15 Boundaries That Bind? Pagan and Christian Arabs between Syriac and Islamic Strategies of Distinction (Late First Century AH)

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We are used to studying the many Christian denominations in the Middle East as if they were hermetically separated ethnic and clerical communities. Their laypeople are commonly assumed to be affiliated exclusively with their clergy through unbreakable bonds, or to be pagans. However, Averil Cameron notes the distorting effects of the apologetic and polemic nature of our sources:

> It is precisely because there were still enormous areas of overlap and ambiguity in practice, language and concepts between pagans and Christians that Christians were so insistent on *drawing lines*, *asserting difference*, *establishing discipline* and trying to *keep their flocks in line*. Apologetic is so inherent in Christian writing that this should make us very suspicious of the fact that a high proportion of Christian writing in late antiquity consists of a concerted attempt to claim difference.[1]

This is expressed even more strongly in the case of the apparently impenetrable communal groups of late antiquity, which are actually the result of a progressive, dialectic and dynamic construction process that only stabilised during the seventh century. In fact, the collapse of the Roman and Sasanian empires, and the resulting void left by their political and civic institutions, proved to be a decisive factor in persuading the ecclesiastical elites of the various Christological currents to assert their leadership over their respective flocks.[2]

[1] Averil Cameron. '*Christian Conversion in Late Antiquity*: Some Issues'. In *Conversion in Late Antiquity: Christianity, Islam, and Beyond*, edited by Arietta Papaconstantinou, Neil B. McLynn and Daniel Louis Schwartz (London: Routledge, 2015) 3–22, 10. My emphasis.

[2] The proclamation of a proper 'Nestorian' creed dates back to the period of Babāy the Great (d. 628), see Florence Jullien, 'Aux sources du monachisme oriental, Abraham de Kashkar et le développement de la légende de Mar Awgin', *Revue de l'histoire des religions* 225 (2008): 37–52 and Gerrit Reinink, 'Tradition and the Formation of the "Nestorian" Identity in Sixth- to Seventh-Century Iraq', *Church History and Religious Culture* 89 (2009): 217–50. According to Michael the Great, *Chronique de Michel le Syrien, patriarche jacobite d'Antioche, 1166–1199*, ed. Jean-Baptiste Chabot (Paris: Leroux, 1899), ed. 4:457–61; tr. 2:491–96, the Melkites (pro-Constantinople since 61/681) and the Maronites (pro-Constantinople from 628 to 681) definitively separated in 109/727; see Simon Pierre, 'Genèse des appartenances confessionnelles. De l'Église universelle aux Églises communautaires (VII^e siècle)', in Guillaume De Vaulx d'Arcy and

First, the Medinese conquests accelerated the erosion of the universalist ideal of the Christian Roman empire and of its united ecumenical *ecclesia*. Consequently, in the Aramaic-speaking Middle East, post-Roman ('Maronite', 'Melkite', and 'Jacobite') and post-Sasanian ('Eastern Jacobite' and 'Nestorian') clerical groups began to perceive themselves as distinct *ecclesiae*. Second, by suppressing any political support for the official religions of the former states (Mazdeism for the Sasanians and Chalcedonian Christianity for the Romans), the early caliphs and emirs encouraged local elites to build their own clerical structures and policies. Finally, by gradually bringing together both ex-Roman and ex-Sasanian provinces of the North (Qinnasrīn, Jazīra, and Mosul), the Umayyad administration prompted Christian elites, especially the Miaphysites, to unite within transregional communities, in this case the Syrian Orthodox church.

Paradoxically, these processes forced each of the clerical groups to recognise the ongoing existence of several competing institutions. This, in turn, contributed to limiting interconfessional proselytising but also led to more communal seclusion. The clerical elites aimed to govern the secular relations of their laypeople through legal decisions: the canon. Their primary goal was to ensure that the latter remained within the community. For this purpose, these clerical elites forbade their flocks from forming any social bonds with 'Outsiders (syr. *barrōyē*)'.

The earliest autonomous institution emerged in the late sixth century in the Sasanian empire when appeared the 'patriarchal see of the Church of the East'.[3] However, after more than 70 years of textual silence, Catholicos George (in office 40–60/661–80) revived this geopolitical and canonical irredentism under the rule of the Banū Ziyād b. Abīhi in the former Persian empire. Indeed, in two councils he convened, he claimed to be the 'Patriarch' of what is for the first time clearly defined as the 'Catholic church of this state (*politeia)* of the East',[4] even though the latter had already disappeared three decades earlier. This formula is not isolated: during the 60s/680s,

Simon Pierre, 'Une Origine de la logique identitaire aux débuts de l'Islam', in *Identités de papiers. Essai documenté sur la logique identitaire*, eds. Wissam Lahham and Guillaume De Vaulx d'Arcy (Beirut: Dergham/presses de l'Institut français du Proche-Orient, 2022), 163–83.

[3] *Synodicon orientale ou recueil de synodes nestoriens*, ed. and tr. Jean-Baptiste Chabot (Paris: Imprimerie Nationale, 1902), ed. 206; tr. 469, in 585, being the second mention of such a separate eastern church in East Syriac canonical literature after Ezechiel's (in office 570–81) identification of the 'church of this superb region of the East (*'idtā d-pnītā hādā m'allītā d-madnḥā*)' (ibid. ed. 111; tr. 369).

[4] Ibid. ed. 244; tr. 514. Michael Morony, *Iraq after the Muslim Conquest* (Princeton: Princeton University Press, 1984), 120 states that the first claim of a patriarchal title was George's (in office 41–61/661–80). *Synodicon Orientale*, ed. 227; tr. 490.

the Nisibian monk John b. Penkāyē (d. ca. 700) also expressed Catholicos George's authority as a 'Patriarch of the East', using the singular 'church of Persia' to define the only 'church of the Christ' he knew.[5] While claiming the complete independence of its church, the anonymous monk rejoiced in the prosperous, tolerant and peaceful regime of Muʿāwiya (r. 41–60/661–80). However, he also complained about how the resulting peaceful state of mind risked diluting the purity and cohesion of the church. He addressed two main points: first, the expansion of the Jacobites in Syria and Jazīra due to the consistent caliphal policy of Christological neutrality;[6] and second, the idea that, 'there was no difference anymore between a Pagan and a Christian (*bēt ḥanpā la-krisṭyānā*)'.[7] To quote Thomas Sizgorich, 'the social and intellectual lives of individuals and communities on the ground were in fact less segregated, their associations and affinities less determined by confessional identity than contemporary sources were often willing to let on or than most modern authors had been willing to imagine'.[8] In other words, the more the churches became independent institutions, the more they were concerned about controlling their laypeople's intercommunal social bonds.

This chapter explores two major anthropological ties: sharing food and contracting marriage. Two synchronic regulations directed towards the members of, respectively, the Syrian Orthodox church and the early Islamic community intertwine both issues, with the latter indirectly addressed in each case through analogical reasoning. The first regulation, attributed to Patriarch Athanasius of Balad (in office ca. 64–68/684–87), emphasised the boundaries against eating, and thus marrying, with the 'pagans (*ḥanpē*)' who were later reinterpreted as being 'the Muslims (*Mhaggrōyē*)'. The second regulation by several Marwānid-era (80–132/692–750) authorities enforced the same bans, relying mainly on ʿAbd Allāh b. ʿAbbās (d. 68/687–88), but this time against food, and thus women, of the Christian Arabs (*naṣārā al-ʿarab*).

In both cases, the chronological framework concerns the period following the end of the Second *fitna* (60–72/680–92) until the beginning of the second century AH (ca. 720 CE). Moreover, during this late first century AH, it appears that both the non-Christian 'pagans' of the canons of the

[5] John Bar Penkāyē, 'Ktābā d-rēsh mellē', in *Sources syriaques*, ed. and tr. Alphonse Mingana (Leipzig: Otto Harrassowitz, 1907), ed. 144 and 156; tr. 173 and 184.

[6] Ibid. ed. 147; tr. 175–76.

[7] Ibid. ed. 151; tr. 179.

[8] Thomas Sizgorich, *Violence and Belief in Late Antiquity: Militant Devotion in Christianity and Islam* (Philadelphia: University of Pennsylvania Press, 2009), 21.

Miaphysite church and the non-Muslim 'Christian Arabs' of the Islamic *ḥadīth* mostly resided in the same regions of northern Syria and Mesopotamia. Both Syriac and Arabic regulations reflect the geographical context of the northern parts of the caliphate, shaped by the administrative centralisation and the Islamic ideological and political system of the Marwānid restoration (60s–80s/680s–700s).[9] On the one hand, these regions suddenly became more closely integrated into the heart of the caliphate, with, in the West, the successive *deductio* of the *jund* of Qinnasrīn from Homs, and then of the Jazīra from Qinnasrīn, and in the East the *deductio* of Mosul from both Jazīra and Kūfa. On the other hand, during the last third of the first century AH, the subjects of the Marwānid caliphate were confronted with the contemporary rise of Islam as the official religion and the concomitant and correlated process of separating the communal flock of laymen within the opposite Christian churches.

We suggest that these parallel testimonies on food and marriage segregation are two facets of a symmetrical reaction towards a single confessionally mixed population of northern Syria and Mesopotamia, who were called *ʿammē* by Syriac scholars.[10] It involved some groups of newcomers who settled in the region during the 10s–60s/630s–80s and for the most part had Arabic as a lingua franca. These undecided laypeople were viewed as illiterate and naive 'simple believers (*mhaymnē*)', according to the key idea of Jack Tannous.[11] Thus, this process of regulating boundaries to segregate both the Arab-Islamic *umma* and the Syriac-Orthodox church presents a fascinating case study to examine Fred Donner's theory of early Islam as an ecumenical 'community of Believers (*muʾminūn*)' being gradually transformed into a self-identified religion through the definition of its dogmatical limits and practical social boundaries.[12] Even though several documentary clues reveal that early Medinese and their elites who settled in the city-camps (*amṣār*) were obviously professing a

[9] Chase Robinson, *Empires and Elites after the Muslim Conquest: The Transformation of Northern Mesopotamia* (Cambridge: Cambridge University Press, 2000), especially 1–109.

[10] Simon Pierre, "Les *ʿAmmē* en "Ǧazīra et en Occident": Genèse et fixation d'un ethnonyme standardisé pour les tribus arabes chrétiennes: les *Tanūkōyē, Ṭūʿōyē, ʿAqūlōyē* à l'âge marwānide', *Annales Islamologiques* 52 (2018): 11–44.

[11] Jack Tannous, *The Making of the Medieval Middle East: Religion, Society, and Simple Believers* (Princeton: Princeton University Press, 2018).

[12] Fred M. Donner, *Narratives of Islamic Origins: The Beginnings of Islamic Historical Writing* (Princeton: Princeton University Press, 1998); Fred M. Donner, 'From Believers to Muslims: Confessional Self-Identity in the Early Islamic Community', *Al-Abḥāth* 50–51 (2002–2003): 9–53 and Fred M. Donner, *Muhammad and the Believers: At the Origins of Islam* (Cambridge: The Belknap Press of Harvard University Press, 2010).

religion separated from other monotheist creeds,[13] it is unlikely that these intellectual conceptions were so clearly disseminated to the common people, especially in the North. On the one hand, some of them were attracted both by Christian clerics and 'holy men'[14] of the Miaphysite church in the region, appearing as 'Christians (*naṣārā*)' to the caliphate elites of the *amṣār*. On the other hand, some of them – and in many cases, the same ones – were bound to the religion of the readers of the Qurʾan (*qurrāʾ*) and the followers of Muḥammad as an Apostle of God, who were living far away south in the *amṣār*. Thus, these *ʿammē* – a polysemic concept that can mean tribes, nations or more indistinctly 'common people' – of pagans/Christians seem to have been a mixed crowd of Arabic speakers hesitating between the local newly organised church and what was starting to be called Islam.

To consolidate their authority over these pagan and Christian Arabs, both early Syrian Orthodox bishops and proto-Muslim *qurrāʾ* had to build religious communities. Miaphysite clerics such as Athanasius and also the younger but most famous Jacob of Edessa (d. ca. 89/708) attempted to separate those who were undoubtedly Christians from those who were uncertain. Banning interfaith social bonds among laypeople through canonical rulings proved to be the most effective legal method to confine them to their specific communal church. It seems that Muslim scholars also sought to define and delimit their own community (*umma*) by prohibiting their followers from engaging in the same social relations around food and marriage, but in this case, not with all Christians, as the Qurʾan permits it, but especially with 'Christian Arabs'. Indeed, since the latter were closely integrated in the conquerors' society, they were at risk of perpetuating and even spreading crypto-Christianity among Arab-Muslims. To prevent the risk of diluting their own *umma*, Muslim scholars, in turn, developed the same argument as Syriac scholars: that (Christian) Arabs were in fact (crypto-)pagans. In summary, both Syriac-Miaphysite and Arab-Muslim legislators expressed parallel views with the same objective of defining communal boundaries during the same period of the late first century AH.

[13] Amikam Elad, 'Community of Believers of "Holy Men" and "Saints" or Community of Muslims? The Rise and Development of Early Muslim Historiography', *Journal of Semitic Studies* 47 (2002): 241–308 and more recently Robert Hoyland, 'Reflections on the Identity of the Arabian Conquerors of the Seventh-Century Middle East', *al-ʿUṣūr al-Wusṭā* 25 (2017): 113–40.

[14] Peter Brown, 'The Rise and Function of the Holy Man in Late Antiquity', *Journal of Roman Studies* 61 (1971): 80–101.

Do Not Eat with Pagans 'Who Nowadays Dominate'

During this period, the intellectual elites of the new, inclusive and universal civilisation of the caliphate, mostly resided in the specific *amṣār* environment. In contrast, Christian clerics, based on regional and linguistic communities, were much closer to the local countrypeople, especially in the case of Northern Syria and Mesopotamia. They were not only connected to their Aramaic-speaking neighbours, who might be seen as their 'natural' congregations, but also to various kinds of Arabic-speaking Bedouins and settlers. Indeed, Miaphysite literature provides insight into the less elitist cultural systems of the subjugated societies in the Northern provinces of Qinnasrīn, Jazīra and Mosul. Therefore, before analysing *fiqh* and *ḥadīth* literature, we will focus on the Christian side: the Syrian Orthodox canons that were produced at around the same time.

Islam and the Risk of Confusion: Defining Church Boundaries

Strikingly, there is evidence that Christians may have been the first to strictly seclude their communities to avoid interference from heretics, and also from pagans. Thus, to exist and survive within this new 'state of mixture',[15] competing ecclesiastical and religious hierarchies engaged more deeply than ever in 'strategies of distinction',[16] 'drawing lines'[17] to control their flocks. They aimed to ensure that the behaviour and allegiances of their laypeople remained in line and to prevent any drift or dispersion. As a pre-Islamic Catholicos of the Sasanian church said, the 'canons are high walls (*shūrē*) and impregnable fortresses (*ḥesnē*)'.[18] This principle seems to have been central for all the confessional communities throughout the seventh century: the laws and discipline of the church were intended to enforce boundaries. At the beginning of this period, both marriage with anti-Nestorians[19] and religious cooperation with their priests were declared unlawful: at this early stage, these rules clearly played a role in hastening church formation through partition.[20]

[15] I borrow this expression from Richard Payne, *A State of Mixture: Christians, Zoroastrians, and Iranian Political Culture in Late Antiquity* (Oakland: University of California Press, 2015).

[16] *Strategies of Distinction: The Construction of Ethnic Communities, 300–800*, eds. Walter Pohl and Helmut Reimitz (Leiden: Brill, 1998).

[17] Averil Cameron, 'Christian Conversion in Late Antiquity: Some Issues', in *Conversion in Late Antiquity: Christianity, Islam, and Beyond*, eds. Arietta Papaconstantinou, Neil B. McLynn and Daniel Louis Schwartz (London: Routledge, 2015), 10.

[18] *Synodicon Orientale*, ed. 97; tr. 355.

[19] Ibid., ed. 158; tr. 418.

[20] Michael Morony, 'Religious Communities in Late Sasanian and Early Muslim Iraq', *Journal of the Economic and Social History of the Orient* 17 (1974), 116. For the Western Church, the

According to a mid-first-century AH Syriac chronicle and two Greek papyri, members of the ruling Umayyad elite participated in Christian pilgrimages, in Jerusalem[21] and the Sinai.[22] A little bit later, East Syriac hagiographers claimed that Kufan saints Khūdhāhwī b. Ṭā'ī (death date unknown) and ʿAbdā b. Ḥanīf (d. ca. 60/680) not only converted local inhabitants to Christianity while struggling against the competition of Miaphysites but also healed and even baptised among the greatest *amīr*s of the 40s–60s/660s–80s.[23] Moreover, verses of the Qur'an authorise many social bonds with 'the people who received the Scripture', especially Q 5:5 which allows consumption of their food, as we shall see below. Additionally, several early opinions of educated Umayyad elites show some acceptance of practical, institutional and even dogmatical promiscuity with Christians, and notably their monks and clerics.[24] This evidence strikingly matches with the observations of two

case of Qenneshrē on the Euphrates is explicated in a small notice written by bishop Daniel of Edessa (in office 665–84), who explains how it was used by dyophysites at least since Mauricius (r. 582–602) (his nephew Domitianus, archbishop of Melitena from 580–602) until Muʿāwiya's decision to call them out before ʿAbd Allah b. Darrāj (d. second half of the first/seventh century), governor of Bēt Nahrēn (= Mesopotamia, i.e. the Jazīra), sometime under Severus Sebōkt (d. 666–67) and Theodorus of Antioch (in office 649–67). François Nau, 'N*otice* historique sur le monastère de Qartamin, suivie d'une note sur le monastère de Qennešrē', in *Actes du XIVe Congrès international des orientalistes, Alger 1897* (Paris: Ernest Leroux, 1907), 95–97/83–85 ; see also Philip Wood, 'Christians in Umayyad Iraq: Decentralisation and Expansion (600–750)', in *Patronage and Memory: Perspectives on Umayyad Elites*, eds. Andrew Marsham and Alain George (New York: Oxford University Press, 2018), 262–63; Simon Pierre, 'Avant la controverse islamo-chrétienne, l'arbitrage émiral intra-chrétien: ʿAbd Allāh b. Darrāǧ et l'attribution du monastère de Qenneshrē', *Les Carnets de l'Ifpo. La recherche en train de se faire à l'Institut français du Proche-Orient* (2019), https://ifpo.hypotheses.org/9391.

[21] 'Chronicon maroniticum', ed. Ernest W. Brooks and tr. Jean-Baptiste Chabot, in *Chronica Minora* ed. and tr. Jean-Baptiste Chabot, Ignazo Guidi *et al.* (Leipzig: Otto Harrassowitz, 1903), ed. 71; tr. 55.

[22] *P.Nessana* III 72–73. For papyrus editions, I follow the abbreviations of the *Checklist of Arabic Documents* www.naher-osten.uni-muenchen.de/isap/isap_checklist/index.html.

[23] *Histoire nestorienne inédite* (*Chronique de Séert*), seconde partie (2), ed. Addaï Scher, *Patrologia Orientalis* 13, 589 and 594. On baptism of Muslims, read David Taylor, 'The Syriac Baptism of St John: A Christian Ritual of Protection for Muslim Children', in *The Late Antique World of Early Islam: Muslims among Christians and Jews in the East Mediterranean*, ed. Robert Hoyland (Princeton: Darwin Press, 2015), 437–59 where he discussed a similar practice in use since at least the twelfth century CE.

[24] See Jason Dean, 'Outbidding Catholicity. Early Islamic Attitudes toward Christians and Christianity', *Exchange* 38 (2009): 201–25; Sizgorich, *Violence and Belief*, 161–66; Emran El-Badawi, 'From 'Clergy' to 'Celibacy': The Development of Rahbāniyya between the Qur'ān, Ḥadīth and Church Canon', *Al-Bayān* 11 (2013): 1–14; Christian Sahner, 'Islamic Legends about the *Birth of Monasticism*: A Case Study on the Late Antique Milieu of the Qur'ān and Tafsīr', in *The Late Antique World of Early Islam*: *Muslims among Christians and Jews in the East Mediterranean*, ed. Robert Hoyland (Princeton: Darwin Press, 2015), 393–435; Holger Zellentin, 'Aḥbār and Ruhbān: Religious Leaders in the Qur'ān in Dialogue with Christian and Jewish Literature', in *Qur'anic Studies Today*, *eds.* Angelika *Neuwirth* and Michael Sells (New York: Routledge, 2016),

contemporary Syriac clerics: Ishōʿ-Yahb III of Adiabena (d. 39/659) and John Bar Penkāyē (fl. seventh century) a generation later. Both highlight the great respect, religious veneration and even financial help by which monks and monasteries benefited from the Arabs.[25] Bar Penkāyē also states that 'not a few' of the Arab (*Ṭayyāyē*) conquerors were Christians, some being 'with the' Jacobites and others 'with the' Nestorians.[26] During the same decade, Arabs (*Ṭayyōyē*) participated in many public and confessional ceremonies and holidays organised by the Syrian Orthodox metropolitan bishop Theodotus of Amid (in office ca. 67–78/687–98).[27] Two generations after the collapse of the Sufyanid caliphate, 'an Arab (*Ṭayyāyā*) from the city of Mosul' could still be considered by an East Syriac monk as 'close in his belief (*haymānūtā*) to ours'. Moreover, his 'offerings (*qūrbānē*) and gifts to congregations of monks were famous'.[28]

However, when Bar Penkāyē states that the prosperity and the non-discrimination policy of the Umayyad caliphate, particularly prior to the administrative tightening of the 70s/690s,[29] led to confusion 'between

258–89; Christian Sahner, "The *Monasticism* of My Community is *Jihad*': A Debate on Asceticism, Sex, and Warfare in Early Islam', *Arabica* 64 (2017): 152–53, see also Simon Pierre, 'Dis 'Amen' à la prière du moine : un cas de recitation interculturelle', *Mélanges de l'Institut dominicain d'études orientales* 37 (2022): 59–85.

[25] Ishōʿ-Yahb, *Ishōʿ-Yahb Patriarcha III Liber Epistularum,* ed. Rubens Duval, *Corpus Scriptorum Christianorum Orientalium, Scriptores Syrii* 11 and 12 (1904–1905)) ed. 251; tr. 181–82 (no. 14 as Catholicos of the Church of the East); John Bar Penkāyē, *Ktābā d-rēsh mellē*, ed. 141 and 145–46; tr. 173–75.

[26] John Bar Penkāyē, *Ktābā d-rēsh mellē*, ed. 147; tr. 175.

[27] *Life of Theodota*, Ms Mardīn 275. For instance, fols. 268/544, 270/548–49, 271/550–51. See the edition and translation of the Garshūnī version of this Life by Robert Hoyland and Andrew Palmer, *The Life of Theodotus of Amida: Syriac Christianity under the Umayyad Caliphate* (Piscataway: Gorgias Press, 2023).

[28] Thomas of Margā, *The Book of Governors: The Historia Monastica of Thomas, Bishop of* Marga *A.D.840*, ed. Ernest A. Wallis Budge (London: Kegan Paul, 1893), ed. 222–23; tr. 422–23.

[29] Bar Penkāyē lived in the region of Sinjār, slightly to the east of the former Roman-Sasanian. Yet, he testifies that after his victory against the 'Easterners', caliph Muʿāwiya of Damascus was indeed in charge of Iraq. Administrative control of the northern parts of Syria and Iraq was probably not very strong. For the north of the *jund* of Homs and the 'land of Mosul', see especially Robinson, *Empire and Elites,* and for Armenia where this was true in a more pronounced way, Alison Vacca, *Non-Muslim Provinces under Early Islam. Islamic Rule and Iranian Legitimacy in Armenia and Caucasian Albania* (Cambridge: Cambridge University Press, 2017). This was probably also the case in 'Afrika' and Khurasan. Nevertheless, it was under the Sufyānids (41–64/661–83), as we know from a contemporary Syriac source, that the caliph sent a *missus*, in the region of Edessa in the 660s (see e.g. Pierre, 'L'arbitrage emiral'), and that he passed through the same city in person a decade later. Cf. Theophanes, *Chronographia*, ed. Carl De Boor (Leipzig: Teubner, 1883), 356; *The Chronicle of Theophanes Confessor,* trs. Cyril Mango and Roger Scott (Oxford: Clarendon Press, 1997), 497; Michael the Great, *Chronique*, ed. 436–37; tr. 457 and in *Chronicon ad A. C. 1234 pertinens*, ed. Jean-Baptiste Chabot and

a pagan and a Christian',[30] he is advocating for his (Nestorian) church to restore, reinforce and sharpen communal boundaries. The most significant and critical of the transversal social bonds that were undermining his church's authority and exclusivity were intercommunal marriages. Thus, Nestorian Patriarch George had to gather a synod in 56/676[31] where it was decided:

> That it is not right for Christians to unite (*neshtawtfan*) with pagans (*ḥanpē*), foreigners to the fear of God. Women who have once believed in Christ and want to live the Christian life must guard themselves with all their strength from union (*shawtfūtā*) with the pagans (*ʿam ḥanpē*), since union with them creates customs (*ʿēdē*) contrary to the fear of God and drags their will into slackness. Therefore, Christian women shall absolutely avoid cohabiting (*nʿammarīn*) with the pagans (*ʿam ḥanpē*); and that whoever dares to do so be distanced (*rḥīqā*) from the Church and from all Christian honour (*iqārā*), by the word of Our Lord.[32]

In spite of the bans on marrying heretics already mentioned during the early seventh century,[33] this passage demonstrates that matrimonial relations continued, not only with heretics but even with 'pagans'. Again, a decade after George's synod, his successor Ḥnan-Ishōʿ (in office 66–74/686–93) was among the first to conceive a strict legal segregation between orthodox and 'pagans (*ḥanpē*)'.[34] This concept of 'pagan' was probably a new – or revived – one during the late seventh century, and what the clerics meant by it remains unclear. However, the Byzantine council *In Trullo*,

Albert Abouna, *Corpus Scriptorum Christianorum Orientalium Scriptores Syrii* 36–37 (vol. 1), 56–154 (vol. 2) (1920–1916–1937–1974), ed. 288; tr. 224. See also Agapius of Manbij, *Kitāb al-ʿUnwān*, ed. Alexandre Vassiliev, *Patrologia Orientalis* 11, 233; Simon Pierre, 'Building and Destroying 'New Churches' and the Evolution of the Early Islamic Law: the Syriac Case (First–Second Century AH)', in *From the Tigris to the Ebro. Church and Monastery Building under Early Islam,* eds. Simon Pierre and Maria Angeles Utrero Agudo (Madrid: Editorial CSIC, 2024) 187–210. Summing up, we should not confuse weak administrative control with the absence of military presence and control.

30 John Bar Penkāyē, *Ktābā d-rēsh mellē,* ed. 151; tr. 179.

31 Morony, 'Religious Community', 125. See also Tannous, *Simple Believers*, 440–41.

32 *Synodicon Orientale*, 223–24/487–88. Before 676, the only mention of such an illegitimate marriage of Christian women with pagan men is found in Ishōʿ-Yahb, *Liber Epistularum,* ed. 153–54; tr. 114 (no. 12 as metropolitan of Adiabena).

33 Above, in the same section.

34 Morony, *Iraq after*, 19; Michael Penn, *Envisioning Islam. Syriac Christians and the Early Muslim World* (Philadelphia: University of Pennsylvania Press, 2015), 162. Ḥnan-Ishōʿ is also the most ancient author to refute explicitly the Muḥammadan conception of Jesus (BL Or. 9353, cited by Michael Penn, *When Christians First Met Muslims: A Sourcebook of the Earliest Syriac Writings on Islam* [Oakland: University of California Press, 2015], 139–40).

which was held around the same time (72/691–92), also addressed many prohibited pagan practices and thus condemned social interactions with pagans.[35]

Both the ex-Roman and ex-Sasanian churches had already been strengthening their own 'strategies of distinction', while Miaphysites of Syria were only beginning to address this kind of canonical issue. Indeed, the letter of the Miaphysite Patriarch Athanasius of Balad is the first post-Hijra canonical edict promulgated within the Syrian Orthodox church. Patriarch Athanasius was originally from Balad, a late-Sasanian fluvial port of importance on the mid-upper Tigris, at the junction with the route from (post-Roman) northern Syria and Mesopotamia. Incidentally, he studied in this western country at the monastery of Qenneshrē between Aleppo and Edessa. His letter is believed to have been issued during his short patriarchate, contemporary to the second *fitna*. Indeed, he was elected by a coalition of rebel bishops in Raʾs al-ʿAyn,[36] and he died early, which allowed Julian 'the Roman' (r. 67–89/687–708), a partisan of the formers' enemy, Patriarch Severus Bar Mashqā (in office ca. 47–64/667–83), to succeed him.[37] Thus, his canonical opinion is contemporaneous with both the synod of Catholicos George in 56/676 in Iraq and the Byzantine Chalcedonian *In Trullo* council in 691–92. Strikingly, Athanasius also addresses the issue of relations with pagans (*ḥanpē*) and particularly reaffirms the prohibition of intermarriage with them.

Athanasius' epistle was preserved in a compilation of Miaphysite canonical decisions.[38] The first 89 folios of this codex contain the famous *Didascalia of the Apostles*, an apocryphal council of Christ's companions and a bestseller in the late antique and early Islamic Middle East.[39] The patriarch's

[35] 'The canons of the Council in Trullo, held in the imperial palace in Constantinople at the end of the seventh century, were still preoccupied with forbidding Christians from engaging in pagan practices, and while some of the content may be purely formal or in a sense rhetorical, there is no reason to doubt the concern that was still felt' (Cameron, 'Christian Conversion', 17).

[36] Michael the Great, *Chronique*, ed. 441–42, 444, 447.

[37] Omert Schrier, 'Chronological Problems Concerning the Lives of Severus bar Mashqā, Athanasius of Balad, Julianus Romāyā, Yohannān Sābā, George of the Arabs and Jacob of Edessa', *Oriens Christianus* 75 (1991): 62–90; see also Simon Pierre, 'Le rôle de tribus arabes chrétiennes dans l'intégration de l'Orient à l'Église syro-orthodoxe […]', *Mélanges de l'École française de Rome—Moyen-Âge* 132 (2020): 255–71.

[38] Hermann Zotenberg, *Catalogue des manuscrits syriaques et Sabeens (Mandaites) de la Bibliothèque Nationale* (Paris: Imprimerie Nationale, 1874), 29.

[39] See Holger Zellentin, *The Qurʾān's Legal Culture: The Didascalia Apostolorum as a Point of Departure* (Tübingen: Mohr Siebeck, 2013); Arthur Vööbus, *The Didascalia Apostolorum in Syriac* (Louvain: Secrétariat du *Corpus Scriptorum Christianorum Orientalium*, 1979) 1, 11, and Arthur Vööbus, *Syrische Kanonessammlungen. Ein Beitrag zur Quellenkunde* (Louvain: Secrétariat du *Corpus Scriptorum Christianorum Orientalium*, 1970), 200–202.

legal opinion was copied on fol. 272r-v, positioned just between the decisions of the Severian Syriac writer John of Tella (d. 538)[40] and the *responsa* sent by Athanasius' junior colleague from Qenneshrē, Jacob of Edessa (d. ca. 89/708), to the (otherwise unknown) priest Adday.[41] The codex ends a few folios later, with the last canons issued at the synod of Bēt Batīn in October 178/794.[42] This *terminus* aligns with Hermann Zotenberg's palaeographic dating and thus points to the patriarchate of Cyriacus of Takrīt (in office 177–201/793–817). Moreover, his successor Patriarch Dionysius of Tell Maḥrē (in office 202–31/818–45) formalised Athanasius' legal warning within the sixth canon of his first council, at Raqqa in 203/818.[43] This provides a second clue to the date of the reception of his predecessor's epistle during the late second/early ninth century. Thus, the canonical collection does not reflect Athanasius' time, nor any early second-/eighth-century context. However, it is as ancient as the early *muṣannaf*-s dealing with comparable topics in the Islamic literature.[44]

Using 'Pagans' to Say 'Muslims' (Late First Century AH)

Did Athanasius implicitly – and maybe exclusively – target the Arab-Muslims? He never says so and gives no specific detail to allow one to infer it. Regarding the Byzantine case mentioned above, Christopher Kelly defines 'pagans' as an 'artificial category' which 'solidifies a wide and diffuse variety of beliefs, practices and habits'; and also 'a delimiting term used to demarcate the difference between Christian communities and outsiders'.[45] Nevertheless, including Muslims in the *ḥanpā* category would also be

[40] Fol. 267–71. See *Dissertatio de Syrorum fide et disciplina in re eucharistica*, ed. and tr. Thomas Joseph Lamy (Louvain: Vanlinthout, 1859), 62–97.

[41] Fol. 273–84: François Nau, *Ancienne littérature canonique syriaque* Fasc. 2 (Paris: P. Lethielleux, 1909), 31–75; and partially in Penn, *When Christians*, 162–67. See especially the comments in Tannous, *Simple Believers*, 69–71, 92–106, 136–55, 187–92, 226–34 et 244–45 and above all 366–74 and 439–59.

[42] Fol. 285: Zotenberg, *Catalogue*, 28–29. Edited and translated in *The Synodicon in the West Syrian Tradition*, ed. and tr. Arthur Vööbus, *Corpus Scriptorum Christianorum Orientalium, Scriptores Syrii* 164–65 (1975–76), vol. 2, ed. 6-17; tr. 7–18.

[43] Quoted by Uriel Simonsohn, 'Seeking Justice among the 'Outsiders': Christian Recourse to Non-Ecclesiastical Judicial Systems Under Early Islam', *Church History and Religious Culture* 89 (2009): 207; Vööbus, *Synodicon in the West*, 2, ed. 30–31; tr. 33.

[44] *Below* in the section ʿAbd Allāh b. ʿAbbās and Qurʾan 5:51.

[45] Christopher Kelly, 'Narratives of Violence: Confronting Pagans', in *Conversion in Late Antiquity: Christianity, Islam, and Beyond*, eds. Arietta Papaconstantinou, Neil McLynn and Daniel L. Schwartz (Dorchester: Ashgate, 2015), 143–62, 149; quoting Alan Cameron, *The Last Pagans of Rome* (New York: Oxford University Press, 2011), 25–32 and Neil McLynn, 'Pagans in a Christian Empire', in *A Companion to Late Antiquity*, ed. Philip Rousseau (Oxford: Wiley-Blackwell, 2009), 573.

chronologically consistent with the synchronic emergence of the term in the East Syriac canonical literature. Moreover, Athanasius' copyist of the second/eighth century also understood it this way when entitling his epistle: 'That no Christian should eat from slaughtered animals (*men dabḥē*) of the Hagarised (*Mhaggrōyē*), those who nowadays (*hōshō*) dominate (*aḥīdīn*)'.[46] This term unequivocally refers to what we call 'Muslims' since Ishōʿ-Yahb III used it in that sense[47] before it gradually spread into the West Syriac world during the late seventh century.[48]

This additional title has piqued the interest of researchers for over a century, from François Nau to Robert Hoyland and Michael Penn.[49] However, it should be emphasised that (1) Athanasius never refers to the specific term *Mhaggrōyē* in the 60s/680s and (2) the use of 'pagans (*ḥanpē*)' to signify 'Muslims' as a confessional category is never attested in Syriac sources before the eighth century,[50] despite a gradual improvement in their understanding

[46] Zellentin, *Qur'ān's Legal*, 7, n. 9; François Nau, 'Littérature canonique syriaque inédite', *Revue de l'Orient chrétien* 14 (1909): 130.

[47] Ishōʿ-Yahb, *Liber Epistularum*, Letter as bishop of Ninawa no. 48, ed. 97; tr. 73–74. *Mhaggrē* appears as an adjective for a dogmatically specified kind of *Ṭayyāyē* (Arabs) and is repeated, condensed, as *Mhaggrāyē* a few lines later. Cf. Patricia Crone, 'The First-Century Concept of Hiǧra', *Arabica* 41 (1994), 8–11.

[48] The colophon of a Nestorian Gospel on fol. 56 of BL Add 14, 666 is the most ancient Syriac use of the Islamic calendar calling their era *da-Mhaggrāyē Bnay Ishmaʿēl bar Hagar bar Abraham*, in the year 63 (AH) = 993 (AG) = September 682 CE. Cf. William Wright, *Catalogue of Syriac Manuscripts in the British Museum Acquired since the Year 1838* (London: British Library, 1870), 1:92. Mentions of *Mhaggrōyō* are also attested in West Syriac literature. See first Daniel of Edessa's (in office 665–84) report on Muʿāwiya's governor for Mesopotamia (*Bēt Nahrēn*), ʿAbd Allah b. Darrāj (Nau, 'Notice', ed. 95; tr. 84). *Mhaggrōyē* appears in the *responsa* of Jacob of Edessa (see below, same section and next section). It is also attested in an inscription at Kāmid al-Lūz, near ʿAnjar (Buqaʿa) where we can read: '96 of the *Mhaggrōyē*, during the days of al-Walīd [r. 85–96/705–15], *amīr* of the *Mhaggrōyē*'. Cf. Paul Mouterde, 'Inscriptions en syriaque dialectal à Kâmed (Beqʿa)', *Mélanges de l'Université Saint-Joseph* 22 (1939), 81–82, no. 10. It also appears in the so-called and perhaps in part apocryphal 'Un colloque du Patriarche Jean avec l'émir des Agaréens' edited and translated by François Nau in *Journal asiatique* 11 (1915), ed. 248, 251–52; tr. 257, 260–62.

[49] Robert Hoyland, *Seeing Islam as Others Saw It: A Survey and Evaluation of Christian, Jewish and Zoroastrian Writings on Early Islam* (Princeton: Darwin Press, 1997), 147–49; Penn, *Envisioning Islam*, 165–66.

[50] Moreover, the only pre-Islamic coincidence between 'paganism' and 'Arabness' might be found in the century before the Hijra when the Miaphysite Iraqi missionary Simeon of Bēt Arsham (d. ca. 540) associated *Ṭayyōyē ḥanpē* with Arabian *Maʿddōyē,* who were potentially regarded as polytheists par excellence. Cf. Ignazio Guidi, 'La lettera di Simeone vescovo di Beth-Arsam sopra I martiri omeriti', *Memorie della Reale Accademia dei Lincei, classe di scienze morali, storiche e filologiche* 3, vol. 7 (1880–81), ed. 502; tr. 481. For a synthesis on *Maʿadd* before Islam, read Michael Zwettler, 'Maʿadd in Late-Ancient Arabian Epigraphy and Other Pre-Islamic Sources', *Wiener Zeitschrift fur die Kunde des Morgenlandes 90* (2000): 117–44. For a complete overview of this central Arabian people, see Christian Robin, 'Les Arabes de Ḥimyar, des " Romains" et des Perses (IIIe–Vie siècles de l'ère chrétienne)', *Semitica et Classica* 1 (2008):173–74 and 188–89.

of Islamic dogma. The first explicit association between *ḥanpē* and *Mhaggrāyē* as complementary terms is found only in the inquiry posed by John the Stylite of Litarbā (d. ca. 119/737) to Jacob of Edessa at least a decade after Athanasius' death.[51] Indeed, the latter's younger colleague and Miaphysite authority, Jacob of Edessa, had to contend with several non-canonical intrusions of 'pagans', now increasingly defined or referred to as Arabs and/or *Mhaggrōyē* in the social and liturgical life of his Syrian Orthodox church.

The first instance of such synonymy in Syriac imagination may appear in Jacob's 'Refutation', where he lists three types of non-Christian 'reverences'. Along with 'Barbarianism' and 'Judaism', Islam seems to be implicitly placed in the category of 'paganism' (*ḥanp(an)ūtō*).[52] The earliest fully synonymous use we have found occurs in an account about a mid-Marwānid-era bishop of Edessa written by the anonymous chronicler of *Zuqnīn* shortly after 158/775.[53] The same author also describes the mass conversion of Christians to Islam during the 140s/760s as the 'door to *ḥanpūtō*'.[54] The use of '*ḥanpē*' to say '*Mhaggrōyē*' only became generalised during the early third/ninth century, as seen in the discourse on renegades of Catholicos Ishōʿ b. Nūn's (in office 207–13/823–28).[55] Furthermore, his contemporary counterpart Dionysius of Tell Maḥrē alternately describes the Arab-Muslims of Takrīt as *Mhaggrōyē* or *Ḥanpē*.[56] This synchronic emergence is also attested in the *Monastic History* of Thomas of Margā,[57] while in Ishōʿ-Dnaḥ of Baṣra's (d. ca. 235/850) own hagiographical compilation, a circumcised freedman of a '*Ṭayyāyā* from the city of Sinjār' was thus made a '*ḥanpā*'.[58]

"In the first century AH," Maʿadd had become the generic term for (non-Yaman) Arab-speaking people as demonstrated by Peter Webb, *Imagining the Arabs: Arab Identity and the Rise of Islam* (Edinburgh: Edinburgh University Press, 2016), 71–84 and 209–211; but it could be the result or a very recent process.

51 Penn, *When Christians*, 167–68, nos. 5 and 13.

52 Michael Penn, 'Jacob of Edessa's Defining Christianity: Introduction, Edition, and Translation', *Journal of Eastern Christian Studies* 64 (2012): ed. 183; tr. 191–92.

53 *Zuqnīn Chronicle = Chronique de Denys de Tell-Mahré,* quatrième partie, ed. and tr. J.-B. Chabot (Paris: E. Bouillon 1895), ed. 17; tr. 16.

54 *Zuqnīn Chronicle (bis) = Incerti auctoris Chronicon anonymum* Pseudo-*Dionysianum vulgo dictum*, I (Louvain: *Corpus Scriptorum Christianorum Orientalium*, *Scriptores Syrii* 43, 1927), 381–82 et 392. He uses the same ambiguous word to vilify the neo-platonician astrologers of Ḥarrān (ibid., 395 et 397).

55 Ishōʿ b. Nūn, *Canons*, in *Syrische Rechtsbücher*, ed. and tr. Eduard Sachau (Berlin: Verlag von Georg Reimer, 1908), ed. 172; tr. 173 (Letter no. 124).

56 Michael the Great, *Chronique*, ed. 4:506; tr. 3:48.

57 Thomas of Margā, *Governos* (part. 6) ed. 393; tr. 666.

58 Ishōʿ-Dnaḥ of Baṣrā, *Le livre de la chasteté composé par Jésusdenah, Évêque de Baçrah*, ed. and tr. Jean-Baptiste Chabot (Rome: École Française de Rome, 1896), ed. 64; tr. 54 (no. 125).

To summarise, there is no evidence that, in Athanasius' time, the concept of 'pagan' specifically referred to Qurʾanic Believers (*Mhaggrōyē*) or even to some indecisive 'Arabs (*Ṭayyōyē*)'. However, in his epistle, the patriarch expressed deep concern about an 'expanding (*rōʿē*)' 'evil (*rūshʿō*)' 'in the church', which he had been 'informed of' (§166). This is likely related to the changing political and religious situation of the 60s/680s, which also prompted similar legal decisions regarding pagans in the Nestorian church. Hence, it cannot be discounted that among the various types of non-Christian 'people (*ʿammē*)' in northern Syria and Mesopotamia, the patriarch was especially alluding to the growing number of Arabs and other settlers of the recently established provinces of Qinnasrīn, Jazīra, and Mosul.

Reaffirming Classical Food Bans

After Athanasius, during the last third of the first century AH, all the competing churches sought to find their place as political minorities. To be recognised by the caliphate, abbots and bishops had to maintain control over their flocks. In the environment of northern Syria and Mesopotamia, where various kinds of 'simple believers' prevailed,[59] Miaphysite elites had to prevent them from getting too close to non-Christian 'Outsiders'[60] and 'pagans', among whom the most common were the 'Hagarised (*Mhaggrōyē*)', that is, followers of the Qurʾanic religion. In this context, regardless of whether Athanasius had Arab-Muslims in mind when prohibiting marriage with 'pagans', his epistle was subsequently copied to serve as a legal precedent for keeping orthodox 'believers (*mhaymnē*)' from any ties that were not strictly intracommunal, particularly avoiding contact with Muslims. For instance, Jacob of Edessa rejected any mingling of *Mhaggrōyē* in churches during the Eucharist, which was to be conducted with closed doors 'so that they cannot enter, mingle with the believers, disturb them, and make a fool of the Holy Mysteries'.[61]

In his canonical letter, Athanasius expressed his concern that laymen were at risk of being contaminated by 'paganism' in three critical ways: first, men participating in the 'feasts (*ʿēdē*) of the *ḥanpē*'; second, women 'married (*mezdawwag*)' to *ḥanpē*; and third, men and women 'eating without distinction any slaughtered animals (*dabḥē*) of the *ḥanpē*'. In order to remedy this chaotic situation, Athanasius invited the bishops to admonish sinners and to

[59] Jack Tannous, *Simple Believers*.

[60] Simonsohn, 'Seeking Justice', 191–216. I chose to capitalise it as 'Outsiders', as an ethnic/religious category.

[61] Letters nos. 2 and 9; Penn, *When Christians*, 169.

deprive them of communion (§166). Sharing the feasts and the sacrifices of the Outsiders, as well as contracting marriages with them, were regarded as taboos that would necessarily corrupt the integrity of the Christian faith. The scholar of Qenneshrē, however, focuses on reaffirming several classical bans: 'fornication (*zanyūtō*)', 'strangled (*ḥnīqō*) [animals]', 'blood (*demō*)' and 'the food of pagan sacrifices (*mākūltō d-dabḥē ḥanpōyē*)'.[62] This late antique wording reminded Holger Zellentin of similar categories in both the *Didascalia*[63] on the one hand, and the Qurʾan on the other. Thus, he proposed comparing them to explore their late antique context.[64] Indeed, in the Qurʾan, the 'lectionary in clear *ʿarabī* tongue',[65] food and other bans seem to be modelled on principles strikingly identical to those of the *Didascalia*, with the exception of pork. Thus, for instance, Q 5:3 states: 'Forbidden to you: dead meat, blood (*dam*), pork and what has been consecrated to one other than God.' It also defends both 'the suffocated' (*munkhaniqat*), the 'beaten to death/dead from illness (*mawqūdh*)' meat, 'and what is sacrificed (*mā dhubiḥa*) on altars (*nuṣub*)'. However, it should be noted that all the *Didascalia*, the Qurʾan and even Athanasius' letter actually rephrase Chapter 15 of the *Acts of the Apostles*: 'Refrain from "the slaughtered" (*dbīḥō*) of idols, the blood (*demō*), and "the suffocated" (*ḥnīqō*); and from fornication (*zanyūtō*)'.[66] Thus, this kind of Qurʾanic and Syriac discussion on illicit food and sexual intercourse arises from an ancient background. Moreover, Athanasius' list of pagan behaviours does not match with the practices of the Arab-Muslims, who theoretically observed the same bans.

In fact, Athanasius' rhetoric is mostly apologetic. In response to the current threats of pagan contamination, clerics under early Islamic rule tended to cite ancient authorities and to imitate their phrasing, while they repurposed their ancient categories and arguments. Although the Hagarised people demonstrated some respect for the rules of the Apostles forbidding the food of, and illicit marriages to, the pagans, the meat of the Arabs/Bedouins (*Ṭayyōyē*) was to become a red line defining the boundaries of the Miaphysite flock. Indeed, Jacob of Edessa considered an altar table (*tablītō*) on which Arabs had eaten to be definitively desecrated.[67]

[62] Nau, 'Littérature syriaque', 129.

[63] François Nau, *La Didascalie, c'est-à-dire l'enseignement catholique des douze apôtres et des saints disciples de Notre Sauveur* (Paris: Canoniste Contemporain, 1902) ed. 104; tr. 137–38 and ed. 236; tr. 237.

[64] Zellentin, *Qurʾān's Legal*, 5–17.

[65] Q 26:195.

[66] *Acts*, 15.20 and 29; also 21.25.

[67] Answer to Adday in MS Harvard Syr. 93, *Paris Syr.* 62; *Mingana* 8; *BL Add.* 14,492; ed. and tr. Nau, *Ancienne littérature*, 49; tr. Penn, 2015, *When Christians*, 162–67, no. 25.

Athanasius' younger colleague also addresses the issue of sharing the food of Muslims and states that it is forbidden for the clergy, unless the *amīr* 'commands' it, in which case 'necessity allows him'.[68] Oddly, it might seem that the eighth century was full of this kind of 'necessity', allowing ecclesiastics to find a close seat beside the caliphal throne. Athanasius himself also anticipated the risk of apostasy and invited the bishops to 'act with caution towards them, according to the will, knowledge and strength of each person'. In other words, the need for clerics to reaffirm the boundaries that guarded against social and doctrinal confusion between 'believers' and heretics or pagans reveals that, in practice, these lines were frequently ambiguous. However, anathemizing potential Christian laypeople would have been counterproductive, as it would have closed the door to them. If pushed too hard, social exclusion could have become an incentive for them to prefer the advantageous position of the Outsiders, the 'people of submission (*ahl al-islām*)'. This issue was particularly problematic in the case of women married to *ḥanpē*/*Mhaggrōyē*.

… To Talk about Mixed Marriages

In the *Acts of the Apostles,* the ban of 'fornication' was related to the issue of food. This is exactly why Athanasius adds a long discussion about Christian women 'married (*d-mezdawwagn*) to these pagan men'. This second subject reveals a perilous normalisation of 'mixed' marriages between women who had been baptised by Miaphysite clerics and men from this undefined ethnicity of Arab and non-Arab settlers. For instance, Michael the Great (d. 596/1199) relates two cases of military colonists, Armenians and Slavs, 'receiving' or 'taking' Syrian women after their army switched sides to join the Arab-Muslim forces.[69] Thus, by establishing a clear legal boundary to an ongoing social practice, Athanasius asserts that the church regards secular marriages – that is, Islamic contractual marriages – as a 'relationship which is not legal (*ḥūlṭōnō d-lō namūsōytō*)'. Given the rest of his argument, this implies that civil marriage was regarded as a pagan revival that was to be forbidden and equated to no less than fornication (*zanyūtō*). Again, Dionysius of Tell Maḥrē condemns the situation of 'a believing man or a believing woman burning with lascivious desire towards what are called secular marriages (*zuwwōgē ʿōlmōnōyē*): he really commits the abominable impurity of adultery!'[70]

[68] Answer to Adday: tr. Penn, *When Christians*, 164, no. 57.
[69] Michael the Great, *Chronique*, ed. 4:446–47; tr. 2:470 and 475.
[70] Quoted by Simonsohn, 'Seeking Justice', 207; *Synodicon in the West*, 2, ed. 30–31; tr. 33.

Athanasius hesitates between using this neutral verb *zawweg*, which can indicate a legitimate marriage, and the more informal concept of 'united *(shawtef)* to a pagan (*ḥanpē*)', which suggests that the alliance should be classified as unlawful concubinage. A decade earlier, during the Eastern Syriac council of 56/676, his Nestorian counterpart George also used *shawtef* when prohibiting civil unions (*shawtfūtō*) with 'Outsiders', qualified as *ḥanpē*. However, *shawtef* is also more neutral, which is why Athanasius peculiarly states that if these women failed to obey the social and dietary bans, 'you will not remove them from participating in the divine mysteries solely because they are united with pagans'.[71] Thus, he clearly acknowledges that the clergy was unable to break up these 'unions' and, in practice, gave up prohibiting them. Indeed, Athanasius urges his suffragans to grant these women the Eucharist to avoid pushing them to officially 'Hagarise (*haggar*)', as a reaction to such an exclusion. As a matter of fact, we know that the priest Adday himself asked Jacob of Edessa about the case of an Arab-Muslim who, using coercive force, insisted that his wife receive the consecrated bread. Jacob authorised him to give it, not only because of the constraint, but also because he regarded these powerful laymen as potentially 'favourable to Christians'.[72] Thus, drawing lines also posed a risk of breaking the necessary bonds that tied together Miaphysite clerics and some of the most influential *amīr*s of northern Syria.

Athanasius had an additional reason for encouraging acceptance of these illegitimate unions: 'Let them also try with all their strength to baptise the children they have had from their union with them' (§167).[73] Yet, if these pagans (*ḥanpē*) were – at least in part – actual Arab-Muslims, baptism of their children seems an unlikely goal given the harshness of Islamic penalties for apostasy. Nevertheless, Christian Sahner has mentioned several cases of baptisms of Muslim-like individuals during the mid-first century AH, such as the daughter of Muʿāwiya near Kufa, and an early and elsewhere unknown *wālī* of Mosul named ʿUqba.[74] Likewise, Uriel Simonsohn has identified symmetrical issues in Hanbali *fiqh* concerning mixed couples with Muslim husbands where, consequently, either girls are Christians

[71] Nau, 'Littérature syriaque', 129.

[72] Answer to Adday, tr. Penn, *When Christians*, 164–65, no. 75.

[73] This specific issue in Athanasius letter is quoted by Mathieu Tillier, *L'invention du cadi : La justice des musulmans, des juifs et des chrétiens aux premiers siècles de l'Islam* (Paris: Edition de la Sorbonne, 2017), 550.

[74] Sahner, *Monasticism*, 270; quoting *Chronique de Séert*, 2 (2), 594 and Ernest A. Wallis Budge, *The Histories of Rabbān Hormizd the Persian and Rabban Bar ʿIdtā* (London: Luzac and Co., 1902), ed. 65–71; tr. 97–103.

and boys Muslims, or where 'one cannot distinguish between the Christian child and the Muslim child'.[75]

The issues of wedding and baptism are logically followed by the problem of the Christian education of these hybrid children. Adday's question to Jacob about a priest refusing to teach the child of a 'Muslim (*Mhaggrōyō*)', who was nonetheless forced to do so, highlights this issue. Once again, not only does the canonist authorise the priest to relent in the face of force but he encourages him to instruct the boy 'because often, from such things, great benefits result'.[76] The bishop of Edessa does not elaborate on this, but perhaps he had in mind the idea that the child would become one of these powerful Arabs who were 'favourable to Christians', or even become a Christian himself.

Athanasius was reminding and setting the communal legal boundaries against uncontrolled dietary and matrimonial social ties that their potential flocks were forging with 'pagans' in northern Syria and Mesopotamia. The fact that Syriac canonists of the late second/early ninth century preserved his epistle so piously proves how the relevance of Athanasius' opinion remained and even increased. It rapidly became a specific legal piece of evidence to limit or break most relations with Muslims. Unfortunately, the necessary milestones between this early Umayyad-era writing and its legal implementation in the canonical compilation under the Abbasids are missing. We suggest a link with Jacob of Edessa's *reponsa*, and with the specific *milieu* of its disciples in the provinces of Qinnasrīn and Jazīra. Among them, an influential scholar, George, was appointed bishop of the *ʿammē* (in office 67–105/687–725).[77] Michael the Great even states that Athanasius was deeply concerned with the episcopal guidance of these 'Christ-loving people (*ʿammē*)' to the extent that, on his deathbed, he insisted on George's appointment by his supervising metropolitan Sergius Zakūnōyō of Marʿash (in office before 63/683– before 107/726).[78] The concept of *ʿammē* seems to have encompassed several Christianised settlers, most of whom were of Iraqi origin and Arabic tongue, and it may also have included other 'people' who adopted this lingua franca. Their headquarters were located near the capital of the military district (*jund*) of Qinnasrīn, especially the Tanūkh (*Tanūkōyē*).[79] A converging indication of this decisive moment is that the

[75] Simonsohn, 'Seeking Justice', 202 quoting Abū Bakr al-Khallāl (d. 311/923), *Aḥkām ahl al-Milal wa-l-ridda min al-jāmiʿ al-masāʾil li-Imām Aḥmad b. Ḥanbal*, ed. Ḥasan Kisrawī (Beirut: Dār al-Kutub al-ʿIlmiyya, 1994), 11, 26 and 33–38; nos. 11, 20 and 75–85.

[76] Penn, *When Christians*, tr. 164; no 58.

[77] Jack Tannous, *Between Christology and Kalam? The Life and Letters of George, Bishop of the Arab Tribes* (Piscataway: Gorgias Press, 2009), 675–76.

[78] Michael the Great, *Chronique*, ed. 4:447; tr. 2:474.

[79] Simon Pierre, 'Les *ʿammē* en ʿĞazīra'. The Ḥāḍir of the Tanūkh is mostly known through the story of their forced conversion to Islam in ca. 162/779. Reported in al-Balādhurī, *Kitāb Futūḥ al-buldān* =

ecclesiastical unity of the *ʿammē* is mostly attested in Syrian Orthodox texts from the lifetimes of Athanasius and George.

When Athanasius published his canonical letter during the 60s/680s, he was primarily addressing issues of sociability with 'pagans', reaffirming rules against fornication and impure meats which were already settled in the *Acts of the Apostles*. At this stage, the concept of pagans was being updated, in line with the spread of the apocryphal *Didascalia*, to be a generic and theoretical category throughout the late antique Roman world. Indeed, it was useful for designating common people living between Balad in the East and Aleppo in the West, in the northern provinces of the Umayyad empire. Since most of them became actual 'Muslims' when the official religion of the caliphate was imposed on every Arabic speaker of these territories, the interpretation of the letter's copyist, that Athanasius addressed as *Mhaggrōyē*, is not completely untrue, although perhaps anachronistic. Actually, Athanasius was calling on the 'simple believers' of the region, especially Arabic speakers, to choose exclusive (Miaphysite) Christianity and to avoid social bonds that would transform most of them into Muslims during the early Marwānid period, as reflected in the *responsa* of Jacob of Edessa. The food bans, similar to those of the Qurʾan, were only the key to the main argument which consisted in the issue of marriage with non-Christians. Indeed, during the same period, the early Islamic scholars of Medina and the *amṣār* also began to address the issue of food and marriage with non-Muslim Arabs, especially those whom Athanasius was trying to isolate from Islam: 'Christian Arabs'.

Eat with 'Christian Arabs'… or Not

In the three 'lands (*arḏ*)' of Qinnasrīn, the Jazīra, and Mosul, while setting boundaries, the church also intended to keep the door open to marginalised people. These regions were distant from the rising Islamic centres but closer to major monasteries, Christian bishoprics, and Aramaic-speaking

Liber expugnationis regionum Auctore Imāmo Aḥmad ibn Jaḥjā ibn Djābir al-Belādsorī, ed. Michael J. de Goeje (Leiden: Brill, 1866), 145; tr. Philip Khuri Hitti, *The Origins of the Islamic State* (New York: Columbia University Press, 1916), 224 and al-Yaʿqūbī, *Tārīkh Aḥmad ibn Abī Yaʿqūb ibn Jaʿfar ibn Wahāb ibn Waḍīḥ al-Maʿrūf,* ed. Martijn Th. Houtsma (Leiden: Brill, 1883) 2:480, maybe, in Dionysius of Tell Maḥrē's lost work (Michael the Great, *Chronique*, ed. 4:478–79; tr. 3:1) and the epigraphic chronicle from Ehnesh as published by Andrew Palmer, *'The Messiah and the Mahdi:* History Presented as the Writing on the Wall', in *Polyphonia Byzantina: Studies in Honour of Willem J. Aerts*, eds. Hero Hokwerda, Edmé R. Smits and Marinus M. Woesthuis (Groningen: Egbert Forsten, 1993), 45–84, but not in the *Chronicon ad A. C. 1234*.

'holy men'.[80] The tolerant stance of Athanasius and Jacob towards mixed couples and their encouragement of baptising hybrid children may have been a reason for a bizarre clause in the peace agreement (*ṣulḥ*) with the Christian Arabs of the Banū Taghlib. The caliph ʿUmar b. al-Khaṭṭāb (r. 13–23/634–44) was said to have allowed them to remain Christians and, at the same time, to pay the privileged tax for Arab-Muslims: the *ṣadaqa*. However, he forbade them from 'baptising their children'.[81] Muslim scholars of the Umayyad period cited this clause, which prevented effective and visible Christianisation, to assert that these Arabs had persistently violated the treaty. Indeed, their remaining Christian after so many decades was deemed evidence that they kept on 'baptising' and/or 'Christianising' their children up until their own time.[82] This implies that, until then, young Arabs could have served as auxiliary fighters for the caliphate while also being regularly baptised Christians of the Miaphysite church. It reflects the other side of the Miaphysite policy of boundary making, which specifically targeted Christian Arabs in the very same environment of northern Syria and Mesopotamia.

Boundaries against Christian Arabs (as Crypto-Pagans)

During the late Umayyad and early Abbasid periods, Muslim scholars used the legal opinions of the early companions as an analogous tool to establish their own boundaries. Despite the highly favourable opinions expressed by their predecessors about Christian religious men, at some point, Muslim intellectuals in turn began defining the boundaries of their own 'religion (*dīn*)' and 'community (*umma*)'. Albrecht Noth analyses many of the anti-*dhimmī* regulations written during the second/eighth century as reflecting opposite 'problems of differentiation' dating back to the first/seventh century. Umayyad-era elites as well became concerned about the real danger of

[80] Simon Pierre, 'Le stylite (*esṭūnōrō*) et sa *ṣawmaʿa* face aux milieux cléricaux islamiques et miaphysites (Ier–IIe/VIIe–VIIIe siècles)', *Al-ʿUṣūr al-Wusṭā* 28 (2020): 174–226.

[81] Concerning the *ḥadīth* literature about the Banū Taghlib, especially about their fiscal status, read Claude Gilliot, 'Ṭabarī et les chrétiens taġlibites', in *Annales du département des lettres arabes* 6 (1996), 145–59; Yohanan Friedman, *Tolerance and Coercion in Islam* (Cambridge: Cambridge University Press, 2003): 63–69; and Simon Pierre, 'La *ṣadaqa* des chrétiens des Banū Taġlib: un enjeu tribal et administratif d'époque abbasside (v. 153–193/770–809)?' *Der Islam* 100 (2023): 120–63.

[82] al-Balādhurī, *Futūḥ al-Buldān*, ed. 182; tr. Hitti, *Origins*, 284; Abū ʿUbayd al-Qāsim b. Sallām's, *Kitāb al-Amwāl*, ed. Muḥammad Khalīl Harrās (Cairo: Maktabat al-Kullīyāt al-Azharīya, 1968) 36 and 649 (nos. 70 and 1693). Several other versions of the same tradition speak about 'Christianisation' and not only 'baptism'.

the assimilation of indigenous behaviours, integration into local structures, and, above all, the veneration of charismatic Christian holy men whose renowned power inspired great competition from Islamic authorities.[83] When churches began to exercise exclusive canonical control over their laymen, they challenged the pietistic and intellectual milieu of the Believers (*muʾminūn*).[84] In turn, Muslims reacted by attempting to halt all the confusing processes of assimilation of their 'simple believers' to the 'People of the Scripture (*ahl al-kitāb*)'. As Noth asserts, they 'draw a very clear distinction between the spheres of both groups, with the aim of protecting Muslim minorities in a new and alien environment'.[85]

During the early caliphal period, both Islam and the subjugated denominational communities engaged in a process of co-construction that involved acts of mutual demarcation and exclusion. 'Simple believers' were asked to choose a communal 'church' and remain firmly and exclusively tied inside its boundaries. The Arabic-speaking 'people (*ʿammē*)'[86] of northern Syria and Mesopotamia, who were living in a Miaphysite environment, became the stumbling block for both Muslim and Christian elites' policies of boundary-making. On the one hand, Syrian Orthodox authorities regimented them into bishopric(s) to properly distinguish them from other local Arabs who were likely to be Hagarised. If the former wished to remain 'Christ-loving (*raḥmay-la-mshīhō*)', they had to renounce any social bonds with the latter. On the other hand, this implied the renunciation of the entirety of the Umayyad-led legal and ideological system called 'Islam', and thus acceptance of subordination through the legal status of 'People of the protection (*ahl al-dhimma*)'.

It was precisely during the same early eighth century that, in turn, Islamic authorities began to address the category of the Christian Arabs (*naṣārā al-ʿarab*) as a legal and social boundary issue. As noted by Peter Webb, being both a Christian and an Arab only became a concern during this later period,[87] slightly after Syriacs addressed the problem of the *ḥanpē* and

[83] Simon Pierre, 'Le stylite et sa ṣawmaʿa'.

[84] Donner, 'From Believers' and *Muḥammad and the Believers*.

[85] Albrecht Noth, 'Between Muslims and Non-Muslims: Re-Reading the "Ordinances of 'Umar' (al-Shuruṭ al-ʿUmariyya)"' in *Muslims and Others in Early Islamic Society*, ed. Robert Hoyland (Burlington: Ashgate Publishing, 2004), especially 122. See also Michael Kister, 'Do Not Assimilate Yourselves … Lā Tashabbahū', JSAI 12 (1989): 321–53 and Milka Levy-Rubin, *Non-Muslims in the Early Islamic Empire: From Surrender to Coexistence* (Cambridge: Cambridge University Press, 2011), 60–87.

[86] Pierre, 'Les *ʿAmmē* en "Ǧazīra"'.

[87] Peter Webb, *Imagining the Arabs,* 141, see also 168–70.

the *Mhaggrōyē*. The emergence of Christian Arabs reflects a time when the *umma* began to be seen as a manifestation of its primary Arabness. Therefore, their continued existence was one of the most important cognitive dissonances and a major ideological challenge. Furthermore, among the many conflations with non-Muslims, there were actually intense physical, human, and contractual contacts and exchanges inside tribes of mixed confession in northern Syria and Mesopotamia.

Athanasius' legal opinion was probably reframed and retitled in response to Marwānid-era concerns about *Mhaggrōyē*. Subsequently, in a third phase, the letter was included in an early Abbasid compilation. Similarly, the *isnād*s of Muslim traditions regarding the food of the Christian Arabs (*naṣārā al-ʿarab*) reveal three parallel stages of development. It started with an authority from the mid-first/late seventh century; it was then quoted, expanded and rephrased during a Marwānid phase of debates, after which this material was finally compiled, reinterpreted and rationalised in a third stage within the early Abbasid-era legal literature (see Figs 15.1a and 15.1b). We rely in particular on the compilation of ʿAbd al-Razzāq al-Ṣanʿānī (d. 211/827), which consists of two centuries of opinions and *responsa* of legal authorities.[88] Perhaps even more significantly, later we also have al-Ṭabarī's (d. 310/923) exegesis of Q 5:5, which declares *ḥalāl* 'the food of those who received the Scripture'.[89] This later scholar attempted to criticise all his predecessors who had rejected the inclusion of the Christian Arabs into the *kitābī* status, first and foremost al-Shāfiʿī (d. 205/820). Regardless, Abbasid scholars collected a vast number of traditions on the subject, many of which mirrored Athanasius' concerns.

Hāshimī traditions against the Christians of the Banū Taghlib

A particular hostility towards Christian Arabs (in general) appears to have risen in Iraq among pro-Hāshimī scholars of the early Marwānid period in Iraq. Muslim authorities were concerned about the potential confusion that

[88] ʿAbd a-Razzāq al-Ṣanʿānī, *Kitāb al-Muṣannaf*, ed. Ḥabī al-Raḥmān al-Aʿẓamī (Beirut: al-Maktab al-Islamī, 1983). It is the most ancient *ḥadīth* compilation that is complete. Its early dating, and also its form, the *muṣannaf,* preserve many non-Prophetic *ḥadīth* contemporary to the earliest law scholars like Abū Yūsuf (d. 182/798) and al-Shāfiʿī. In the Taghlib case, it contains one of the most diverse collection of traditions. On this book see Harald Motzki, 'The Musannaf of `Abd al-Razzaq al-San`ani as a Source of Authentic Ahadith of the First Century A.H'., *Journal of Near Eastern Studies* 50 (1991): 1–21.

[89] al-Ṭabarī, *Jāmiʿ al-bayān fī tāʾwīl al-Qurʾān* (24 vol.), ed. Aḥmad Muḥammad Shākir (Beirut: Al-Muʾasasat al-Risāla, 2000), 9:573–80.

social ties between Christian and Muslim tribespeople might create for the coherence of the *umma*. Indeed, the Egyptian scholar al-Layth b. Saʿd (d. 175/791) quotes Saʿīd b. Jubayr (d. ca. 95/712), an anti-Umayyad Iraqi

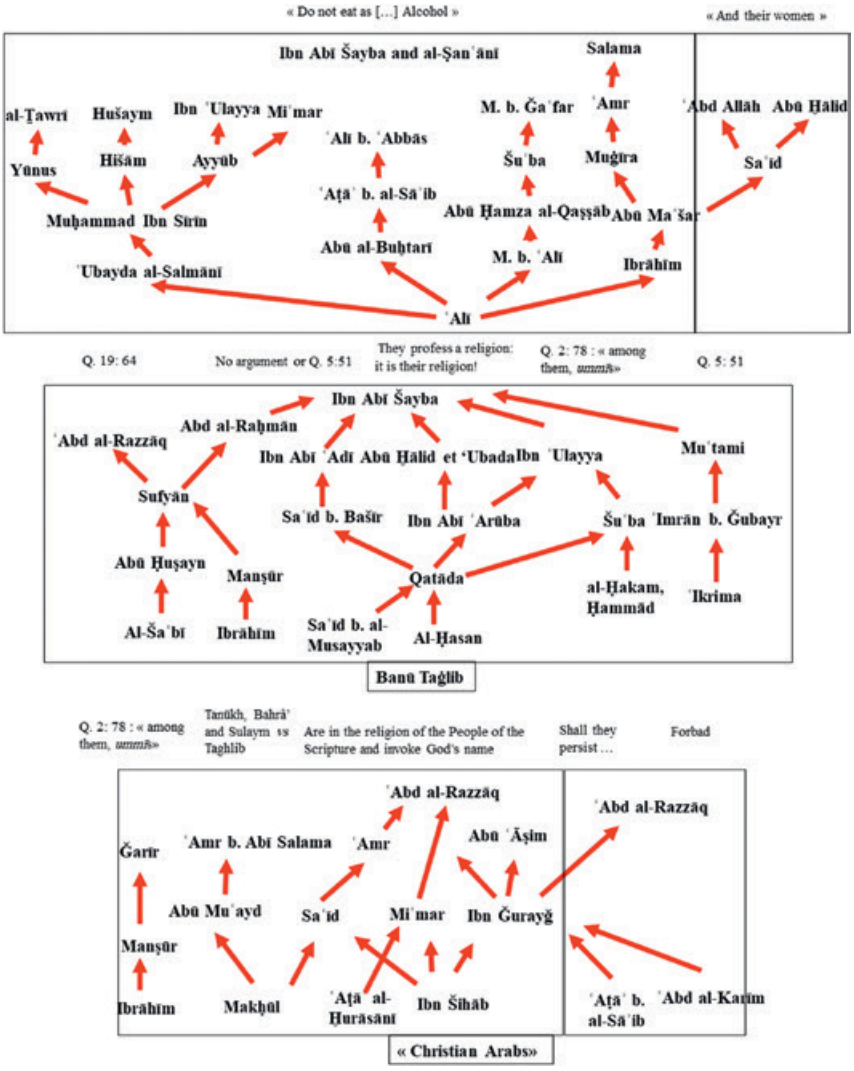

Figure 15.1a *Isnāds* related to the food and women of the *naṣārā al-ʿarab* as found in early to mid-Abbasid (eighth–ninth century) *fiqh* and *ḥadīth* literature.

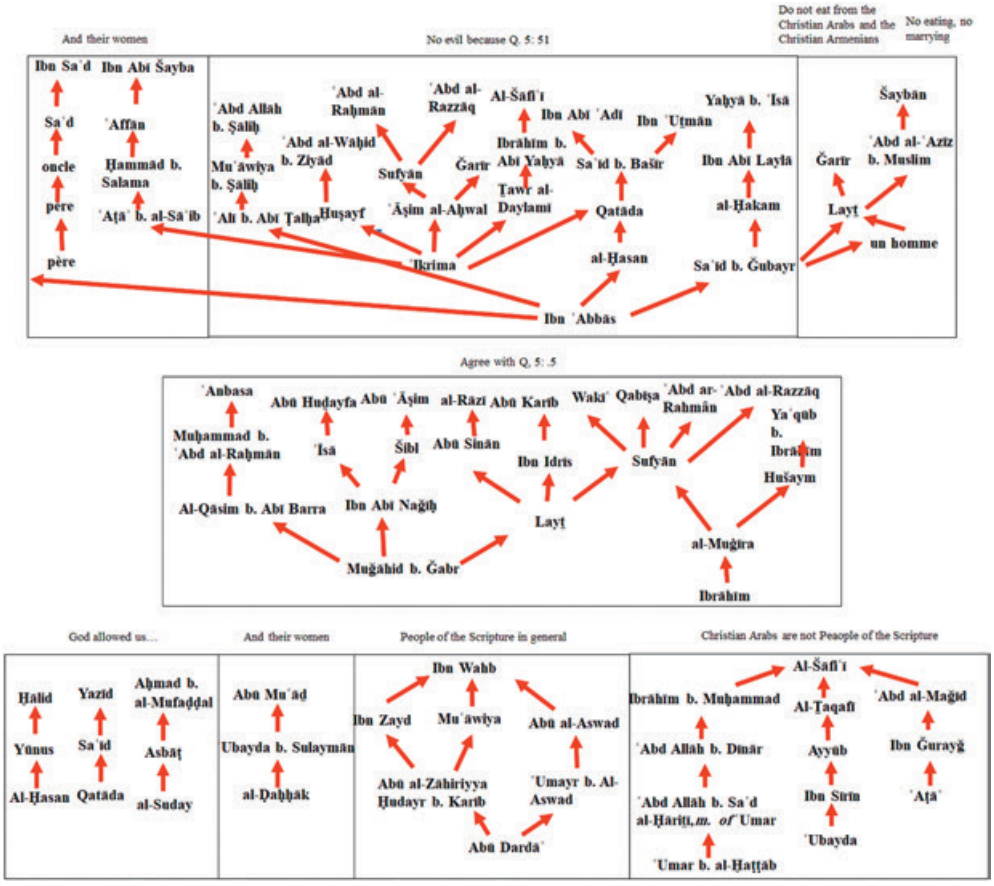

Figure 15.1b *Isnāds* related to the food and women of the *naṣārā al-ʿarab* as found in early to mid-Abbasid (eighth–ninth century) *fiqh* and *ḥadīth* literature.

pietist, and also a fiscal adviser of Ibn al-Ashʿath (d. ca. 82/702),[90] saying: 'Do not eat the slaughtered animals (*dhabīḥa*) of Arab Christians!'[91] Yet, this social ban contradicts Q 5:5 where Believers are explicitly authorised to consume the food of the People of the Scripture. According to al-Balādhurī (d. 892), in his section devoted to the *ṣadaqa* of the Banū Taghlib, the same Saʿīd b. Jubayr says: 'We do not eat the slaughtered animals (*dhabāʾiḥ*) of

[90] See Georg Leube, 'Local Elites during Two *Fitnas*: Al-Ashʿath b. Qays, Muḥammad b. al-Ashʿath, and the Quarter of Kinda in Seventh Century Kufa', chapter 12 in this volume.

[91] al-Ṭabarī, *Tāʾwīl*, 9:576 (no. 11235). The same sentence also includes rejection of 'the slaughtered animals of the Armenian Christians (*naṣārā armīniyya*)', which is, to the best of my knowledge, a hapax in all the legal literature and deserves more research.

the Christians of the Banū Taghlib, and we do not marry their women, because they are not from us, nor are they from the People of the Scripture'.[92]

In this discussion, I will highlight four main points. First, al-Balādhurī's source realises that al-Layth could never have met Saʿīd b. Jubayr due to chronological reasons. Thus, he inserts 'a man' in the *isnād*, which raises issues about how al-Layth really came to learn of Saʿīd b. Jubayr's tradition. This chronological discrepancy is symmetrical with the temporal gap between, on the one hand, the dealings of the Miaphysites Jacob of Edessa, Adday, and John of Litarbā with Christian and non-Christian Arabs, and, on the other hand, the later period when their opinions were recorded in canonical compilations. Second, this version establishes a clear connection between the permissibility of meat and women of a given people. This legal association is identical to the one Athanasius of Balad makes in his letter, and that seems to derive from the same neo-testamentary legal principle. Third, Christian Arabs are described as Outsiders to both Jewish/Christian non-Arabs and the Arab-Muslims, effectively rendering them equivalent to pagan Arabs.[93] Lastly, in both instances, Saʿīd b. Jubayr is supposed not to have prescribed this rule himself but to have quoted the authority of ʿAbd Allāh b. ʿAbbās who, coincidentally, died in exactly the same year as Athanasius.

The cousin of the Prophet was also one of the most influential leaders of the Hāshimī family and the key ancestor of the Abbasid dynasty. In this way, he shares another similarity with Athanasius of Balad, who was widely remembered as a revered forefather of the early Miaphysite church. Although both parallel legal traditions prohibited the same associated 'consumptions' – slaughtered animals (*dabḥē/dhabāʾiḥ*) and marriage (verb. *ezdawwag/tazawwaja*) – in both cases, we cannot be certain of the authenticity of their opinions as they were passed down, through Marwānid-era scholars, to *qāḍī*s and bishops in an early Abbasid milieu.

At this point, it is important to note that al-Balādhurī's version does not apply the ban to all Christian Arabs, but only to the specific tribe of the Banū Taghlib. Actually, much of the discourse prohibiting the food of Christian Arabs comes from another famous Hāshimī non-Prophetic *ḥadīth*. It was transmitted, inter alia, by a contemporary of Saʿīd b. Jubayr: Ibn Sīrīn (d. 110/728).[94] ʿAlī b. Abī Ṭālib (d. 40/661) was said to have

[92] al-Balādhurī, *Futūḥ al-Buldān*, 18; tr. Hitti, *Origins*, 284.

[93] Below, in the section 'An Issue of Arabness According to al-Shāfiʿī'.

[94] His father is frequently pictured as one of the Christian Arab teenagers from the tribes (of al-Namir) whom Khālid b. al-Walīd (d. 20/639) would have captured in a church in the oasis ʿAyn al-Tamr.

stated: 'Do not eat the slaughtered animals (*dhabīḥa*) of the Christians of the Banū Taghlib, because they attach themselves (*mā yatammasakūn*) to nothing from Christianity other than drinking alcohol!' Hence, the opinion of many late Marwānid and early Abbasid transmitters is that the Caliph did issue an 'admonishment (*takrīh*)' or even a 'prohibition (*inhāʾ*)', but only against the specific tribe of the Banū Taghlib.[95] Additionally, the Imam was even supposed to have contested the fiscal *ṣulḥ* of ʿUmar b. al-Khaṭṭāb and claimed that 'if I had taken care of them, I would have fought them (*law qad faraghtu la-qātaltuhum*)'.[96]

The two hostile statements from ʿAlī only focus on the Banū Taghlib, which could suggest that it was a consequence of the second *fitna* process that led the tribe to a shift from an Iraqi pro-ʿAlid allegiance to a pro-Marwānid rallying.[97] However, the popularisation of such a pre-classical (non-Prophetic) *ḥadīth* against this tribe certainly occurred more recently, as it was not until the mid-second century AH that the Banū Taghlib became the literary, legal and canonical archetype used to encompass all Arabic-speaking Christians.[98] Eventually, over the long eighth century, these Iraqi anti-Taghlib traditions were used to generalise its legal application to all the Arab Christians (*naṣārā al-ʿarab*). A variant of ʿAli's *ḥadīth*, transmitted through Ibn Sīrīn, begins as follows: 'I asked him about the slaughtered animals (*dhabīḥa*) of Arab Christians; he answered: …'. It shows that the Iraqi pro-Hāshimi milieu of the late Marwānid period expressed a significant concern about this boundary issue. Indeed, Ḥamza al-Qaṣṣāb (d. 160/776), a disciple of the Shiʿi Imam Muḥammad al-Bāqir b. ʿAlī (d. 115/733), transmitted a variant to his contemporary Shuʿba (d. 160/776): ''ʿAlī declared unlawful (*karraha*) the slaughtered animals of Arab Christians *and* of the slaughtered animals of Christians of the Banū Taghlib'.[99] Both groups appear here as separate entities, probably because the Taghlib case was the basis on which to induce a legal principle to extend to all Christian tribesmen. Moreover, a famous Iraqi *qāriʾ*, Abū al-Bakhtarī (d. 192/807), informed the traditionist ʿAṭāʾ b. al-Saʾib of this synthetic

[95] al-Ṣanʿānī, *Muṣannaf*, 4:485 (no. 8570); 7:186 (nos. 12713–12715); al-Ṭabarī, *Tahdhīb al-athār wa-tafṣīl ʿan rasūl allah min al-akhbār*, ed. Aḥmad Muḥammad Shākir (Cairo: Maṭbaʿat-al-Madanī, 1983), 3: 225–26 (= *Musnad ʿAlī*); al-Ṭabarī, *Taʾwīl* (Beirut: Al-Muʾasasat al-Risāla, 2000), 575 (nos. 11230–11233); al-Shāfiʿī, *Kitāb al-Umm*, ed. Muḥammad al-Najjār (Beirut: Dār al-Maʿrifa, 1990) 2:254; 4:299–300 and 5:8; al-Shāfiʿī, *Tafsīr*, Aḥmad al-Farrān (Riyad: Dār al-Tadmurī, 2006), 2:762–63.

[96] al-Ṣanʿānī, *Muṣannaf*, 6:50 (no. 9975) = 10:367 (no. 19393).

[97] About these events, see Pierre, 'Le rôle de tribus arabes chrétiennes'.

[98] I investigate this process in Pierre, 'La *ṣadaqa*'.

[99] My emphasis.

formula: ‘ʿAlī forbade (*nahā*) us the slaughtered animals (*dhabīḥa*) of Arab Christians!’[100]

Iraqi bans on the consumption of the food of Christian Arabs were also a means of preventing intermarriage with their women, and these authoritative decisions were often accompanied by expressions of hostility and curses directed at the Banū Taghlib. The timeline of these encounters can be reconstructed by comparing it: first, to the exact same case in the Syrian pro-Marwānid environment, and second, to the original sentence attributed to ʿAbd Allāh b. ʿAbbās by most of the scholars.

Syrian Naṣārā al-ʿArab

In the same early Marwānid period, while Miaphysite scholars of the *Bilād al-Shām* addressed the issue of the food of ‘pagans’, rephrased as ‘*Mhaggrōyē*’, their Muslim counterparts of the same region also had to deal with the problem of the ‘Christian Arabs (*naṣārā al-ʿarab*)’. However, they seemingly were un aware of either ʿAbd Allāh b. ʿAbbās’ *responsum* or of ʿAlī’s curses against the Banū Taghlib. No doubt, this resulted from the fact that no group of the Banū Taghlib ever lived in Umayyad Syria and western Jazīra. Ibn Shihāb al-Zuhrī (d. 124/742), for instance, knew nothing about this Iraqi tribe and, when asked about food, marriage, and even taxation of the broader category of ‘Christian Arabs’, he simply said: ‘Let them eat it, because they are in a religion of the People of the Scripture; [but] invoke the name of God!’[101] Ibn Jurayj and Miʿmar b. Rāshid (d. ca. 150/770), who were al-Ṣanʿānī’s teachers, both quote al-Zuhrī’s more complete legal reasoning that ‘anyone from among the Arabs who entered their religion becomes confuse/intricate to it (*maʿwūṣ*)’.[102] In other words, ‘anyone who adheres to a religion is one of its people (*ahl*)’,[103] a view that constitutes a paraphrase of Q 5:51.[104] To summarise, these traditions do not indicate any specific hostility towards Christian Arabs, and they were considered like any other ‘People of the Scripture’ whose food and women were lawful to Muslims. Moreover, al-Zuhrī’s Syrian colleague Makḥūl (d. 113/731) is said to have specified: ‘Eat the slaughtered animals (*dhabīha*) of Tanūkh, Bahrāʾ and Sulaym; but as for the Banū Taghlib, do not eat their slaughtered animals!’[105] This statement highlights how the situation of the first three western tribes

[100] al-Ṭabarī, *Tahdhīb Musnad ʿAlī*, 226 and al-Ṭabarī, *Taʾwīl*, 9:576.
[101] al-Ṭabarī, *Tahdhīb Musnad ʿAlī*, 230; al-Ṭabarī, *Taʾwīl*, 9:574.
[102] al-Ṣanʿānī, *Muṣannaf*, 6:74 (no. 10041).
[103] al-Ṣanʿānī, *Muṣannaf*, 4:485 (no. 8571); 6:74 (no. 10040); 7:184 (no. 12711).
[104] Below, in the next section ‘ʿAbd Allāh b. ʿAbbās and Qurʾan 5:51’.
[105] al-Ṭabarī, *Tahdhīb Musnad ʿAlī*, 227.

from northern Syria and Jazīra was regarded as different from that of the Mosuli tribe.[106] However, it is uncertain whether the semi-legendary Makḥūl actually said this or if it was a later fabrication based on the same geographical paradigm I also use.

Nevertheless, Makḥūl was known to have been closely associated with the Umayyad court in northern Syria during the reigns of Sulaymān (r. 96–98/715–17) and ʿUmar II (r. 98–101/717–20). He, or the transmitters inventors of the tradition, had knowledge of these local people (*ʿammē*). This suggests, first, that the case of the Banū Taghlib and ʿAlī's specific curse against them became known in Syria during the second/eighth century and, second, that its analogical enforcement on western Christian tribes was also being discussed. However, Muslim scholars of the Marwānid era in Syria were more hesitant than their Miaphysite counterparts in breaking these intercommunal ties with the 'believing tribes/nations (*ʿammē mhaymōnē*)' of the Syriac contemporary literature. In any case, 'Arab Christians (*naṣārā al-ʿarab*)' from Qinnasrīn and Jazīra seem to have escaped from the social exclusion that later befell the Banū Taghlib. Even in mid-eighth-century Iraq, their case was not yet an archetypal one and was still a subject of internal debate.

ʿAbd Allāh b. ʿAbbās and Qurʾan 5:51

Some of the traditions analysed earlier quoted Saʿīd b. Jubayr as being willing to exclude Christian Arabs/Banū Taghlib from the privileges granted to every 'people who received the Scripture' in Q 5:5. However, the legal opinions later collected by the *qāḍī* of Kufa Ibn Abī Laylā (in office 123–48/741–65) include Saʿīd b. Jubayr merely as a transmitter of a *ḥadīth* from ʿAbd Allāh b. ʿAbbās. Paradoxically, the irrefutable ancestor of the new dynasty is said to have held the opposite view: stating that there was 'no harm (*lā baʾs*)' regarding the slaughtered animals (*dhabīḥa*) of the Christian Arabs.

Yet, this permissive *ḥadīth* in favour of Arab Christians is surprisingly derived from an intolerant one, spread across dozens of examples in Islamic normative literature.[107] Indeed, ʿAbd Allāh b. ʿAbbās' opinion and decisive argument were not based on the explicit verse Q 5:5 but on Q 5:51, which begins by forbidding anyone 'who believes to take the Jews and Christians

[106] The Sulaym were the most influential Qaysī tribe of the western part of northern Mesopotamia, and a rival of the Taghlib in the eastern part of northern Mesopotamia. There is no other mention of their Christianity, except a tradition of the flight of one of their leaders, al-Jaḥḥāf, to the Byzantine territory under ʿAbd al-Malik (al-Balādhurī, *Ansāb*, 7:79–81), but he never explicitely converted to Christianity.

[107] al-Ṭabarī, *Tahdhīb-Musnad ʿAlī*, 228.

as companions/masters (*walī*)'. Moreover, its second proposition warns that, 'whoever becomes a companion/client of them (*yatawallahum*), then he is one of them!' Thus, this Qurʾanic command establishes an early – surprisingly clear – boundary marker against any social bond of companionship or dependency (*walāʾ*). However, just before the differentiation process that began with the Marwānid era, the divine 'sign' was reused in the opposite way. It became a legal piece of evidence to prove that anyone who shared the religion of Christians, even a Christian Arab, was to be considered a Christian, because of the ties of friendship or companionship (*walāʾ*) that bound him with Christians. Consequently, any Muslim could eat the food and marry the women of every 'one of them', including one of the Christian Arabs.

The traditions collected by Sufyān al-Thawrī (d. 161/778) through a *mawlā* of ʿAbd Allāh b. ʿAbbās, ʿIkrima (d. ca. 105/723) even suggest that his master's exegetic development was not associated with a positive or negative opinion.[108] This aspect is evident in three chapters of ʿAbd al-Razzāq al-Ṣanʿānīʾs *Muṣannaf* dedicated to these issues,[109] and it also dominates al-Ṭabarīʾs exegetical treatise on the matter.[110] The latter leans towards allowing the food of Christian Arabs[111] and, in one case, the marriage of their women.[112] Finally, an overview of these traditions indicates that the ancestor of the Abbasid dynasty was supposed to have had a clear view on who should be regarded as 'one of them', that is, one of the Christians. However, it is entirely uncertain whether he had the specific issue of Christian Arabs in mind. Again, this situation is synchronically symmetrical with Athanasius' opinion about the 'pagans' which was reused to deal with the *Mhaggrōyē*.

One hypothesis that could be proposed is as follows. First, ʿAbd Allāh b. ʿAbbās' disciples 'reported' – disregarding the possible fiction of this transmission –

[108] al-Ṣanʿānī, *Muṣannaf*, 4:486 (no. 8573); 6:71 (no. 10037) and 7:187 (no 12718).

[109] (1) 'the slaughtered animals (*dhabāʾiḥ*) of the *ahl al-kitāb*' (2) 'the *jizya* of the Mazdeans' and (3) 'the *naṣārā al-ʿarab*'.

[110] al-Ṭabarī, *Taʾwīl*, 9:578–79. He also quoted a tradition of the family of Ibn Saʿd (d. 230/845), an indisputable Sunni authority descended from a *mawlā* of the Abbasids, who stated very clearly that his masters' ancestor 'allowed us to eat their food and marry their women', a view no earlier scholar had ever mentioned.

[111] al-Ṭabarī, *Tahdhīb Musnad ʿAlī*, 228; al-Ṭabarī, *Taʾwīl*, 9:574 (no. 11221); another variant, reported by Khuṣayf, bears no clear point of view.

[112] al-Ṭabarī, *Taʾwīl*, 9:574 (no. 11228); in the transmission of ʿAṭāʾ b. al-Sāʾib about the Banū Taghlib. Also in Ibn Abī Shayba, *Kitāb al-Muṣannaf fī al-Aḥādith wa-l-Athār*, ed. Kamal al-Ḥawt (Riyad: Maktabat al-Rushd, 1989), 3:477, even if his editor reads 'Banū Thaʿlaba', probably a scribal mistake; Mālik b. Anas (d. 179/796) was also informed, through another channel (Thawr b. Zayd al-Dīlī, d. mid-first/seventh century) of the Prophet's cousin's statement.

that he held a general and balanced opinion. On the one hand, he granted the permissibility of food and women of the People of the Scripture, but on the other hand, he also cautioned the Believers that any social dependency (*walāʾ*) with them might result in an involuntary Christianisation. As al-Ṭabarī quotes, 'if you were one of them *only*[113] through *walāʾ*, you would [nevertheless] be one of them'.[114] Secondly, ʿAbd Allāh b. ʿAbbās' view on 'People of the Scripture' was subsequently repurposed for the specific, albeit later, case of the Christian Arabs. In this context, verse Q 5:51 acquired a new, paradoxically inclusive, meaning, serving as a proof that anyone who engages in *walāʾ* with Christians should also be considered a Christian, starting with Arabic-speaking groups, whether their Christianisation is late, superficial, or not.

Furthermore, during the early Marwānid period, Iraqi pro-Hāshimī scholars such as Ibrāhīm al-Nakhaʿī (d. 96/715), al-Ḥakam al-Kindī (d. 115/733), or Qatāda al-Sadusī (d. 117/735) were all questioned about the permissibility of consuming slaughtered animals (*dhabīha*) of Arab Christians; to which they all replied 'no harm (*lā baʾs*)'. In addition to ʿAbd Allāh b. ʿAbbās' exegetical argument, and sometimes independently, they developed exegetical deduction based on other verses such as Q 2:78, which states that 'among them, there are ignorant people (*ummī*) who do not know the Scripture, but only their natural inclinations (*amānī*)'.[115] This idea strikingly corresponds with the notion that Christian Arabs could be perceived as illiterate 'simple believers', not fully integrated into a specific ideological system or a defined 'church'. In other words, they were regarded as *pagani* in the Roman sense of the word. However, the very concept of these ignorant Bedouins could also imply their genuine adherence to Christianity, which is similar to the way Q 5:51 was reused through ʿAbd Allāh b. ʿAbbās' exegesis to demonstrate the same point. Additionally, ʿĀmir al-Shaʿbī (d. ca. 105/723), legal adviser of the last pro-Marwānid governor Ibn Hubayra (d. 132/750), concurred with them, but based on a third Qurʾanic foundation.[116]

An Issue of Arabness According to al-Shāfiʿī

Al-Ṭabarī essentially aimed to refute al-Shāfiʿī's claim that Christian Arabs were no genuine 'People of the Scripture'.[117] The independent scholar argued

[113] My emphasis.

[114] al-Ṭabarī, *Taʾwīl*, 9:574 (no. 11228).

[115] al-Ṣanʿānī, *Muṣannaf*, 4:485 (no. 8572); 6:74 (no. 10042); 7:186–87 (no. 12717) from ʿAṭāʾ al-Khurasānī (d. 135/752), and al-Ṭabarī, *Tahdhīb-Musnad ʿAlī*, 229–30.

[116] al-Ṣanʿānī, *Muṣannaf*, 4:487 (no. 8575); 6:1 (no. 10031); 7:185 (no. 12720) and al-Ṭabarī, *Taʾwīl*, 9:574 (no. 11224); al-Ṭabarī, *Tahdhīb-Musnad ʿAlī*, 229–30. All these *qawl*s are attached to Q 19:63: 'Your lord is not forgetting!'

[117] al-Shāfiʿī, *al-Umm,* 2:254–55.

that their payment of the *jizya* did not prove their *kitābī* status, as the non-*kitābī* Mazdeans also paid it.[118] Actually, al-Shāfiʿī was not the first to express hostility towards all Christian Arabs and to exclude them from the monotheistic universality. For instance, al-Ṣanʿānī quotes ʿAṭāʾ b. Abī Rabāḥ al-Fihrī (d. 114/732), an anti-Marwānid Meccan and *mawlā* of Quraysh. He might have been the first to theorise an anathema against the 'Arab Christians *(naṣārā al-ʿarab)*' as a whole:

> Arab Christians are not People of the Scripture, because people of the Scripture are the Israelites to whom the Torah and the Gospel arrived, and [also] these people (*al-nās*) who entered among them. Then these are not from theirs.[119] Muslims should not marry their women nor eat their slaughtered animals (*dhabīḥa*)![120]

This classification would place Christian Arabs on a similar rank to pagan Arabs, as previously demonstrated in one of Saʿīd b. Jubayr's transmissions. They were gradually being relegated to the contemptible status of 'People of the idols (*ahl al-awthān*)', of whom 'we accept nothing except Islam or death'.[121] In other words, while the pagans (*ḥanpē*) of Athanasius were reinterpreted as *Mhaggrōyē* by the Miaphysite scholars of the eighth century, Muslim scholars also classified Christian Arabs as crypto-pagans. This idea formed the foundation of al-Shāfiʿī's argument against the consumption of their slaughtered animals (*dhabīha*), and, by analogy, prohibition of marriage to their women.

Al-Shāfiʿī maintained that any social relations with Christian Arabs ought to be strictly prohibited, and he supported his argument with four pieces of evidence. First, he implicitly challenged the validity of the opposing opinion in the *ḥadīth* from ʿAbd Allāh b. ʿAbbās' *mawlā*,[122] thereby acknowledging its circulation and proving that it was still exclusively used as a proof of legitimate Christianity.[123] Second, he presented a *ḥadīth* that

[118] There is even an opposite version of this interpretation in *al-Khallāl*, Milal, 375: '[Ibn Ḥanbal] heard a saying that "we eat the slaughtered animals of the Mazdeans", he got angry and said something like this: "ʿAlī did not allow us to eat from Christians of the Banū Taghlib, People of the Scripture so how could it be for one of the Mazdeans?"'

[119] al-Ṣanʿānī, *Muṣannaf*, 7:186 (no. 12712), reported by Ibn al-Jurayj.

[120] Ibid., 7:72 (no. 10032). ʿAṭāʾ al-Fihrī is also the author of the following sentence, which is only preserved by al-Ṭabarī in *Taʾwīl*, 9:574 (no. 11226) and *Tahdhīb-Musnad ʿAlī*, 229: 'They do not persist (*inna-mā yaqarrūn/yufarriq/yaqaraʾūn/yadīnūn*) [in the religion/between] of this Scripture!' and which copyists seem to have mixed up with the former.

[121] Abū Yūsuf, *Kitāb al-Kharāj*, ed. Ṭaha ʿAbd al-Raʿūf Saʿd and Saʿd Ḥasan Muḥammad (Cairo: al-Maktaba al-Azhariyya li-l-Turāth, 1999), 79.

[122] See above, in the previous section ''ʿAbd Allāh b. ʿAbbās and Qurʾan 5:51'.

[123] al-Shāfiʿī, *al-Umm*, 4:301.

he attributed to ʿUmar b. al-Khaṭṭāb in person as irrefutable proof: 'Arab Christians are not People of the Scripture so their slaughtered animals (*dhabīḥa*) are not allowed to us'.[124] However, while this caliphal decree is not found elsewhere, it also seems to have been transmitted vaguely, either by a poorly known *mawlā* of ʿUmar called Saʿd al-Fallaja, or through the former's son ʿAbd Allah b. ʿUmar (d. 73/693), to ʿAmr b. Dīnār (d. 126/744). Third, he observed a little further that ʿUmar's isolated opinion matched ʿAlī's curse against the Banū Taghlib, 'as if both of them were of the opinion that they do not really adopt (or: do not firmly hold the subject [of] = *lā yaḍabṭūn mawḍiʿ*) [their] religion'.[125] Finally, he extended the matter, from food to the issue of marriage, in the same way as Athanasius did: 'If ʿUmar has said [that], then the marriage of their women is not licit for us either, because God has only made licit for us [what is from] the People of the Scripture'.[126]

When it comes to communal and social boundaries, the issues of marrying and meat consumption were closely interrelated. Confirming the interdependence of the two types of social contacts, both aspects of the issue appear to have been applied to the *naṣārā al-ʿarab* through the opinions of ʿAbd Allāh b. ʿAbbās under the Sufyānids, and more certainly to ʿAṭāʾ b. al-Sāʾib and Saʿīd b. Jubayr under the Marwānids. Thus, when the *qāḍī* of al-Raqqa, al-Shaybānī (d. 189/805), faced the question, he chose to rely on the view of al-Ḥasan al-Baṣrī (d. 110/728), who seemingly was also among the first to be asked about the slaughtered animals (*dhabīḥa*). The Iraqi master would have answered: 'Yes, there is no harm in that; and there is no harm in marrying their women.'[127] When the contemporary encyclical letter of Patriarch Athanasius prohibited the marriage of Christian women to pagans (*ḥanpē*), the symmetrical issue of the marriage of Muslims to Christian Arab women was also a concern for Muslim 'clerics'. The large number of traditions on this suggests that ʿAbd Allāh b. ʿAbbās' opinion – whatever its true authority – was widely accepted among scholars of the second/eighth century, and was thus frequently cited to justify binding ties with all Christians, including Christian Arabs.

While al-Shāfiʿī was famously obsessed with Arabness, the great *qāḍī* Abū Yūsuf (d. 182/798) a generation earlier held a more inclusive view,

[124] al-Shāfiʿī, *al-Umm,* 2:254–55; 4:300; 5:8, and al-Shāfiʿī, *Tafsīr,* 2:762 for Q 5:51 where he tried to refute that the *walāʾ* of an Arab with a Christian could be considered like a true conversion.

[125] al-Shāfiʿī, *al-Umm,* 2:254 and al-Shāfiʿī, *Tafsīr,* 2:762–63.

[126] Shāfiʿī, *al-Umm,* vol. 4, 299.

[127] Al-Shaybānī, *Kitāb al-Aṣl* (12 vol.) ed. Muḥammad Bū-Inūkāln (Beirut: Dār Ibn Ḥazm); vol. 5, 404.

fortunately for the Christian Arabs. He considered them to be truly 'People of the Scripture' in contrast, for instance, to Arabian 'Mazdeans among the People of Hajar [inner Baḥrayn]', of whom he says, 'we do not marry their women and we do not eat their slaughtered animals (*dhabīḥa*)'.[128] Abū Yūsuf was not living on a desert island, and he was aware of the questioning about the singularity of the Christian Arabs. However, he assumes and explains: 'As for the People of the Scripture among the Arabs, they have the status (*hum bi-manzala*) of the non-Arabs (*aʿājim*)'. Thus, the state of affairs at the Abbasid court was unambiguous: Christian Arabs were recognised as legitimate Christians, and any Muslim was thus permitted to marry their women. Al-Shāfiʿī's later statements, however, were based on a reactionary – and somewhat extreme – view about the exceptionality of Arabness.

Conclusions

In this volume, Lajos Berkes examines the circulation of administrative formulations from Arabic to Greek papyri, highlighting significant social ties between Muslim and Christian scribes.[129] Such exchanges are also important, albeit indirectly, for the theoretically opposing intellectual milieus of the Christian and Muslim 'clerical' elites. The manner in which they sought to control the flocks of their respective 'churches' under construction, including the Islamic one, reveals the deep interconfessional social connections that existed between the simple believers, the common people, and those who were considered as threats for intracommunal ties. Thus, similar challenges resulted in similar concerns, at the same time and in identical environments. These parallel elites addressed analogous solutions through a shared legal process of setting boundaries against their respective Outsiders.

Thus, it is not surprising that the strategies of differentiation, legal exclusion and boundary making in both Arabic-Muslim and Syriac-Miaphysite milieus focused at the same time on the same great anthropological issues: eating the Outsiders' 'slaughtered animals' and 'marrying their men/women'. They were, in fact, targeting the same hybrid or mixed population (*ʿammē*) of Arabic-speaking and 'pagan (*ḥanpē*)' settlers in northern Syria and Mesopotamia. Some of them were more closely associated with Muslim social complexes and, therefore, with their ideal conceptions, while others were

[128] Abū Yūsuf, *Kharāj*, 78–79.

[129] Lajos Berkes, '"Peace Be upon You": Arabic Greetings in Greek and Coptic Letters Written by Christians in Early Islamic Egypt', chapter 16 in this volume.

more clearly involved in Christianised institutions such as monasteries and bishoprics. Both Syriac and Islamic authorities were engaged in setting boundaries to avoid confusion and assimilation. Thus, it is logical to find evidence of symmetrical debates in both kinds of clerical milieus, as they respectively focused on pagan/Muslim Arabs and Christian Arabs (*naṣārā al-ʿarab*). Marriage and food consumption were among the most important boundary markers for both Miaphysite and Arab Islamic contemporary concerns. For Muslim scholars, avoiding sharing the meat and women of the Christian Arabs became as critical as prohibiting sharing the meat and the men of the Pagan and Hagarised Arabs for their Christian counterparts.

The issue of food consumption is not clearly evident in contemporary Byzantine or Nestorian legal literature dealing with the same strategies of distinction from the *ḥanpē*. However, it is a central feature within the anathemas pronounced by Athanasius of Balad in his epistle against sharing the customs of the 'pagans (*ḥanpē*)', just as in the symmetrical opinions of Muslim scholars. Although the Qurʾanic permissibility of all the food of 'the people who received the Scriptures (Q 5:5)' is formally compelling, eating the food of Christian Arabs was a major topic of debate. In both Syriac and Islamic cases, the marriage issue appears as a secondary analogical consequence of earlier bans on the meat of the Outsiders. Moreover, both deductions seem to derive from the same post-evangelical or para-evangelical literature on pagan food and fornication. Meanwhile, as Arab Christians were Christians, Islamic scholars could use the same argument as the Christian clerics: Arab Outsiders were in fact 'crypto-pagans'. Indeed, according to many of their legal opinions and *responsa*, Christian tribespeople were denounced as faking religion only to escape the fate of the 'People of the idols (*ahl al-awthān*)': pagan Arabs whose only options were Islam or death.

Both Syrian Orthodox and pre-Sunni Muslim clerics reused ancient rules and produced new legal statements to consolidate their respective legal boundaries, reduce social ties between their flocks and Outsiders, and exclusively bind their believers with co-religionists within their denominational and communal institutions. On the one hand, Syrian Miaphysites exploited Athanasius' epistle against the consumption of food and marriage to the women of imprecise northern Syrian 'pagans', extending the case to prohibit social bonds with the Muslims (*Mhaggrōyē*) and to set the boundaries of their church. On the other hand, Iraqi Muslims used the statements attributed to ʿAbd Allāh b. ʿAbbās, exact contemporary of Athanasius, on the religious implications of social dependency (*walāʾ*), to prove that the food

and women of Christian Arabs were as lawful as any other Christians' food and women, even if some deduced the opposite. The chronology in each case is highly comparable. Both references go back to primary legal authorities of the 50s–60s/670s–680s, which were subsequently reused in the early eighth/second century and eventually compiled into legal books at the end of the second/eighth century. The insertion of Athanasius' letter into a codex is concomitant with Dionysius of Tell Maḥrē's council of Raqqa of 203/818, which dealt with the same issues. And both correspond to the time of Abū Yūsuf, al-Shaybānī and al-Shāfiʿī's reflections on the mirroring subject.

Finally, an important point suggested by Fred Donner about a Prophetic sentence – 'Whoever eats our *dhabīḥa* is a Muslim!'[130] – is worth mentioning. While Miaphysite scholars aimed to keep the door open to tricky family issues and maintained a foot in the 'pagan' Arab-Muslim world, they all agreed on the principle of communal closure to ensure that their people (*ʿammē*) remained firmly Christian. Conversely, the consensus of Muslims was not aligned with al-Shāfiʿī's vision as these Arab tribes were generally regarded as genuine Christians. Their Arabness was an unacceptable dissonance that posed the risk of introducing and spreading non-Islamic beliefs and practices into the social body of northern Syrian and Mesopotamian tribes. Therefore, during the late first/early eighth century, there was a constant incentive to have them fully converted to Islam, as a new imperial condition to let them join the 'army/military district (*jund*)'. This pattern likely gave rise to numerous neo-martyr stories during the late Marwānid and early Abbasid period.[131] For those who remained steadfast as non-Muslims, however, it was unlawful to suspect that their Christianity was superficial, and it was entirely unjustified in the *sharīʿa* to decline eating their food and marrying their women, irrespective of the potential risk to the preservation of Islam in these mixed families. In particular, Al-Ṭabarī quotes the perspective of legendary companion Abū al-Dardāʾ (d. 32/652) that favoured eating a sheep slaughtered in the church of Saint George.[132]

Abū Yūsuf rejects the ethnic approach concerning the non-Christian Arabness of Christian Arabs. On the contrary, he states that, in the Baḥrayn,

[130] This tradition is quoted by Donner, 'From Believers to Muslims', 50.

[131] On this topic, see Christian Sahner, 'Old Martyrs, New Martyrs and the Coming of Islam: Writing hagiography after the conquests', in *Cultures in Motion: Studies in the Medieval and Early Modern Periods*, eds. Adam Izdebski and Damian Jasiński (Cracovie: Jagiellonian University Press, 2014), 89–112.

[132] To my knowledge, only in al-Ṭabarī, *Taʾwīl*, 9:579. This kind of practice does continue among modern Armenians and Georgians. About its late antique continuity, read Ekaterina Kovalchuk, 'The Encaenia of St Sophia: Animal Sacrifices in a Christian Context', *Scrinium* 4 (2008): 158–200, I owe this reference to David Taylor.

'the Mazdeans and the People of Polytheism (*shirk*) … are for us non-Arabs (*ʿajam*)'.[133] On the same matter, he cites Qatāda in al-Ḥasan al-Baṣrī's and ʿAmr b. Dīnār's legal *responsa* claiming that the Prophet ruled that, 'whoever prays our prayer and eats our slaughtered animals (*dhabīḥa*) is a Muslim'.[134] Yet, the *qāḍī* of Fusṭāṭ, Ibn Lahīʿa (in office 155–74/772–90), referenced the same Prophetic *ḥadīth* from both a pro-ʿAlid Iraqi, Abū al-Aswad al-Duʾalī (d. 69/688–89), and the Medinese ʿUrwa b. al-Zubayr (d. 93/711–12).[135] Ibn al-Kalbī (d. ca. 204/819), quoted by al-Ṭabarī and al-Balādhurī, expands the Prophetic epistle to three different kinds of Arabian non-Bedouin people: the people of Baḥrayn, Yaman[136] and/or even al-Ḥīra.[137] Furthermore, in this late tradition also grounded on ʿAbd Allāh b. ʿAbbās' authority, the *dhabīḥa* sometimes appears to be linked again to the marriage issue.[138]

The West Syriac canons did not strictly prohibit marriage with pagans and Muslims until a synod near Sarūj in 168/785, where the council and Patriarch George of Baʿaltān (d. 174/791) decided to excommunicate the Christian wife of a Muslim as well as her parents.[139] This synod therefore constitutes our *terminus post quem* for the association of the *ḥanpē* of Athanasius' letter to the *Mhaggrōyē*. Athanasius' epistle and the title added by later Miaphysites provide the corresponding Syriac version of this refusal from non-Muslims to allow their flock to eat the food, and marry the women, of Muslims. On the basis of the Prophet's epistle to the Arabs from Ḥīra, Baḥrayn (i.e. Christians) and/or Yemen (i.e. Jews) would have instantly been at risk of being regarded as Muslims by Muslims. These boundaries bound the communal society, thereby protecting them against the risk of being included in a much more ecumenical and universal conception of a believing community: Islam. Thus, although the slaughtered animals was indeed an important marker of confessional boundaries, this Islamic tradition and its concomitant canonical closing of the late second century suggest that, while it was not an exclusive boundary for Muslims, non-Muslims eventually became much more hostile towards the idea of eating with Muslims and marrying Muslim women, driven by their survival instincts.

[133] Abū Yūsuf, *Kharāj*, 144 about the *sayyid* of Hajar in ca. 7/628, al-Mundhir b. Sāwā (d. 11/632).
[134] Ibid.
[135] Abū ʿUbayd, *al-Amwāl*, 28 (no. 51); see also in al-Nasāʾi, 7:76 and 8:105; al-Bukhārī, 1:87–88, nos. 391 and 393; Ibn Zanjawayh, *al-Amwāl*, 125 and 136.
[136] Ibn Abī Shayba, *Muṣannaf*, 6:428 (no 32634) also mentions this tradition, according to al-Ḥasan al-Baṣrī, and attributes the prophetic letter not to the Baḥrayn but to *ahl al-Yaman*.
[137] al-Balādhurī, *Futūḥ al-Buldān*, 69 and 80–81; Hitti, *Origins*, 106 and 123; al-Ṭabarī, *Taʾrīkh*, 1:1600 and 2020 (the letter here is from Khālid b. al-Walīd to people of al-Madāʾin).
[138] al-Balādhurī, *Futūḥ al-Buldān*, 80; Hitti, *Origins*, 123.
[139] *Synodicon in the West*, II, 4.

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