The Formation of the Islamic State
Author(s): Fred M. Donner
Source: *Journal of the American Oriental Society*, Vol. 106, No. 2 (Apr. - Jun., 1986), pp. 283-296
Published by: American Oriental Society
Stable URL: http://www.jstor.org/stable/601592
Accessed: 30/07/2010 13:04

Your use of the JSTOR archive indicates your acceptance of JSTOR's Terms and Conditions of Use, available at http://www.jstor.org/page/info/about/policies/terms.jsp. JSTOR's Terms and Conditions of Use provides, in part, that unless you have obtained prior permission, you may not download an entire issue of a journal or multiple copies of articles, and you may use content in the JSTOR archive only for your personal, non-commercial use.

Please contact the publisher regarding any further use of this work. Publisher contact information may be obtained at http://www.jstor.org/action/showPublisher?publisherCode=aos.

Each copy of any part of a JSTOR transmission must contain the same copyright notice that appears on the screen or printed page of such transmission.

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.

American Oriental Society is collaborating with JSTOR to digitize, preserve and extend access to *Journal of the American Oriental Society*.

http://www.jstor.org

THE FORMATION OF THE ISLAMIC STATE

FRED M. DONNER

THE UNIVERSITY OF CHICAGO

For analytical purposes, the "state" is defined as a set of political institutions resting on a conception of legal authority; the institutions considered relevant are (a) a governing group, (b) army and police, (c) a judiciary, (d) a tax administration, and possibly (e) institutions to implement state policies other than taxation, adjudication, and maintenance of control by the elite. The *documentary* evidence for early Islamic history (coins, inscriptions, papyri) is then tested against this definition in order to establish the earliest date at which an "Islamic state" becomes unequivocably visible, and to shed some light on its early development. Institutional aspects of the state are examined first, followed by ideological aspects. The evidence suggests that a state certainly can be said to have existed from the time of the caliph ᶜAbd al-Malik (A.D. 685–705), and that a state probably existed back into the time of Muᶜāwiya ibn Abī Sufyān (A.D. 661–680). The documentation for the period prior to Muᶜāwiya's reign is at present too meager to permit firm conclusions on this earliest half-century of Islamic history, but several reasons are put forth that make it reasonable to believe that the Islamic state may have antedated Muᶜāwiya. The article closes with a few observations concerning the legacy of the Umayyad-Islamic state in later Islamic political theory.*

I. DESCRIBING THE "FORMATION OF THE ISLAMIC STATE" might at first seem to be a rather straightforward task; but upon some reflection, it can be seen to pose a series of vexing problems. First, we come to see that it is one thing to speak of the Islamic conception of the state, and quite another to speak of the "Islamic state" itself, for to do the latter assumes that there is such a thing as an "Islamic state," and that we can adequately define it. The more we look at the problem, the more we realize that the term "state," like the term "tribe," is one of those commonplace abstractions that becomes less and less clear to us the more we think about them. For "states" are not natural phenomena, but rather social ones, and we can therefore assume that every "state," every political organization we may choose to dignify with this term, will be a little (or perhaps greatly) different from every other. Our definition of the state, then, will be arbitrary, in the sense that we can presumably modify that definition according to our needs and interests. To discuss the "formation of the state"—in this case, of the Islamic state—demands that we have some working definition of "state"; for it implies that a society moved during the formative period from a "stateless" condition to one in which there existed a "state."

I will make the following assumptions about the state, then, with a view to establishing my own arbitrary working definition of the state as a general category of historical phenomena. I assume, first, that the state is a political construction, that is, that it involves the ordering of power in a society. I assume further that the state must embody a number of institutions that we can define; that is, it has some institutional structure. I also assume that the state—any state—rests on a concept of legal authority, by which I mean not merely a collection of "laws" in the sense of statutes or regulations or customs, but rather the acceptance of some abstract concept of "Law" in the sense of an overarching justice that should regulate the affairs of all. By means of its institutions and its ideology of the relevance of Law, the state embraces a society politically —that is, it provides a power structure or set of power relationships that embraces the (potentially) contending groups in that society. It supervises or, in other words, adjudicates these contentions. In doing so, the state holds the sanction of its power. Force is not always the

* A list of abbreviations used in the notes can be found at the end of this article, which was written for the 129th annual meeting of the American Oriental Society (Austin, Texas, March 31, 1982) as part of a panel on "The Islamic State: Ideal and Reality." Readers should take note of Kosei Morimoto's *The fiscal administration of Egypt in the early Islamic period* (Kyoto, 1981), which I had not seen when this paper was written.

monopoly of the state—sometimes it may recognize that under certain conditions and within certain limits the use of force between contending groups is permissible—but the force of the state is always deemed superior, in right and principle if not in actual fact, to the power held by any group within society. The Prussian state, for example, permitted duels between individuals under certain conditions stipulated by law, but certainly did not thereby simply give its approval to wanton homicide or extortion. Similarly, American law permits banks to seize the property of private citizens under certain well-defined circumstances, but the state does not thereby countenance indiscriminate theft by banking groups.

The state, then, can be described as having an ideology of Law, coupled with certain definable institutions. The institutions intrinsic to the state are, generally, those needed to establish its Law and to maintain the political order. These we can consider to be the following:

(a) a governing group.

(b) means for preserving the position of the governing group in the political hierarchy against both external and internal threats, i.e., an army and police.

(c) means for providing for the adjudication of disputes in the society, i.e., a judiciary.

(d) means for paying for state operations, i.e., a tax administration.

(e) institutions to perform other aspects of policy implicit in the legal and ideological foundations of the state.

This, then, we will adopt as our working definition of the state for the purposes of the rest of this essay.

II. With our definition in hand, we can proceed to examine the evidence for early Islamic history and test it against the definition to determine when a "state," as our definition understands it, emerged. In attempting to do so, however, we face another problem, namely, determining what constitutes evidence. One can, of course, embrace the view that the Islamic state began to crystallize out of the stateless society of Arabia already during the Medinese phase of Muḥammad's career; information found in Arabic chronicles and other early narrative sources suggests that the crucial institutions, as well as the ideology of Law and notion of an overriding higher authority, were present in his Medinese community.[1]

If one proposes this argument, however, one does so on the basis of *literary* sources,[2] of necessity, because we have no documentary sources for this earliest phase of Islamic history. Until recently, such an approach would have generated little comment among historians of Islam, because the historicity of the Islamic literary tradition (i.e., its validity as evidence for the earliest period of Islamic history) was generally accepted, despite frequent recognition of some problems with these sources. A number of recent publications,[3] however, have raised a challenge to this traditional view of the sources—and, consequently, to the traditional interpretations of early Islamic history based on them. In general, they have argued either that the Arabic literary sources cannot be used as evidence for the history of the rise of Islam at all (Wansbrough), or that they can be used only in very limited ways for the reconstruction of that history (Cook and Crone). As for the question of the formation of the Islamic state, one author (Crone) not only argues that no state existed in most of Arabia before the rise of Islam (with which I agree), but also implies very strongly that Arabian Muslims had no state even at the time of the conquest of the Fertile Crescent, Egypt, Iran, and adjacent areas. The Muslims also had difficulty, in her view, legitimizing the state structures they "captured" in the cultured areas they took over from the Sasanians and Byzantines; as Professor Crone puts it, "[t]he Arabs escaped absorption into the cultures of their subjects because morally they stayed in Mecca. But because morally they stayed in Mecca, they were to find it impossible to legitimate a Muslim state in the settled lands."[4] This is somewhat different, of course, from claiming that the conquering Muslims had no state structures of their own; but it implies such a claim rather strongly by suggesting that the only state structures available to the early Muslims were those that they conquered—since

[1] I have proposed just such an interpretation in *The Early Islamic Conquests* (Princeton University Press, 1981).

[2] By "literary sources" I mean not merely belletristic compositions, but all written sources that are not documentary in nature, including chronicles, poetry, etc.

[3] Notably Patricia Crone and Michael Cook, *Hagarism* (Cambridge University Press, 1978); John Wansbrough, *The Sectarian Milieu* (Oxford University Press, 1978); and Patricia Crone, *Slaves on Horses* (Cambridge University Press, 1980). The critique of the literary sources began, of course, much earlier. For a brief review of this historiographical debate, see my introduction to ʿAbd al-ʿAzīz al-Dūrī's *The Rise of Historical Writing among the Arabs*, translated by Lawrence I. Conrad (Princeton University Press, 1983).

[4] *Slaves on Horses*, p. 26.

presumably the earliest Muslims would have been able to legitimate any state structures they might have generated for themselves.

Frankly, I am unconvinced of the validity of the historiographical skepticism proposed of late by the radical source critics, and by the historical reinterpretations based, in part, on this skeptical attitude toward the literary sources. It is clear, however, that this revisionist approach raises some unsettling, and mighty important, questions that, sooner or later, historians of early Islam must confront openly and fairly. What I propose to do in this essay is not to grapple with this whole issue of historiographical philosophy, but rather to look at the narrower question of the Islamic state in such a way that the historiographical issues are addressed at least indirectly. This can be accomplished if we proceed by comparing our definition of the Islamic state to the *documentary*, rather than literary, sources for early Islamic history (Umayyad period, A.D. 660–750). Such an approach has the disadvantage of forcing us to settle for an incomplete and in some ways general view of things, because the number and variety of documents dating from the first century after the *hijra* is so very small; but it has the distinct advantage of making whatever conclusions we reach in this way far more secure than those based on later literary sources whose historicity and usefulness as evidence can be challenged in the manner described above. We can hope, then, that this procedure will yield at least a few fixed points around which a more durable vision of early Islamic history can someday be sketched. In approaching this material, it will prove helpful in many cases to proceed in reverse chronological order; that is, we can examine the more numerous documents from the late first century A.H. and the end of the Umayyad period, and, having secured a general picture of conditions at that time, we can then try to see what aspects of that picture may also have held true for the earlier part of the century.

III. On the basis of the theoretical considerations in section I, we can choose the following issues to be the crucial ones in determining whether a state existed in the first Islamic century, and what the nature of that state was. First, we must look for evidence of various institutional arrangements that we have deemed indispensable to the existence of the state as we have defined it: in particular, an army, a police force, a tax system, judges or other means of adjudication, evidence for government concern for public works, and above all, evidence of a bureaucratic structure or formal administration to organize and manage all of these dimensions of state activity. Second, in addition to the institutions of a state, we must look for evidence of the ideological system that must support a state: in particular, the notions of the autonomy of the state, of the state's (government's) responsibility for the domains it governs, and above all, the notion of legitimacy or a legal basis to justify the government's acts. Finally, if we decide ultimately that according to these criteria a state did exist at various times in the early Islamic period, we may wish to ask whether any evidence can be found to support the view, so vigorously presented in the literary sources, that the state was in fact an Islamic state—that is, that the ideological basis of the state was in some organic way related to the religion of Islam. These areas of inquiry, then, form the basis of the following analysis.

A. INSTITUTIONAL ELEMENTS

1. *Army and Police.* The existence of official armed forces maintained by the Umayyad dynasty for defense of the state is attested in a number of Arabic papyri. There appears to be little documentation for the military organization of these forces, but for the organization of payment and provisions for the military we are better supplied with information. One papyrus letter from the governor of Egypt to one of the Egyptian pagarchs, or district administrators (usually native Egyptians), dated A.H. 90–91/A.D. 708–710, speaks, among other things, of the "allowance to the troops (*ʿaṭāʾ al-jund*) and their families" and indicates that the troops were soon to be sent off on campaign.[5] From this we learn, then, of the official stipend (*ʿaṭāʾ*), which the government paid its troops. The fact that this issue is raised in a letter to a pagarch, moreover, suggests that the stipend may have been organized so that specific tax-districts were responsible for supporting certain contingents of troops. Indeed, the governor ends his letter with the observation that he should already have paid the troops their stipend, implying that it was the pagarchy's arrears in paying taxes that had held up the process. Another papyrus of about the same date confirms this view of the organization of military finances in Egypt.[6] It is a demand for payment by the people of Aperatos street in Arsinoe of the

[5] APEL III, no. 148, also published as NPAF, n. 2. Cf. PSR no. 1: *ʿaṭāʾ al-jund wa ʿaṭāʾ ʿiyāli-him*, "The stipend of the troops and of their families" (A.H. 91).

[6] GPEIP, no. 13, dated by indiction; it could be A.D. 708, 723, 739, or 754.

wages of sailors of the fleet. According to Grohmann, "The various pagarchies had to contribute to the maintenance, supply, and provision of this fleet and its ship building yards in Alexandria, Rosette, Damiette, and Babylon (island of Rôḍa) as well as to the wages of the sailors. . . ."[7]

A third papyrus, while still leaving many uncertainties about its interpretation open, speaks about what appears to be some kind of registration procedure (*kitba*) practiced in their villages on behalf of the men of the military forces.[8] Becker took this to be another reference to the kind of arrangement just discussed, in which a locality supported a specific body of soldiery. Grohmann, on the other hand, felt that the practice involved enrolling on a list the names of soldiers sent to support local authorities in collecting taxes in that district, in exchange for which duty the soldiers received certain benefits. Whatever the interpretation, however, it is clear that the military forces were the object of rational fiscal procedures designed to keep them paid and supplied; we must accept, then, that by the early eighth century A.D., at the latest, the state maintained a standing force for defense and, perhaps, other functions, and that these forces were carefully organized and not merely haphazard or *ad hoc* complements of fighting men.

The last-mentioned document, however, also bears some implications along these lines for a somewhat earlier period. For in discussing this *kitba* or registration, the governor (Qurra b. Sharīk, writing to the pagarch of Ishqauh) notes that it had been practiced on behalf of the soldiers constantly for the past forty years, that is, back to about A.H. 50/A.D. 669–670. This suggests a rather long continuity of both the military units themselves and of the institutional arrangements used to support and pay them. From southern Palestine, too, come some papyri with evidence of rational fiscal planning and supply arrangements to support the army; one, for example, dated to A.D. 680–681, mentions the food-tax for supplying the state's troops (ῥουζικόν, Arabic *rizq*).[9]

Evidence of organized responsibility for police and internal security functions can also be found in some of the early papyri. Several papyri dating to the early eighth century A.D. describe measures to be taken in cases of apprehension and punishment (by fining) of fugitive peasants.[10] In one of these the governor, Qurra b. Sharīk, states that he had given written instructions to his tax-administrators (*ᶜummāl*) not to give refuge to fugitives. In another, we read that Qurra has learned of measures taken by one of his local administrators via a report from his *ṣāḥib al-barīd* or chief of intelligence. This reveals that the state, or at least the governor in Egypt, had at his disposal an internal intelligence system and was able to keep tabs on the state of affairs in his province. In other instances, too, the treasury officials of the governor (*ᶜummāl al-amīr*) seem to be responsible for assuring the security and good treatment of individuals. Two passports dating to A.H. 103/A.D. 722 and A.H. 112/A.D. 731 have survived, giving certain villagers permission to leave their village in order to go elsewhere for a stipulated period to work, and the *ᶜummāl al-amīr* are instructed to treat these people well.[11] The *ᶜummāl al-amīr* thus seem to have been the officials who were in a position to assure the public safety of individuals. These documents also give us some insight into the degree of surveillance over the general population that was exercised by agents of the state—at least in Egypt.

For the earlier period, before ca. A.D. 685, our evidence is naturally less full. But it appears, again from papyrological evidence, that in Egypt of the A.D. 640s–650s the crucial administrative figures included the eparchs (sing. *dux*), some of whom at least were already by this time Arabs, who in addition to their numerous tax responsibilities were also charged with searching for fugitives. They thus seem to have held the main policing functions for the state, to whose governor in Fusṭāṭ they were answerable.[12]

2. *Taxation.* The largest administrative task faced by most states is, of course, that of securing tax revenues for the treasury. As has long been known, the documentary sources, particularly the papyri, reveal very clearly that an elaborate administrative system for the assessment, collection, and management of taxes existed by the end of the first century A.H., at least in Egypt. Without going into the details of this system, we can provide here the following summary reconstruction

[7] GPEIP, p. 40.

[8] APEL III, no. 150.

[9] Nessana III, no. 69. See also PSR no. 3 on *arzāq al-jund* (A.H. 91).

[10] APEL III, nos. 151, 152, 153, all A.H. 90 or 91/A.D. 709 or 710. Cf. also NPAF, no. 6.

[11] APEL III, nos., 174 and 175.

[12] GPEIP, p. 14. For a general discussion of police and financial administration in early Islamic Egypt, see C. H. Becker, "Ägypten im Mittelalter," in his *Islamstudien* I (Leipzig: 1924), pp. 146–200, at pp. 169f.

of the process of tax assessment and collection in Egypt as revealed by the Aphrodito papyri:[13]

"1. Preparation in each pagarchy of registers (inhabitants and landholdings) for filing in the *dīwān* in the capital.

2. Assessment of taxes: the total amount required being partitioned among the pagarchies and their subdivisions (villages, etc.) according to date in the registers. These were the 'επιζητούμενα or permanent tax quotas.

3. Requisition of money, supplies and services as needed. These were communicated to the pagarchs by the governor in documents highly formalized in script, style, and content:

a. An Arabic covering letter, with Arab date, from governor to pagarch.

b. A Greek covering letter, dated by the indiction, from governor to pagarch.

c. A number of individual requisitions, written both in Arabic and in Greek to the inhabitants of each of the subdivisions of the pagarchy. . . ."

The general picture, then, is one of a well-staffed tax administration with sophisticated routines for record-keeping, assessment, and the like. Other papyri can provide a few highlights to fill out this general picture with vivid details. We find fairly frequent dunning letters from the provincial governor to his pagarchs demanding payment of arrears of taxes, even for payments that are as little as two months overdue. The number and formal character of these notices suggest that the governor himself probably never saw the letters themselves, but only authorized his administrators to issue them under his own name. We also find fairly frequent references to the treasury (*bayt al-māl*), to local treasurers in the districts (*jusṭāl*, *qusṭāl*), as well as to instances where the governor investigates allegations of extortion by local tax officials—all of which reinforce our image of the tax administration of early eighth century Egypt, at least, as a smoothly-running bureaucracy with ingrained routines for handling its business.[14]

The fact that such a tax administration operated in Egypt, of course, does not necessarily mean that similar bureaucratic sophistication was to be found in other provinces of the Islamic world. As Dennett showed long ago, the early Arab conquerors seem to have taken over a diverse variety of local taxing arrangements in the different areas they conquered, and it was only after the passage of a considerable period that the tax systems were rationalized into a consistent theory and an effort made to systematize actual taxation practices in various regions.[15] This systematized legal doctrine, as it emerged in the eighth–ninth centuries A.D., saw the tax system consisting rightly of a land-tax, or *kharāj*, and a poll-tax, or *jizya*, with other (non-canonical) taxes designated *maks*—"unwarranted impost." The term *jizya* is certainly used in some early papyri, but seems to mean in some cases a land-tax, not a poll-tax.[16] We must assume that the term meant simply "tax" or "tribute" in the earliest period.

More interesting still is some evidence from southern Palestine that reveals certain aspects of the tax administration there. One Greek papyrus of the late seventh century A.D. mentions the "land survey of the Saracens" (γηωμετρίας), which was apparently the basis on which assignments of property (benefices that owed tax payments) were made.[17] Another Greek papyrus, in this case from Gaza, records the partial payment of the land-tax (δημόσια) and of the poll-tax (ἐπικεφαλίων). As it was issued in A.D. 684, it implies that a rational taxation policy was already being pursued by the state on the eve of ʿAbd al-Malik's accession. Furthermore, this formulation of the receipt, with the two clear-cut categories of land-tax and poll-tax, suggests that the later legal theory revolving around *kharāj* and *jizya* may not have been such an artificial creation, but rather one that captured in a schematic way certain essential features of the older *ad hoc* arrangements.[18]

In any case, whatever the exact nature of the assessment and manner of payment, we can hardly doubt that taxes were being collected by governors, or, in the earliest period, by military commanders of newly-conquered areas, for a number of the earliest

[13] Nessana III, pp. 175–76.

[14] APEL III, no. 167 (extortion); nos. 146, 149 (dunning letters). More dunning letters can be found in KP and PSR, no. 1. All these stem from the governor Qurra b. Sharīk, ca. A.H. 90/A.D. 709.

[15] Daniel C. Dennett, *Conversion and the Poll-Tax in Early Islam* (Harvard University Press, 1950); more recently, see Werner Schmucker, *Untersuchungen zu einigen wichtigen bodenrechtlichen Konsequenzen der islamischen Eroberungsbewegung* (Bonn, 1972).

[16] APEL III, no. 147, dated A.H. 91/A.D. 710; also published in PAF, no. 7.

[17] Nessana III, no. 58.

[18] Nessana III, no. 59. For an idea of the astounding variety of taxes the government levied on localities by the end of the first century A.H., see the list in TGAP IV, no. 1433 (pp. 369–73).

papyri from the Islamic period are receipts for taxes paid in cash or in kind, going as far back as A.D. 643 (= A.H. 21).[19] These early papyri even reveal the existence in Egypt, in the period A.D. 640–660, of a staff of notaries or clerks attached to each eparchy to assist the financial officer (σακελλάριος) of each district. These notaries "had to convey tax-payments to the Central Treasury . . . in al-Fusṭāṭ, to make prepayments of tax quotas on behalf of the pagarchies, to issue demand-notes for taxes to individual taxpayers and quittances for tax-money received by, or in the name of a duke, who is also responsible for the repartition of the taxes and requisitions among the pagarchies of this eparchy in accordance with the Central Tax-Office in al-Fusṭāṭ."[20] It seems clear, then, that the tax institutions of the state were well-developed already by a decade or so after the conquest of such areas as Egypt and Palestine.

It is, of course, true that this early evidence of tax bureaucracy may only reflect the older local tax institutions of the Byzantines in Egypt and Syria that had been "captured" by the conquering Muslims, but we must see at least the uppermost and perhaps the middle levels of the bureaucracy as being predominantly composed of members of the new conquering elite of Arabian Muslims. For lack of documentary evidence, we are unable to state definitively that a similar situation existed in other provinces of the Islamic empire at this early date; on the other hand, that same lack of evidence prevents us from concluding definitively that no tax administration existed in such places as Iraq, Iran, or Arabia. It seems very likely, however, that a similar adoption and adaptation of Sasanian tax institutions by the Muslims took place in Iraq and Iran; the Egyptian and Palestinian evidence reveals that the government did have a strong general interest in securing tax revenues from the conquered territories, and there is no reason to assume that that interest was any less in the eastern provinces than it was in the west. For conditions in early Islamic Arabia we can, for the present, only guess.

3. *Adjudication of Disputes.* In contrast to the tax administration, which has left many, if often fragmentary, documents to attest to its existence, the judicial administration left far fewer traces. Particularly troublesome in this context is the fact that the documentary sources provide no attestation of the *quḍāt* (sing. *qāḍī*) or judges that are so prominent in the literary sources. A few papyri from the latter part of the first century A.H., however, do show that civil and criminal disputes were adjudicated by the state authorities, sometimes the governor, sometimes the pagarchs or administrators of various administrative districts, who thus seem to have been responsible for both fiscal and judicial administration in their localities.

One such papyrus, dated to A.H. 90/A.D. 709, is the letter already described from the governor Qurra b. Sharīk to one of his pagarchs, asking the latter to look into some kind of local registration (*kitba*) of troops that had been made in the villages. Whatever the exact issue here may have been, it is clear that some kind of dispute had arisen between the soldiers, on the one hand, and the government bureaucracy in the capital, on the other, and the governor himself had been asked to resolve the matter. The governor complained to his pagarch that he could find no record of the alleged documents in the central files in the capital, and "therefore I cannot tell the truth of this from the false." For this reason he wrote to the pagarch to request information from his local records. Clearly the governor, then, was in a position to adjudicate disputes, at least among members of the government itself.[21] Two other letters from Qurra b. Sharīk to his pagarch, however, reveal that the governor also judged civil cases that involved ordinary civilians. In these, a peasant creditor who feared that his debtor was about to default on payment of his debt brought the case before the governor, who decided in the creditor's favor and wrote to the pagarch of the peasant's district instructing him to make sure that the peasant got his due, that the property he was owed was not attached by outside parties, and so on.[22] Similarly, a document from Khirbat al-Mird in southern Palestine, datable by its handwriting to the second half of the first century A.H., discusses the case of a woman whose husband had absconded with her personal property and allowances (*matāᶜ*, *nafaqa*). The case was brought to the attention of the village headman's superior, who looked into it and seems to have required the man to restore the woman's property, but also absolved him of further support payments. The wife was not satisfied with this settlement, however, and took the case again to the superior, who then asked the village headman to look

[19] GPEIP, no. 4, A.D. 643 (deliveries of wheat and oil); no. 9, A.D. 653 (village taxes in cash); Nessana III, nos. 60–66, A.D. 674–677 (requisitions of wheat and oil as tax, *ḍarība*).

[20] GPEIP, p. 14.

[21] APEL III, no. 150.

[22] APEL III, nos. 154 and 155, A.H. 91/A.D. 709–710.

into it again with both the woman and her husband present.[23] This sounds like nothing less than a kind of appeals court system for adjudicating such civil disputes. Another papyrus of the same provenance reveals a superior and his subordinate corresponding about a case of theft of jewelry that they had evidently been asked to look into.[24] It appears then, that the village headmen and higher officials were, at times, all involved in adjudicating such criminal and civil cases as arose.[25]

4. *Public Works.* Among the public works attested by documents we can, of course, include such early monuments as the first mosques that are extant (the Dome of the Rock in Jerusalem, the Umayyad mosque in Damascus, al-Aqṣā mosque in Jerusalem, perhaps the mosque of Medina).[26] More significant in this regard are such items as the milestones erected along main roads. Four examples of these have been found in Palestine, dating from the caliphate of ᶜAbd al-Malik.[27] Similarly, an inscription of A.H. 73/A.D. 692–693 from Palestine shows that ᶜAbd al-Malik undertook road-leveling operations in a difficult pass to make the way there smoother.[28] Similarly, the coinage reform of ᶜAbd al-Malik suggests a desire to systematize and standardize over the whole empire, and weights were reformed by him to conform to measures current in the Ḥijāz.[29] We know, too, that by the end of the first century A.H. the Umayyads were maintaining granaries from which the towns in their domains were provisioned.[30]

For the earlier period, little information on public works—as on anything else, for that matter—is available in documents. We do, however, have the inscription commemorating the building of a dam near al-Ṭāᵓif in the Ḥijāz; this shows that it was built in A.H. 58/A.D. 677–678 by the caliph Muᶜāwiya b. Abī Sufyān.[31] Whether this was really a public work, however, or only a construction intended to make one of the caliph's private properties more productive, is open to debate.

B. IDEOLOGICAL ELEMENTS

To demonstrate the existence of a state in the early Islamic period, of course, one must not only describe the institutional features of this state, but also show that the requisite ideological features of the state were in place and that they were linked to the institutions already described in some organic way. We shall examine the documents for evidence of notions of autonomy, of law or legitimacy and state authority over its domains, and of state responsibility for its domains.

1. *Autonomy.* In a sense, the autonomy of the state in the early Islamic period is both its most obvious and widely-accepted ideological feature, and, ironically, one of the least well documented. Few documents survive that explicitly declare the state's independence and status as an equal of other, more established states, such as the Byzantine state. Perhaps the clearest evidence of the Umayyad state's claims in this regard is provided by the architectural monuments of such caliphs as ᶜAbd al-Malik, al-Walīd I, and Hishām. As Oleg Grabar, Richard Ettinghausen, and others have shown, the Dome of the Rock in Jerusalem, the various constructions of al-Walīd I, including Quṣayr ᶜAmra and Qaṣr al-Ḥayr al-Gharbī, and Hishām's palace at Khirbat al-Mafjar in Jericho, are all laden with a royal imagery that asserted the claims of the Umayyad kings to be autonomous rulers in terms that must have been unmistakable to contemporary viewers, however easily they may be overlooked by modern ones.[32]

We can also see assertions of autonomy by the caliphs in documents such as the dam inscription of

[23] Mird, no. 18.

[24] Mird, no. 19.

[25] For further cases, see NPAF, nos. 8 and 9; PSR no. 10.

[26] See, for example, TGAP II, nos. 1378, 1379, 1433, and others, with evidence of many caliphal projects including the building of mosques, granaries, etc.

[27] These are reproduced in AP II, p. 83.

[28] Moshe Sharon, "An Arabic inscription from the time of ᶜAbd al-Malik," *BSOAS* 29 (1966), pp. 367–72.

[29] G. R. Hawting, "The Umayyads and the Hijaz," *Proceedings of the Fifth Seminar for Arabian Studies*, Oriental Institute, Oxford, September 1971 (published 1972), pp. 39–46; Philip Grierson, "The Monetary Reforms of ᶜAbd al-Malik," *Journal of the Economic and Social History of the Orient* 3 (1960), pp. 241–64.

[30] PSR no. 3. Granaries were under the supervision of officials called *aṣḥāb al-ahrāᵓ*. Cf. also TGAP II, no. 1379.

[31] G. Miles, "Early Islamic Inscriptions near Ṭāᵓif in the Hijaz," *JNES* 7 (1948), pp. 236–42.

[32] See Oleg Grabar, "The Umayyad Dome of the Rock in Jerusalem," *Ars Orientalis* 3 (1959), pp. 33–62: this monument "affirm(s) the superiority and the victory of Islam" even in its location on Mount Moriah, and the inscription in it asserts the power of the new state and faith (p. 57). Inclusion of such motifs as the Persian crown and jewels in its mosaics must

Muᶜāwiya from A.H. 58/A.D. 677–678, in which he is styled *amīr al-muʾminīn*. Whatever the exact institutional characteristics of the office of *amīr al-muʾminīn* at this time, we can hardly doubt, I think, that it represents at least a claim to be the political head of an autonomous religio-political community. We find the title even a few years earlier, this time in Pahlavi translation, on a coin of the year 41 Y.E. = A.H. 52/A.D. 672, which bears the legend MAAWIYA AMIR I-WRUISHNIKAN.[33] It also appears, in both Arabic and Pahlavi, on a coin of the anti-caliph ᶜAbdullāh b. al-Zubayr from the year 53 Y.E. = A.H. 65/A.D. 684–685.[34] Indeed, we might consider the very act of issuing coins by the new regime to be a declaration of its autonomy and independence, even in the case of those earliest coins that are merely slightly modified Sasanian or Byzantine issues. From A.H. 31/A.D. 651–652 comes the first coin (a Sasanian dirham) with an added Arabic inscription—the *basmala*—issued in Nahr Tīrā (Khuzistān).[35] The oldest known Arab-Sasanian coin dates to A.H. 20, and was issued in Nahr Tīrā by ᶜAbdullāh b. ᶜĀmir.[36]

2. *Concepts of Law and Authority.* After the notion of the state's autonomy, perhaps the most important ideological concept is its relation to a concept of Law, and the legitimacy or authority it can claim on the basis of that Law. That is, the authority of the state rests on its claim to be the agency for the application of that concept of Law (whatever its derivation), or at least on its claim to be governed in its actions by such a concept.

We can perhaps see an implication of such claims to legitimacy by the early caliphs in their adoption on various monuments of Sasanian and Byzantine royal symbolism, such as the use of winged horses, rams, crowns, and the like in the decorations of the Dome of the Rock or Khirbat al-Mafjar; for the ancient oriental monarchies, of which the Sasanians and, to a lesser extent, the Byzantines were the more or less conscious heirs, associated the notion of legitimate royal rule with the concept of justice. The ancient kings claimed, of course, divine sanction for their rule, but that legitimacy was made manifest in their character as just rulers.[37] They were not merely to be feared as powerful, in other words, but were also to be revered as god-guided and just, even if their real power for some reason faltered momentarily. The Umayyad kings, in adopting the outward symbolism of their royal predecessors, were thus perhaps asserting their adhesion to a tradition of royal justice, and not merely to one of royal might.

We can, however, go considerably beyond these observations in searching for evidence that early Islamic society espoused a broad concept of Law, and that the state's authority rested in part on its claim to be the executor of that Law. In the Islamic tradition, of course, the Law in question certainly came to be identified with the divine law, eventually articulated as the *sharīᶜa*. It is therefore noteworthy when we find a document that explicitly links the notion of government rule with God, as we do on a coin issued in A.H. 72/A.D. 691–692 in Kirmān, which bears the inscription *bismillāh walī al-ʾamr* ("in the name of God, the protector of authority").[38] Similarly, a curious coin issued in A.H. 75/A.D. 694–695—one of the transitional issues minted during the brief period of coinage experimentation before the great reform of coinage by ᶜAbd al-Malik—shows on the reverse a *miḥrāb* with lance. By putting on a coin—a symbol of state sovereignty—an image of the focal point in the mosque, the *miḥrāb*, a close link

have conveyed an unmistakable message to viewers of the day. Daniel Schlumberger, "Les fouilles de Qaṣr el-Heir el-Gharbī (1936–1938)," *Syria* 20 (1939), pp. 195–238 and 324–73, describes the monument's decorations, including a bust of the caliph-king in Persian trousers, and the use of Sasanian royal symbols such as crenellations and, perhaps, lions; see especially pp. 324f. and pp. 350f. On Khirbat al-Mafjar, see the description and interpretation by Richard Ettinghausen in his *From Byzantium to Sasanian Iran and the Islamic World* (Leiden: 1972), especially pp. 32–33 and p. 45: it was fitted out with a hanging crown, *qalansuwa* or tall Persian cap, and decorations with Iranian royal symbols such as rosettes and rams. Heinz Gaube, *Ein arabischer Palast in Südsyrien. Ḫirbet el-Baiḍa* (Beirut: in Kommission bei Franz Steiner Verlag, Wiesbaden, 1974), p. 123, mentions unpublished column capitals from the (late) Umayyad palace at ᶜAnjar showing the caliph as victor over the Sasanian and Byzantine emperors (Khusrō and Qayṣar).

[33] CASC, no. 35, pp. 25–26.

[34] CASC, no. Do. 1, p. 33; cf. no. ANS 7, p. 33.

[35] CASC, no. 2, p. 3; cf. also no. 8, p. 4, issued in Sīstān, same date.

[36] AN, "Prägetabelle zu den arabosasanidischen Dirhems"; cf. text, pp. 17ff.

[37] For a very brief treatment of the role the concept of justice played in relation to kingship in the ancient Orient, see M.-J. Seux, "Königtum," paragraphs 78–84, and D. O. Edzard, "Herrscher," paragraph 4, in *Reallexikon der Assyriologie* (ed. E. Ebeling and B. Meissner et al., Berlin: W. de Gruyter, 1928—continuing).

[38] CASC, no. 216, p. 111.

between religion and state authority was being made.[39] For that matter, we might view in this vein all Arab coins that bear the inscription *bism-illāh* or other religious formulae. The earliest so far discovered, as we have seen, goes back to A.H. 31/A.D. 651–652.[40] Later coinage issues sport increasingly long and elaborate religious slogans. Among them are some Khārijite coins from the A.H. 40s/A.D. 660s, with their slogan *lā ḥukma illā li-llāh*,[41] "there is no rule (?) except God's," which suggests that the issue of government legitimation was very much under debate at that time—a fact that in itself hints that the concept had already been current in official circles for some time, even if it also hints at disagreement over the practical implications of that claim to legitimacy. Still other coins—undated, but on the basis of their form clearly datable to around A.H. 75/A.D. 695—stress the link between government rule and divine will or law through their use of the phrase *khalīfat Allāh*, "caliph (or viceregent?) of God," or their portrayal of the standing caliph in an attitude of performing the *khuṭba*.[42] The use of such pious phrases becomes much fuller on coins after the coinage reform of ʿAbd al-Malik, but they are used before his time.

The Umayyad state also asserted its authority to rule in accordance with a concept of law through its issuance of official weights and measures of glass and bronze. Such an act may represent a claim by the government to be the exclusive legitimate guardian of social values—at least, as in this case, in the commercial sphere.[43] Likewise, general acceptance of such weights and measures represents practical acquiescence by the population in this claim of the state. Indeed, while most weights or measures simply name the issuing official (the caliph and/or his governor) and the weight, at least some include as well pious phrases or hints that the weight was being issued to conform to some abstract principle of justice: "the slave of God Yazīd, *amīr al-muʾminīn*, may God keep him sound, ordered [this] *qadaḥ* without brim, full measure. Executed by Ḥayyān b. Shurayḥ."[44] Especially interesting in this context is the use of the phrase "full measure" (*wāf*), which has echoes of Qurʾānic injunctions.[45] Many such weights and measures exist for the period from the caliphate of ʿAbd al-Malik on, but very few examples from an earlier period seem to be extant. Is this because none, or few, were made earlier, and if so, might that fact reflect a less assertive claim by the Umayyad house to represent legitimate authority? Perhaps; but we must also remember that weights and measures would have been in the hands of government officials, and that any effort to reform weights and measures, such as we know ʿAbd al-Malik made, might well have been accompanied by a policy of calling in and destroying old weights and measures once the new ones were issued, in order to effect the change as thoroughly as possible and to prevent possible fraud. The apparent absence of weights and measures from an earlier period may, then, be largely the consequence of the reform edict itself.

The notion of an overriding Law or abstract justice as the legitimizing feature behind the government's actions and position is perhaps most directly reflected, of course, in cases where the state or its agents are asked to adjudicate disputes. Several cases of this kind, dating from the second half of the first century after the *hijra*, have been noted in section III.A.3 above. These cases imply the acceptance in principle by the population of the agents of the state—governors, pagarchs, etc.—as neutral arbiters or judges in their disputes. Such an attitude may imply that the state or its agents were seen as representing "justice," that is, that they were seen to be acting in accordance with a concept of Law; but it might also be taken to imply merely a recognition by the populace that the government was the dominant force in local affairs, and therefore the natural place to turn for enforcement of one's claim, whether justified or not. A similar kind of case, but of a much earlier date, is provided by a papyrus dated to 19 July, A.D. 642, which is a receipt made out by several Arabs for horses acquired by them, and calling on a certain Jabala, *amīr* of the Herakleopolite nome, to seal the document as witness

[39] G. Miles, "Miḥrāb and ʿAnazah: A Study of early Islamic Iconography," in G. C. Miles (ed.), *Archaeologica Orientalia in Memoriam Ernst Herzfeld* (Locust Valley, N.Y.: J. J. Augustin, 1952), pp. 156–71.

[40] CASC, no. 2. p. 3.

[41] AN, p. 35; cf. p. 27.

[42] CABC, no. 99–103, pp. 30–31; no. 73, cf. pp. 22–43.

[43] This depends, of course, on whether the weights and measures were used to check weights and coins in the market for general commerce, or only to check on coins and goods used to pay taxes to the state, in order to prevent short tax payments. As we shall see below, however, governors were concerned to prevent tax collectors from taking too much grain from the villagers by falsifying measures.

[44] G. C. Miles, "A Glass Measure Issued by Ḥayyān b. Shurayḥ," in *Studi Orientalistici in onore di Giorgio Levi Della Vida* (Rome: Istituto per l'Oriente, 1956), vol. 2, pp. 148–58.

[45] See, for example, *Qurʾān* 6:152 and 7:85.

to the transaction.[46] Again, we have here the implication that the agents of the government (or, perhaps, of the army) were not merely the local power, but also the local authority. Still, we cannot claim absolutely on the basis of such evidence that local authority in this early period rested on a general notion of Law or legality.

Less ambiguous, however, are some papyri—dating, in this case, from the end of the first century A.H.—in which the "authorities" discuss cases of injustice or oppression in terms that suggest a definite commitment to, or at least an awareness of, legal absolutes. One of these, datable on paleographical grounds to first half of the eighth century A.D., has been examined above; in it we read an official declaration bearing on an allegation of oppression of the population of a district by the local administrator of taxes, one ᶜAmr b. ᶜAṭṭās. The head of the treasury and pagarch of the district involved, Yazīd b. ᶜAbdullāh, issued the declaration, stating that he had checked into the matter and obtained sworn testimony by the notables of the affected town that ᶜAmr had not acted oppressively.[47] Clearly there is a general concept of Law or justice at work here, and officials of the state are expected to adhere to it. More striking still is a papyrus letter from A.H. 91/A.D. 710, in which the governor urges one of his pagarchs to administer well and not to submit short taxes or be in arrears with the payments due from his district. This much is, of course, merely self-serving advice offered by the governor to his subordinate. The governor then enjoins his pagarch, however, to act honestly and to be trustworthy (*muḥsin*, *mujmal*, *amīn*), and to ask God's aid, for, he says, God will help if one is trustworthy and concerned about the well-being of affairs.[48] In this case, then, the governor is clearly playing on the pagarch's guilt or sense of responsibility, not merely as a government servant, but as a person subject to an absolute Law derived from God. In another instance, the governor instructs his subordinate to have the villagers choose from among themselves someone to measure out that part of their tax payment that was made in grain (*qabbāl*), but also instructs him to ascertain that the *qabbāl*s do not take more than the legal assessment from the villagers in order to enrich themselves. He also lays down strict punishments to be imposed on dishonest *qabbāl*s.[49] Such concern to avoid exploitation of the peasantry reflects a notion of authority to rule on the basis of Law, and responsibility of the state for the welfare of its subjects according to that Law.[50] As the governor states in this same letter, "Fear God in what you rule, for verily it is your sacred trust and faith (to do so); and restrain your tax-agents and yourself from oppression of the populace."[51] Presumably the same concept of authority and responsibility suffused not only the government, but the whole of Islamic society as well. People might, of course, ignore it; but it was there. Indeed, we might see in the very term *amīr al-muʾminīn*, "commander of the believers," an expression in laconic form of the notion of an integral link between political authority and an overarching or absolute notion of Law, since the believers were in effect those who subscribed to such a notion of (divine) Law.

Another scrap of evidence suggesting the degree to which the state and its agents in the Umayyad period could claim to be recognized as "legitimate" relates to the bureaucratic management of taxation by the government. As we have seen, the provincial governor's tax bureaucracy could send out what amounted to form letters to subordinates, demanding, for example, that they pay up arrears. This reveals that the subordinates, at least, accepted the action of the bureaucracy as legitimate; they surely knew that the letters were not personal communications from the governor himself, but they presumably heeded them anyway, because they knew that the governor had authorized—given authority to—his clerks to issue such letters over his signature. This implies that the governor, and the state he served, were recognized as having some authority to give. We even find explicit references to the caliph as a source of authority legitimizing the demands of the governors. In a letter to one of his pagarchs, for example, Qurra b. Sharīk notes that the caliph (*amīr al-muʾminīn*) would not tolerate any delay in payment of taxes from the pagarch's district.[52] By this time, then, the notion of a state authority structure extending

[46] GPEIP, no. 8.

[47] APEL III, no. 167.

[48] APEL III, no. 146; also in NPAF, no. 1 (pp. 247–50).

[49] PSR no. 3. The punishment was one hundred lashes, shaving of hair and beard, and a fine of thirty dirhams. Cf. also TGAP II, no. 1359, in which Qurra b. Sharīk demands fines from a pagarch and his subordinates for maladministration.

[50] For further examples, see PSR no. 10, in which Qurra b. Sharīk enjoins his subordinate "not to oppress your subjects" (*wa lā taẓlimanna ᶜabda-ka*), and NPAF no. 6, in which he tells a subordinate not to make levies from the populace without letting them have a chance to confer with him (the governor).

[51] PSR no. 3 (A.H. 91): *wa-ttaqi llāh fīmā talī fa-ʾinnamā hiya [a]mānatu-ka wa dīnu-ka. . . .*

[52] TGAP I, no. 1338.

from the caliph down to the village seems to be well established.

Finally, we might note that many papyrus letters end with pious phrases such as *wa-l salām ᶜalā man atbaᶜa l-hudā*.[53] This also can be viewed as expressing a notion of absolute Law in the form of *hudā* (guidance by God).

3. *State Responsibility for Domains.* Much of the evidence adduced above for public works and for the concept of the state's authority to rule in accordance with a notion of Law also tends to support the contention that the state saw itself as responsible for the common weal within its domains. We can note, however, that some papyri also reveal the governors to have been concerned with the welfare of the population; in particular, we find them writing to subordinates demanding that they take specified measures to forestall food shortages, hoarding of grain, and famine pricing in certain localities.[54]

IV. This brief survey suggests that, on the basis of our definition, a state did exist from the time of ᶜAbd al-Malik (A.D. 685–705), and that it probably existed back into the time of Muᶜāwiya b. Abī Sufyān (A.D. 661–680), that is, back to about A.H. 50. There is some evidence that ᶜAbd al-Malik attempted to establish a more systematic state organization, but certain elements of the state seem to have been in place before his time: notably the *rizq* or official rations for troops, the taxation and military administrations, the practice of resorting to officials of the government for the adjudication of disputes, and the notion of an overriding Law.

Whether the state existed prior to circa A.H. 50, we cannot say on the basis of documents alone; their testimony is too fragmentary and too thin to permit such a conclusion. We can note, however, that even some of the earliest Islamic documents, dating to the twenties, thirties, and forties of the Islamic era, already appear to attest to some of the institutional or ideological elements we have associated with the state. How long these various institutions and concepts had been current in the Islamic community when we first find documentary evidence of them cannot be known, but it is fair to assume at least a little lead time; that is, it seems unlikely that our earliest extant documents describing a particular practice or notion were made at exactly the time that practice or notion first appeared within the community. For one thing, the documents that do mention such institutions or concepts do not give the impression that they were something very new; they seem, rather, to treat these institutions and concepts as familiar and established within the Islamic community when the documents were written. The question of whether or not a state already existed in the days of the prophet Muḥammad or of the caliphs Abū Bakr, ᶜUmar, ᶜUthmān, and ᶜAlī, must remain unanswered, in view of the absence of documentation.

It is worth reminding ourselves at this point what our problem for the earliest decades of the Islamic era is. The problem is not that the documents for the earliest Islamic period do not attest to a state; it is that *we have virtually no documents for the earliest period.* It seems likely to me that our difficulties in establishing a documentary foundation for the existence of a state are less the result of a conspiracy among Muslim writers who projected a non-existent state back into this early period, than merely the result of our misfortune in not finding any documents from the earliest period. There are, after all, several cogent reasons other than the absence of a state that might explain this dearth of documentation for the earliest period:

(1) Almost no archaeological research has yet been carried out in the Arabian peninsula, where many of the earliest episodes of Islamic history took place.

(2) Neither the materials out of which many of the earliest documents would have been made (papyrus, parchment, wood, leather) nor climatic and geographical conditions in Arabia and adjacent parts of the Fertile Crescent were particularly suitable for the longevity of documents. The Ḥijāz, for example, is for the most part rocky, and receives a certain amount of rainfall annually—indeed, sometimes torrential rainfall. It had, then, neither the quantity of sand and fine earth, nor the consistent aridity, of Egypt, the province from which most of the earliest Islamic documents come.

(3) Whatever our view of the literary sources, there can be little doubt that the reign of ᶜUmar, and especially those of ᶜUthmān and ᶜAlī, were turbulent, and for that reason not particularly suited to the careful filing and preservation of those documents that may have been made. Frequent administrative changes generated by the rapidly-changing conditions of the conquest era, and the turmoil of the rather lengthy civil war that took place during this period, may have meant that many documents were simply discarded once they had served their immediate purpose, or were destroyed in warfare or consequent upon moving the organs of government. While these considerations

[53] E.g., APEL III, no. 147 (A.H. 91/A.D. 710); also PAF, no. 7.

[54] E.g., NPAF no. 4; also PSR no. 2, urging a subordinate to prevent merchants from hoarding grain to drive up prices.

cannot by any means be taken as proof that documents produced by a state did exist in the earliest Islamic period, they are sufficient to make us view with great reservation any argument claiming that the lack of documents for this period implies the lack of a state.

It is of course true that political and cultural conditions in North Arabia on the eve of Islam were very different from those in the Fertile Crescent, Egypt, Iran, and other regions conquered by the early Muslims. In the former, there were no established traditions of state rule or of bureaucratic administration, to the best of our knowledge. The latter regions, on the other hand, boasted ancient and deeply-rooted traditions of statehood and administration, and it is clear that both the mentality of acquiescence to state rule, and many administrative institutions themselves, must have been taken over by the conquering Arabians along with the territory they occupied. Even if we come across documents from, let us say, Egypt during the reign of ʿUmar (A.D. 634–644), we are entitled to ask whether such documents imply that ʿUmar (i.e., the central government) had a bureaucracy, or only his governor in Egypt. Was the "early Islamic state" or central government, in other words, only constituted later by establishing a kind of general supervision over existing Islamic provincial administrations that may themselves have owed everything to the old administrative traditions of the provinces themselves? Did the Islamic state only appear as a kind of afterthought designed to stitch together the various provincial administrations, once virtually independent, that had been conquered by the expanding Arabian Muslims?

Once again, we face questions that cannot yet be answered with any finality because our documentary sources are too thin. But as we sort through the evidence and strive to assemble an answer, it will be important to remember a few things. One is that at the beginning of the Islamic conquest, the uppermost levels of the administration—if there existed such a thing—could have been quite simple, perhaps roughly equivalent to the organization of military units. There would have been no need, for example, to have a full panoply of tax assessors for each of the provinces at the imperial center at the outset of the conquest of those provinces; it was only necessary that there exist someone able to keep general accounts of income and expenditure by province, a kind of basic accounting that was probably well within the capabilities of the Quraysh. Certainly the lower levels of the administration, at least for tax assessment and the like, must have consisted of local people (i.e., mostly non-Muslims and non-Arabians) in the earliest years of the Islamic era. Naturally, this would mean that the established administrative traditions of a given province would survive into the Islamic period and become, in a sense, part of the new Islamic tradition of state administration. This is a little different from saying, however, that the Muslim conquerors merely "took over" a state apparatus because they had none of their own. The difference would lie in the existence of some kind of central authority that would integrate local administrative structures into itself and utilize them for its own needs. If the lower levels of the administration (especially for taxes) were filled with non-Muslims and non-Arabians, it is nonetheless possible that the dominant, uppermost levels of the administration were staffed primarily, if not almost exclusively, by Arabian Muslims, even from the earliest times.[55] We must remember, in short, that the administration was something that grew as the need for it grew.

Another thing to remember as we work to resolve these problems is that, given the level of communications of the time, provincial governors (and even local officials) certainly would have had a great deal of independence of action. Whatever central government existed in the earliest days was probably like a kind of loose net thrown over them, tying them together, providing them with general guidelines on policies to be followed. It would still qualify, however, as a central government, as the power and authority structure of a state.

Finally, we should recall that, for Egypt at least, the arrival of the Muslims seems to have resulted in the establishment of a centralized government where there really had not been one before. The Byzantine regime in Egypt on the eve of the Islamic conquest had been marked by a decentralization so thorough that it converted the country into "a number of unconnected provinces or eparchies, each under a governor enjoying both civil and military power. There was no central authority. . . ."[56] One might say that in Egypt, then, there was no state for the Muslims to borrow; administrative machinery there was, but "for the former decentralization [the Muslims] substituted an almost

[55] It is interesting to note—if the reader can pardon reference to a literary (i.e., non-documentary) source at this point—that an examination of such texts as al-Jahshiyārī's *Kitāb al-wuzarāʾ* bears out the notion of Arab administrators in the upper echelons of the administration even in fairly early times.

[56] H. I. Bell, "The Administration of Egypt under the Umayyad Khalifs," *Byzantinische Zeitschrift* 28 (1928), pp. 278–86, at p. 278. This article summarizes Bell's observations on Umayyad administration based on his thorough study of the Greek papyri of the early Islamic period.

excessive centralization. For most purposes the chief unit was now the pagarchy, and the pagarchs were placed directly under the governor at Fusṭāṭ . . ."[57] Wherever the Muslims who conquered Egypt got their concept of state and highly centralized state authority, they did not get it in Egypt.

V. The Umayyad state, regardless of what may have preceded it by way of governing institutions in the Islamic community, prefigured the Abbasid state in methods, iconography, and other ways. The notion that the Umayyads were rude desert sheikhs living in desert castles, whereas the Abbasids were "bureaucratized" and "Persianized," is to some extent a false dichotomy. While there certainly was development in both institutions and in the ideology of state rule between Umayyad and Abbasid times, there were also important continuities that linked them.[58]

The early Islamic state (speaking now of the Umayyad and early Abbasid states as a unit) naturally served as a kind of model for political theorists in the Islamic world. Although Abbasid theorists castigated the Umayyads as mere "kings" (*mulūk*), ruling without legitimacy, methinks the Abbasid apologists protest too loudly, and in doing so notify us that in fact the Umayyads *had* claimed to legitimize their rule in much the same manner as their Abbasid successors. It was for just this reason that the Abbasids had to hew this line so aggressively. What is most striking in later Islamic political theory—which develops only when the Abbasid state is beginning to fall to pieces—is its emphasis on the unity of caliphal authority and the moral necessity of unified caliphal rule.[59] Where had this emphasis on unity in government come from, if not from the Umayyad-Abbasid model? The Qurʾān has very little to say about political authority and, although its general emphasis on the unity of God and the force of God's will might be seen as reinforcing the notion of unified political authority, there is nothing in the book that requires that political authority be unified. One could argue that the unity emphasis really had little to do with the early political experience of the Islamic community, and arose mainly as a reaction to the chaos of the period of collapse, as a kind of wishful thinking about the "good old days" some fifty or more years earlier at the height of the Abbasids' power, when the caliphs really were absolute monarchs. But I think it more likely that the theorists' emphasis on the unity of political authority, and the Abbasids' realization of that ideal, were the consequences of the actual unity of the very early Islamic state. It is striking that during the Umayyad period, despite the vast extent of the empire, despite many attempts at rebellion against the Muslims by non-Muslim subjects, and despite frequent civil wars within the Islamic community itself, local autonomy movements by Muslim governors hardly, if ever, occurred. Governors simply do not seem to have found the idea of seceding from the Islamic state and setting themselves up independently as a defensible, or desirable, aspiration. Anti-caliphs did arise, to be sure, but all such rebels claimed, like the caliphs themselves, to hold undivided authority to rule the state in their hands; they were fomenting not secession, but revolution. The notion of the indivisibility of political authority thus seems to go back to the earliest experience of the Islamic state, and to the earliest chapters in Islamic history.

[57] Ibid., p. 279.

[58] See H. A. R. Gibb, "The Evolution of Government in Early Islam," *Studia Islamica* 4 (1955), pp. 1–17; *Encyclopaedia of Islam* (2nd edition), article "ʿAbd al-Ḥamīd b. Yaḥyā b. Saʿīd."

[59] On the development of this political theory, see Erwin I. J. Rosenthal, *Political Thought in Medieval Islam* (Cambridge University Press, 1958), and Ann K. S. Lambton, *State and Government in Medieval Islam* (Oxford University Press, 1981).

ABBREVIATIONS USED IN FOOTNOTES

AN — Heinz Gaube, *Arabosasanidische Numismatik* (Braunschweig: Klinkhardt & Biermann, 1972)

AP — Adolf Grohmann, *Arabische Paläographie* (Wien: Österreichische Akademie der Wissenschaften, 1967–)

APEL — Adolf Grohmann, *Arabic Papyri in the Egyptian Library*, 6 vols. (Cairo: Egyptian Library Press, 1934–1962)

CABC — John Walker, *A Catalogue of the Arab-Byzantine and Post-Reform Umayyad Coins* (London: The British Museum, 1956)

CASC John Walker, *A Catalogue of the Arab-Sassanian Coins* (London: The British Museum, 1941)

EAGWS George C. Miles, *Early Arabic Glass Weights and Stamps* (New York: The American Numismatic Society, 1948)

GPEIP Adolf Grohmann, "Greek Papyri of the Early Islamic Period in the Collection of Archduke Rainer," *Etudes de papyrologie* 8 (1957), pp. 5–40

KP Nabia Abbott, *The Ḳurrah Papyri from Aphrodito in the Oriental Institute* (Chicago: University of Chicago Press, 1938)

Mird Adolf Grohmann, *Arabic Papyri from Ḫirbet el-Mird* (Louvain: Publications Universitaires, 1963)

Nessana Casper J. Kraemer, *Excavations at Nessana III. Non-Literary Papyri* (Princeton: Princeton University Press, 1958)

NPAF C. H. Becker, "Neue Papyri des Aphrodito-Fundes," *Der Islam* 2 (1911), pp. 245–68

PAF C. H. Becker, "Arabische Papyri des Aphrodito-Fundes," *Zeitschrift für Assyriologie* 20 (1907)

PSR C. H. Becker, *Papyri Schott-Reinhardt, I.* (Heidelberg: Carl Winter, 1906)

TGAP H. I. Bell, "Translations of the Greek Aphrodito Papyri in the British Museum," I, *Der Islam* 2 (1911), pp. 269–83; II, pp. 372–84; III, *Der Islam* 2 (1912), pp. 132–40; IV, pp. 369–73; V, *Der Islam* 4 (1913), pp. 87–96