempted with offers of high office and wealth by some Muslim notable if they would only convert.

²⁶*Chronicon anonymum pseudo-Dionysianum*, II, ed. J.B. Chabot (Paris, 1933; *CSCO* 104 *Ser. syri* 53), 389-92, 385.

²⁷Muslim nervousness about their borders, especially with Byzantium, meant that non-Muslims living there, even if not asked to convert, would face hostility and suspicion in time of conflict. See J.M. Fiey, *Chrétiens syriaques sous les Abbassides* (Louvain, 1980), 48-50.

²⁸²⁹Le synaxaire arabe jacobite (réédition copte), ed. and trans. R. Basset, *PO* 16 (1922), 6th Barnabat: Dioscorus: *Gaonic-Responsa (Teshuvot ge'ōne)*, ed. Joel Muller (Berlin, 1881), no. 87, 20b: Jewish woman.

²⁹The argument was of course an old one; for example, the conversion of a priest to Zoroastrianism in the days of Khusrāu II was deemed the result of "his fierce attachment to the world and his desire for its pleasures". See "Chronicle of Sīrt", ed. and trans. A. Scher, *PO* 13 (1919), 467.

Though this has been widely accepted by scholars and contains some truth, it does require qualification. As regards admission to high office, one's religious persuasion was generally no bar, at least not in the first two or three centuries of Islam when the administrative and medical professions were dominated by non-Muslims.³⁰ And as long as conversion still entailed becoming a client (*maulā*) of an Arab and so placing oneself on an equal footing with all other clients, those endowed with status in their former community were unwilling to risk finding themselves working alongside their former servants and subjects. It was, therefore, mostly those of low social status (especially peasants), or those who had lost their former status (especially prisoners-of-war), who converted to Islam in Umayyad times (Chapter 13). As for taxation, in the first century of Islam it was not specifically Muslims who enjoyed fiscal benefits, but rather those who fought "on behalf of Allāh".³¹ Taxes were something that the conquered paid for the upkeep (*rizq*) of the conquerors in return for protection. Only with 'Umar II (r. 99–102/717–20), and only with any consistency under the 'Abbāsids, was there an attempt to base the tax system on a distinction between Muslim and non-Muslim,³² and even then the practice was often much messier than the theory:

Nominally they (the tax collectors) were to levy one tenth, yet even when those Arabs had sold all they possessed, it was not

³⁰Theophanes, *Chronographia*, ed. C. de Boor (Leipzig, 1886), I, 430–31, says that in 758 the Muslims tried to "expel the Christians from government chanceries, but were once again obliged to entrust the same duties to them because they were unable to write numbers". In the late tenth century al-Muqaddasī, *Al-basan al-togāsīm fi ma'rifa al-aqā'im*, ed. M.J. de Goeje (Leiden, 1877), 183, observed that in Syria and Egypt the physicians and scribes were mostly Christians. And there were still enough Christians in positions of power in Mamlūk Egypt for Muslims to write tracts decrying this fact; see R. Gotthell, "An Answer to the Dhimmīs", *JAOs* 41 (1921), 383–457; M. Perlmann, "Notes on Anti-Christian Propaganda in the Mamlūk Empire", *BSOAS* 10 (1940–42), 843–61.

³¹Thus the Mardaïes of Lebanon were to be exempted from poll tax as long as they fought for the Muslims (al-Balādhūrī, *Futūḥ al-buldān*, 159).

³²See J.B. Simonsen, *Studies in the Genesis and Early Development of the Caliphate Taaṭun System* (Copenhagen, 1988), 140–50. The fact that decrees exempting converts to Islam from poll tax were commonly issued—e.g. by 'Umar II (numerous Syriac texts: see Hoyland, *Seeing Islam*, 654), Ḥafṣ ibn al-Walīd ("History of the Patriarchs", 116) and al-Saffāh (*ibid.*, 189)—indicates that it was not a consistent policy. Rather it was done when there was a need to mobilise support ('Umar after the disastrous Muslim defeat at Constantinople, Ḥafṣ to usurp the governorship of Egypt, al-Saffāh in the wake of the 'Abbāsīd revolution), for it was well known that "it will be enough for you to have a herald announce that taxes will be removed from whoever becomes a Muslim and 50,000 praying men will come to you". See al-Ṭabarī, *Ta'rīkh al-rusul wa-l-mulūk*, ed. M.J. de Goeje *et al.* (Leiden, 1879–1901), II, 1024.

sufficient to pay what was demanded of them. They were entreated to take according to the law laid down by Muḥammad, their guide and legislator, and by the first kings, and to take from each one of them what they had: if he had wheat take wheat, if cattle so cattle. But they did not accept that, saying to them: "Go and sell your possessions however you like and give us our gold."³³

Furthermore, the desire to avoid taxation did not generally lead directly to conversion, but rather to flight from the land. In Egypt this would most often mean seeking refuge in a monastery or some rural retreat, but in Iraq and Mesopotamia it usually meant escape to a city where increased contact with Muslims rendered the chances of conversion high.³⁴

Probably more significant in the long run for conversion was the erosion of the prestige and influence of the leaders and institutions of the non-Muslim communities. This followed on from the late Umayyad decision to promote individual responsibility for payment of taxes over lump sum payments collected by mediating bodies, and gradually to replace local officials by government-appointed Muslim agents (Chapter 14). The Muslim Arabs' military successes must have also indirectly promoted conversion to Islam. One of their effects was the transfer of peoples from their homelands to the overwhelmingly Muslim environment of the garrison cities where conversion was correspondingly more likely. Moreover, they challenged other religions' claims to enjoy God's exclusive favour. "It is a sign that God loves us and is pleased with our faith", one Arab general declares to a Christian monk of the monastery of Beth Hale in Iraq, "namely, that He gives us dominion over all religions and all peoples".³⁵ And this point, coupled with the receptivity towards interfaith discussion of the early 'Abbāsīd rulers, must have provoked much soul-searching and certainly produced a number of converts among the literate elite.

The rate of conversion would have varied substantially from community to community. The Jews, who had long been used to living as a minority under foreign rule, probably fared best. The Christians had suffered a pe-

³³*Chronicon anonymum pseudo-Dionysianum*, II, 299; this concerns land-tax but illustrates that the theory was not always applied. Cf. *ibid.*, II, 341: "They imposed them (extraordinary taxes) on the Muslims as well as on the Christians, for their motivation was not concern for the tradition [of Islam], but to sate their avid desire for money."

³⁴If fugitives wished to avoid being rounded up and returned to their villages (cf. al-Ṭabarī, *Ta'rīkh*, II, 1122, 1435), then they needed to find a Muslim patron. This plus greater interaction with Muslims made conversion likely.

³⁵Ms. Diyarbakir 95, fols. 1b–2a; for this text see Hoyland, *Seeing Islam*, 465–72.

riot of persecution under the Romans and could draw upon this history and the model of the early martyrs for strength and comfort. The Zoroastrians, however, had always enjoyed state patronage and were unable to cope with being political and religious underdogs, so more quickly succumbed to Islamization (Chapter 15). The speed of the latter process was also linked to the potential for interaction and intermarriage with Muslims. In Egypt, where the Muslim presence was meager for the first two centuries of Islam, conversion was very slow; but in Khurasan and Iraq, which bore the brunt of early Muslim settlement, opportunities for social intercourse were numerous and conversion more frequent.

Finally, there is the question of when apostasy first occurred and when it became widespread. We hear of defections to the Arabs already at the time of the conquests, though our sources frequently make no distinction between conversion and collaboration.³⁶ One seventh-century Syrian monk declares to his Jewish disputant: "We Christians, though enslaved for many years and worn down by troubles, shall not deny God. And if some Christians have denied Him, they are not as many as did so among you in Babylon."³⁷ And the Coptic author John of Nikiu laments that in the course of the Muslim invasion "many of the Egyptians...denied the holy orthodox faith and life-giving baptism, and embraced the religion of the Muslims".³⁸ By the late seventh century apostasy had become an important issue in Christian writings, demanding the attention of church authorities.³⁹ And in the second half of the eighth century we begin to hear of incidents of large-scale apostasy to Islam. In the days of the patriarch Michael (r. 743–67) "those who denied Christ numbered 24,000".⁴⁰ A couple of decades later a similar outbreak occurred in Mesopotamia, according to the aforementioned local

³⁶E.g. the Persian cavalry corps called the *Asāwira* are said to have converted in 638, but fight in the 680s under a certain *Māh Afrīdhūn*; those transferred from al-Basra to Antioch by Mu'āwīya appear as non-Muslims, and their leader in the time of Hishām, Ḥasan ibn Māhawayh, is obviously a first-generation convert (references given by P. Crone, *Slaves on Horses*, Cambridge 1980, 237–38 n. 362). It is perhaps because they were exempted from poll tax that later Muslims assumed they had converted. But it is also true that for some—e.g. for the 15,000 Muslim soldiers of Egypt who "believed in Christ and were baptised" during the first Arab civil war (Sebeos, *History*, trans. Robert Thomson, Liverpool 2000, 154)—collaboration and conversion went hand in hand.

³⁷"Dialogue against the Jews", *PG* (ed. J.P. Migne) 89 (Paris, 1865), 1236A–B.

³⁸John of Nikiu, *Chronicle*, trans. R.H. Charles (London and Oxford, 1916), 201, cf. 182.

³⁹For examples see Hoyland, *Seeing Islam*, 100–101, 162–63, 267.

⁴⁰"Le synaxaire arabe jacobite", 16th Barmahat. This was probably due chiefly to the decree of Ḥafṣ ibn al-Walīd, who was trying to gain support for his recapture of the governorship of Egypt, that all who converted would be exempted from the poll tax.

chronicler: "forming groups of twenty, thirty and a hundred men, two and three hundred, without any kind of compulsion to this, they went down to Harran to the governors and became Muslims (*mahaggrin*)".⁴¹ Only a very few years later the caliph al-Mahdī decreed that all converts who subsequently returned to their former faith were to be put to death,⁴² confirming that it was indeed the second half of the eighth century that saw apostasy reach significant proportions.

Though the prospect of the death penalty must have put a brake on the number of those forsaking Islam, legal writings illustrate that all religious communities of Muslim lands were afflicted by the phenomenon of apostasy and had to make provision for it in their legislation. A fundamental question was whether renegades should be admitted back into the fold, to which the answer was generally affirmative as long as the offender did some form of penance.⁴³ Those who refused to recant were either ostracized or, in the case of those defecting from Islam, put to death.⁴⁴ Another key issue was inheritance, the essential point here being to prevent the hemorrhage of property out of the community. Accordingly, legislators of the various confessions ruled that apostates may not inherit from their former co-religionists,⁴⁵ and that their estate was forfeit and to be divided among their heirs.⁴⁶ Then

⁴¹*Chronicon anonymum pseudo-Dionysianum*, II, 385.

⁴²Elias of Damascus, "Passion" in F. Combefis, *Christi martyrum lecta trias* (Paris, 1666), 181. Not one out of regret did people convert; the caliph 'Alī ibn Abī Ṭālib (r. 656–60) put it to one Christian who had become a Muslim, then apostatized, that he was merely doing so to qualify for an inheritance or marriage, then would return to Islam. See 'Abd al-Razzāq al-Ṣan'ānī, *Muṣannaf*, ed. H.-R. al-A'zamī (Beirut, 1970–72), VI, 104.

⁴³The earliest Christian witness is Jacob of Edessa (d. 708, see Hoyland, *Seeing Islam*, 163). On the Zoroastrian side see Maunshtchūr (9th c.), *Dādistan ī denīg*, ed. T.D. Anklesaria (Bombay, 1913), no. 40, and Emed ī Ashawahishtān (10th c.), *Rivāyat*, ed. B.T. Anklesaria (Bombay, 1962), no. 26. The earliest extant Muslim authority is probably Mālik ibn Anas (d. 795), *Muwatā'a*, ed. M.F. 'Abd al-Bāqī (Cairo, 1951), II, 737, who adduces a report in which 'Umar I reprimands Abū Mūsā al-Ash'arī for not offering an apostate three days to repent before beheading him.

⁴⁴*EI*², s.v. "Murtadd" (by W. Heffening, 1993). Maunshtchūr, *Dādistan ī denīg*, no. 40, opines that apostasy by an adult is "worthy of death", but presumably this was not applied.

⁴⁵For instance, the ruling that a son who is of a different religion to his father may not inherit from him is found in Simeon of Rewardashir, *Canons* no. 18, in Sachau, *Syrische Rechtsbücher*, III, 249; *Gaonic Responsa* no. 11, 4b; Emed ī Ashawahishtān, *Rivāyat*, no. 4.

⁴⁶The wealth of an apostate from Islam, were he executed or in Byzantine territory, went to his Muslim heirs (e.g. 'Abd al-Razzāq, *Muṣannaf*, VI, 104–105; X, 338–39). *Gaonic Responsa* no. 87, 20b, records an argument over whether the estate belonging to a woman who converted to Christianity should go to the husband or to the family. Emed ī Ashawahishtān, *Rivāyat*, no. 4, states that if the apostate possesses property,

there was the question of what to do in the eventuality of one's spouse apostatizing, an action which was widely held to constitute grounds for divorce.⁴⁷ Beyond this there were numerous special cases to consider, such as the apostasy of the enslaved, the inebriated and the insane, what to do about criminal offences committed by or upon an apostate, and so on.⁴⁸

Shortly after the matter of apostasy begins to feature in our sources, accounts of the trials endured by individual Christians at the hands of Muslims become increasingly common.⁴⁹ The purpose of these works was twofold: to provide role models and heroes to further the fight against apostasy, and to serve as anti-Muslim propaganda. Thus, whether repentant apostates or committed Muslim converts to Christianity, many of the martyrs are portrayed as having purposefully sought out their fate and as having been deliberately provocative towards the Muslim authorities. And in the interview between the martyr and the prosecuting Muslim that commonly features in these accounts, the former disdains the material advantages of wealth and status that are the only inducements of Islam, and he is shown to choose the gifts of Christianity, which consist in virtue, truth and redemption. That this choice is right is confirmed by the miracles that frequently attend the martyr's death. The first examples of such writings are little more than reports of how the martyr died. Gradually, however, they become more

"whoever from among of the people of the Good Religion seizes it first, is entitled to it", though accepting that "in our era this is difficult to practise".

⁴⁷Isho'bokht, *Maktbānā d-ʿal dīnē*, III, 56 (2.XI); Isho' bar Nun, *Canons*, no. 114, in Sachau, *Syrische Rechtsbücher*, II, 168; al-Shāfiʿī, *Kitāb al-umm* (Bulaq, 1903-1908), VI, 149-51. For Muslim lawyers there could be no divorce until the woman's waiting period (*ʿidda*, three menstrual cycles) had expired, up till which time either partner could still repent and then remain married. In Zoroastrianism there was also the question of the social status of a married woman whose brother had converted to Islam (Emēd ī Ashawahishān, *Rivāyat*, nos. 1-2).

⁴⁸These and many other questions are posed and answered in the *Asl* of al-Shaybānī (d. 189/805), an annotated translation of which is given by M. Khadduri, *The Islamic Law of Nations* (Baltimore, 1966), 195-229. On the non-Muslim side some other rulings are: someone who betrays a convert to Islam who has returned to Christianity is excommunicated (Isho' bar Nun, *Canons*, no. 124, II, 172); a priest or deacon who apostatises then returns to Christianity must do a long atonement (*ibid.* no. 117, II, 170); incitement to apostasy is a sin (Manuschrift, *Dāristān ī dēnīg*, no. 40); dissuading someone from apostasy is a meritorious act (*ibid.*, no. 41); one may make an invocation for the soul of an apostate who returned to Zoroastrianism (Emēd ī Ashawahishān, *Rivāyat*, no. 26).

⁴⁹Muslim sources do mention Jewish and Zoroastrian converts to Islam who subsequently reneged and are martyred, but no accounts of them seem to have been composed in their own tradition and in Muslim sources they tend only to be adduced in support of a legal point with few details ever being given. For further information and references see Hoyland, *Seeing Islam*, 336-86.

developed, borrowing themes and ideas from earlier martyrdom literature, incorporating miracles and other signs of divine approval, establishing plots and conventions and so on until, by the end of the eighth century, they have become a fully-fledged literary genre and achieved great popularity.

Conclusion

Despite the efforts of the religious authorities to limit contact between their flock and other confessional groups, this was not so easy in practice. Indeed, one of the most significant aspects of the early Islamic period was, as reported in the above-quoted statement by a north-Mesopotamian resident, that "there was no distinction between pagan and Christian, the believer was not known from a Jew". This initial indifference of the Muslims to divisions among the peoples whom they conquered, when compounded with the flight and enslavement of an appreciable proportion of the population and with the elimination of internal borders across a huge area extending from northwest Africa to India, meant that there was considerable human interaction across social, ethnic and religious lines. Furthermore, the Muslims did not restrict the access of non-Muslims to any public places or to any professional occupations, so at work and at play they were likely to come into contact with each other. And the Qur'ān itself was quite liberal as regards inter-confessional fraternization. For example, it rules that:

Good things are lawful to you, and the food of the scriptural peoples is allowed to you, as is your food to them. And you are permitted to marry virtuous women of the believers and those of the scriptural peoples once you have provided them with their dues, living chastely with them without fornication and without taking concubines (5.5).

It is easy to find examples of such interaction in our sources. At debates it would often be the case that "a numerous crowd is present: Jews, Hellenes (probably meaning the "many Saracens" who are later said to be in attendance), Samaritans, heretics and Christians, for the place is public and in full view". Christian priests were permitted to "give the blessing of the saints to Muslims and pagans", to "teach the children of Muslims, Harritians and Jews", and to give communion "to a Christian woman who of her own free will marries a Muslim". The numerous non-Muslim secretaries in the Muslim bureaucracy would often become very close to their masters; thus Athanasius bar Gummāyē, secretary to 'Abd al-'Azīz ibn Marwān, governor of Egypt (r. 65-85/685-704), was "not only his scribe, but the manager

of all his affairs". And from the repeated rulings of religious authorities condemning such behavior, we can assume that it was common for all parties to frequent public baths and taverns together, to attend one another's festivals, and to marry, dine, and do business deals across confessional lines.⁵⁰ The onslaughts of Christendom (especially the Crusades), Shi'ism (especially the Ismā'īlī Assassins), and the Mongols ushered in a time of greater concern for conformity and less tolerance of diversity, but one should not assume this to be a constant feature of Islamic history. And certainly for the period of chief relevance to this book, the first three centuries of Islam (ca. 7th–10th centuries), inter-confessional exchange was, to the chagrin of religious leaders, all too common.

BIBLIOGRAPHY

The literature on the subject of "Muslims and Others" is too vast to survey here, especially given the current tendency to use early Islamic authorities and events to inform contemporary debates about the tolerance/intolerance of Islam, the status of non-Muslims in a modern Islamic state, and the possibility of Muslim/non-Muslim dialogue. We shall list only a few of the more essential and/or recent studies, and leave the reader to follow the recommendations of these authors for further reading and to consult the *Index Islamicus* (under "Dhimmi", "non-Muslim", "Islam and other Religions", etc.).

INTRODUCTORY WORKS/SURVEYS

- Bat Ye'or. *The Dhimmi: Jews and Christians under Islam*. London and Toronto, 1985: a negative presentation (see the article of Cohen cited in n. 9 above).
- Bosworth, C.E. "The Concept of Dhimma in Early Islam", in Benjamin Brande and Bernard Lewis, eds., *Christians and Jews in the Ottoman Empire* (New York and London, 1982), 37–51.
- Busse, Herbert. *Islam, Judaism, and Christianity: Theological and Historical Affiliations*. Princeton, 1988 (German original 1988).
- Chevalier, D., and Miguel, A., eds. *Les arabes, du message à l'histoire* (Paris, 1995), Chap. 6 ("Les musulmans et les autres").
- Ducellier, Alain. *Le miroir de l'Islam: musulmans et chrétiens d'Orient au Moyen Age, VIIe-XIe siècles*. Paris, 1971; rev. and expanded as *Chrétiens d'Orient et Islam au Moyen Age*. Paris, 1996.
- Encyclopaedia of Islam*. Leiden, 1966–2001. s.v. "Ahl al-Kitaḥ" (by G. Vajda, 1960), "Dhimma" and "Dizya" (by C. Cahen, 1965), "Mawla" (by P. Crone, 1991).
- Hoyland, Robert. *Seeing Islam as Others Saw It: a Survey and Evaluation of Christian, Jewish and Zoroastrian Writings on Early Islam*. Princeton, 1997.
- Humphreys, R. Stephen. *Islamic History: a Framework for Inquiry* (Princeton, 1991), Chap. 11 ("Non-Muslim Participants in Islamic Society").
- Hussain, Shawkat. "Status of Non-Muslims in the Islamic State", *Hamdard Islamicus* 16 (1993), 67–79.
- Irmischer, Johannes, ed. *Rapports entre Juifs, Chrétiens et Musulmans: eine Sammlung Forschungsbeiträge*. Amsterdam, 1995.

⁵⁰For references and further discussion see Hoyland, *Seeing Islam*, 11–12 and n. 4, 162, 604, 150, 147–49. For interaction in chess playing and in taverns see Alan Jones, "A Bridge between Two Communities", and Philip Kennedy, "Abū Nuwās, Samuel and Levi", in *Studies in Muslim-Jewish Relations* (ed. Ronald L. Netter) 1 (1993), 31–35, and 2 (1995), 109–25 respectively.

Kallfeld, Wolfgang. *Nichtmuslimische Untertanen im Islam: Grundlage, Ideologie und Praxis der Politik frühislamischer Herrscher gegenüber ihren nichtmuslimischen Untertanen mit besonderem Blick auf die Dynastie der 'Abbāsiden*. Wiesbaden, 1995.

Lewis, Bernard. *The Jews of Islam* (Princeton, 1984), Chap. 1 ("Islam and Other Religions"); an expanded version of his "L'Islam et les non-musulmans", *Annales* 35 (1980), 784-800.

Noth, Albrecht. "Möglichkeiten und Grenzen islamischer Toleranz", *Saeculum* 29 (1978), 190-204.

Paret, Rudi. "Toleranz und Intoleranz im Islam", *Saeculum* 21 (1970), 344-65.

Rubin, Uri, and Wasserstein, David J., eds. *Dhimmi's and Others: Jews and Christians and the World of Classical Islam*. Tel-Aviv, 1997.

Stillman, Norman. *The Jews of Arab Lands: a History and Source Book*. Philadelphia, 1979.

Tritton, A.S. *The Caliphs and their Non-Muslim Subjects*. London, 1930.

SPECIALIST TOPICS

Adang, Camilla. *Muslim Writers on Judaism and the Hebrew Bible*. Leiden, 1996.

Bulliet, Richard. *Conversion to Islam in the Medieval Period: an Essay in Quantitative History*. Cambridge, Ma., 1979.

Caspar, Robert, et al. "Bibliographie du dialogue islamo-chrétien", *Islamochristiana* 1 (1975) onwards: a useful survey of the relevant primary and secondary literature.

Cohen, Mark. "What was the Pact of 'Umar? A Literary-Historical Study", *JSAI* 23 (1999), 100-31.

Dennett, Daniel. *Conversion and the Poll Tax in Early Islam*. Cambridge, Ma., 1950.

Fattal, Antoine. "La nature juridique du statut des Dhimmi's", *Annales de la faculté de droit de l'Université Saint Joseph de Beyrouth* 1956, 139-54.

_____. *Le statut légal des non-musulmans en pays d'Islam*. Beirut, 1958.

Friedmann, Yohanan. "Classification of Unbelievers in Sunni Muslim Law and Tradition", *JSAI* 22 (1998), 163-95.

_____. "Interfaith Marriages in Sunni Muslim Law and Tradition", *JSAI* 24 (2000), forthcoming.

Gero, Stephen. "Early Contacts between Byzantium and the Arab Empire", in M.A. Bakhit, ed., *Proceedings of the International Bilad al-Sham Conference* 4.2 (Amman, 1987), 1, 125-32.

Gervers, Michael, and Bikhazi, Ramzi. *Conversion and Continuity: Indigenous Christian Communities in Islamic Lands*. Toronto, 1990.

Gil, Moshe. "Dhimmi Donations and Foundations for Jerusalem (638-1099)", *JESHO* 27 (1984), 156-74.

Goitein, S.D. "Evidence on the Muslim Poll Tax from Non-Muslim Sources", *JESHO* 6 (1963), 278-95.

Guessous, Azzeddine. "Le rescrit fiscal de 'Umar b. 'Abd al-'Aziz: une nouvelle appréciation", *Der Islam* 73 (1996), 113-37.

Khoury, Adel Théodore. *Les théologiens byzantins et l'Islam: textes et auteurs, VIIIe-XIIIe s.* Louvain and Paris, 1969.

_____. "Die rechtliche Stellung religiöser Minderheiten im Vorderen Orient", *Zeitschrift für vergleichende Rechtswissenschaft* 84 (1985), 105-17.

Khoury, Paul. *Matériau pour servir à l'étude de la controverse théologique islamo-chrétienne de langue arabe du VIII au XII siècle*. 5 vols. Würzburg-Altenberge, 1989-99.

Lapidus, Ira. "The Conversion of Egypt to Islam", *IOS* 2 (1972), 248-62.

Lasker, Daniel J., and Stroumsa, Sarah. *The Polemic of Nestor the Priest*. Jerusalem, 1996.

Lev, Y. "Persecutions and Conversions to Islam in Eleventh-Century Egypt", *Asian and African Studies* 22 (1988), 73-91.

Morony, Michael. "The Effects of the Muslim Conquest on the Persian Population of Iraq", *Iran* 14 (1976), 41-55.

_____. "Conquerors and Conquered: Iran", in G.H.A. Juynboll, ed., *Studies on the First Century of Islamic Society* (Carbondale and Edwardsville, 1982), 73-87.

Noth, Albrecht. "Die literarisch überlieferten Verträge der Eroberungszeit als historische Quellen für die Behandlung der unterworfenen Nicht-Muslims durch ihre neuen muslimischen Oberherren", in Tilman Nagel et al., eds., *Studien zum Minderheitenproblem im Islam* (Bonn, 1973), 282-314.

_____. "Minderheiten als Vertragspartner in Disput mit dem islamischen Gesetz: die 'Nachkommen der Juden von Khaibar' und die Giza", in id. and Hans Robert Roemer, eds., *Studien zur Geschichte und Kultur des Vorderen Orients. Festschrift für Berthold Spuler* (Leiden, 1981), 289-309.

Rahmatallah, M. *The Treatment of the Dhimmi's in Umayyad and 'Abbāsid Periods*. Baghdad, 1963.

- Rissanen, Seppo. *Theological Encounter of Oriental Christians with Islam during Early 'Abbasid Rule*. Abo, 1993.
- Rubin, Uri. "Qur'ān and Tafsīr: the Case of 'an yadīn", *Der Islam* 70 (1993), 133-44.
- Spuler, Bertold. "Der Verlauf der Islamisierung Persiens", *Der Islam* 29 (1950), 63-76.
- Turki, Abdelmagid. "Situation du 'tributaire' qui insulte l'Islam au regard de la doctrine et de la jurisprudence", *SI* 30 (1969), 39-72.
- Wardenburg, Jacques. *Muslim Perceptions of Other Religions: a Historical Survey*. Oxford, 1999.
- Ward, Seth. "A Fragment from an Unknown Work by al-Tabarī on the Tradition 'Expel the Jews and Christians from the Arabian Peninsula'", *BSOAS* 53 (1990), 407-20.
- Weigert, Gideon. "A Note on the Muḥtasib and Aḥl al-Dhimma", *Der Islam* 75 (1998), 331-37.
- Young, W.G. *Patriarch, Shah and Caliph: a Study of the Relationships of the Church with the Sasanid Empire and the Early Caliphate up to 820 AD*. Rawalpindi, 1974.