

Cyprus and Its Legal and Historiographical Significance in Early Islamic History

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During the early Islamic period Cyprus was a frontier territory unlike most—control, influence, and tax revenue over the island were shared mutually by both the Byzantine and Islamic states—and the historiographical record demonstrates that its legal and administrative status was fraught with challenges. The present study is based on the surviving Arabic material in Abū ‘Ubayd al-Qāsim b. Sallām’s (d. 224/838) *Kitāb al-Amwāl*, subsequently transmitted in *Kitāb Futūḥ al-buldān* of al-Balādhurī (d. ca. 278/892). It argues that the problematic nature of Cyprus in this period, coupled with Abū ‘Ubayd’s unprecedented access to genuine correspondence of jurists from the end of the eighth century, led the author to enshrine important documentary evidence that did not survive elsewhere. Furthermore, it suggests that the continued source-critical and comparative analysis of early Arabic narrative source material can still yield fruitful information for an understanding of the earliest centuries of Islamic history despite the sources’ many limitations.

INTRODUCTION

In the period from the Islamic conquests to the fourth/tenth century Cyprus presented an exceptional circumstance for both Muslim and Byzantine administrators, and the surviving historical record recalls the difficulty faced by both in considering how best to govern and manage this frontier territory. Unlike the traditional frontier territory from this time, Cyprus proves to be a region that reveals the more intricate political and social relationships between the Muslims and the Byzantines. Arabic administrative treatises contemplating this early period demonstrate that the case of Cyprus had minimal judicial precedent that could be applied to its classification and treatment; it therefore has become a rare example of a precedent-setting administrative decision from the late eighth century. Rather than being subjugated by the armies of the Islamic conquests and becoming an island governed by the Islamic state, Cyprus is reported to have remained only a tributary to the caliphs.¹ Unsurprisingly, Muslims had expectations of the Cypriots, including a regular payment for the cessation of hostilities, but the Arabic sources present Cyprus as having been a divided land that wavered in its support between the Byzantines and the Muslims. Both sides came to accept an economic and influence-sharing neutrality on the island, and yet surviving sources show both parties eager to gain ascendancy over the other through their Cypriot proxy. The medieval historical tradition suggests that the roots of divisions stretch far beyond the modern challenges of Cypriot nationalism and statehood.

The historical reports depict the island and its inhabitants’ status as having vacillated wildly in allegiance throughout this period, presenting great difficulty for the modern-day

I am extremely grateful to Robert Hoyland and Harry Munt for reading and commenting on early drafts of this article. Any remaining errors are, of course, my own.

1. Modern scholars of this period in Cypriot history often refer to it as the “condominium” era.

scholar attempting to reconstruct the history of the island at a vital crossroads. At the center of the challenges created by this region in the historiographical record are two major incidents that followed the arrival of Muslim influence on the island. The first of these purportedly occurred in the Umayyad period during the reign of al-Walīd b. Yazīd b. ʿAbd al-Malik (r. 125–26/743–44), where suspicion of a certain portion of the population led the caliph to remove them from the island. The second occurred during the Abbasid age and the reign of Hārūn al-Rashīd (r. 170–93/786–809), when the caliph’s governor of the frontier cities is said to have raided the island as punishment for an unnamed transgression. This transgression under the Abbasids seems to have gone largely unnoted in much of the extant Muslim and non-Muslim historical sources. It seems to have created a difficult circumstance that needed to be coped with by the legal and secretarial classes of the day, however, and *Kitāb al-Amwāl* (The Book of Revenue) of Abū ʿUbayd al-Qāsim b. Sallām (d. 224/838) and, subsequently, *Kitāb Futūḥ al-buldān* (The Book of the Conquest of Lands) of al-Balādhuri (d. ca. 278/892) preserve these difficulties. Through analysis of this second tense period, this study will discuss the issues concerning the management of early Islamic Cyprus from the perspective of the Muslims. Despite the silence of non-Muslim sources on issues with the island during the early Abbasid period, the manner in which this particular incident is recorded in the above texts suggests that it was an important event for Muslim jurists and administrators. Record of the event survives only thanks to the availability of correspondence between Hārūn al-Rashīd’s governor of the Syrian frontier territories, ʿAbd al-Malik b. Ṣāliḥ (d. 196/811), and prominent jurists of the day, faced with the dilemma of how best to handle violations of a unique peace agreement. As such, it testifies to how continued source-critical analysis and comparison of traditions contained within the early Arabic historical tradition can provide input into identifying certain traditions that are more reliable than others.

THE SOURCES AND METHODOLOGICAL APPROACH

An inevitable caution that must be wielded by any scholar relying on the surviving Arabic sources for a reconstruction of the earliest centuries of Islam is that, while these sources may well have their traditions originating with informants contemporary to the events they describe, there are very few written Arabic sources that we can securely date to the seventh and eighth centuries; even then, these sources often provide us with only a small, regional glimpse at the political and social realities of the early Islamic world.² Much of this surviving Arabic material postdates the events described by a significant time period, with the earli-

2. In particular, I refer to the substantial developments made in the field of Arabic papyrology from the second half of the twentieth century until the present day. As contemporaneous evidence for the earliest decades of Islam, this scholarship is absolutely vital for our understanding of the governance of the early Islamic state, as well as of the realities “on the ground” for local residents (often non-Muslims) living under Muslim rule. With this said, however, their limitations are numerous, too: often, this papyrological evidence covers only a very small region (primarily portions of Egypt) and focuses on the “low-level” interactions (between regional/local bureaucrats and the nearby inhabitants) of the state in that region alone. Inscriptions can also provide a brief but vital contemporary voice for the period in question, but they are inevitably limited in scope. One early inscription in Arabic is said to have been found on a tombstone in Cyprus dating it to the month of Ramaḍān, A.H. 29 (May, 650). For greater discussions on the value and availability of papyri, see Petra Sijpesteijn, “Arabic Papyri and Islamic Egypt,” in *Oxford Handbook of Papyrology*, ed. R. S. Bagnall (Oxford: Oxford Univ. Press, 2009), 452–72; for a discussion of Islamic epigraphy, see Robert Hoyland, “Epigraphy and the Emergence of Arab Identity,” in *From al-Andalus to Khurasan: Documents from the Medieval Muslim World*, ed. Petra Sijpesteijn et al. (Leiden: Brill, 2006), 219–42; and on the Cyprus tombstone inscription specifically, which survives only in the work of al-Harawī (d. 611/1215), see ʿAlī b. Abī Bakr al-Harawī, *Kitāb al-Ishārāt ilā maʿrifat al-ziyārāt*, ed. and tr. Josef W. Meri as *A Lonely Wayfarer’s Guide to Pilgrimage* (Princeton: Darwin, 2004), 144–45.

est histories—often narrative in nature—not surviving from before the early- to mid-ninth century. These sources can also often conflict with and contradict the evidence provided by one another, as a discussion of the narrative of the conquest of Cyprus will demonstrate. For both Muslim and non-Muslim sources, what often does survive are the grander universal histories that offer only little coverage of local issues, while also including thematic or dramatic flourishes.

The present study wishes to augment the dialogue on Cyprus contributed to by a number of Byzantinists. Robert Browning defined his limitations in discussing Cyprus in the early medieval period as a clear focus on the Greek and other Byzantine sources.³ This limitation of modern studies has often restricted Byzantinists interested in the early Islamic history of the island to *Futūḥ al-buldān*.⁴ This is due not only to its integral nature as one of the earliest surviving sources from the Islamic tradition, but also to its availability in an English translation.⁵ This limitation has meant, however, that an insightful early Arabic informant relied on by the ninth-century historian al-Balādhurī for a substantial portion of his section on Cyprus has rarely been invoked in this discussion. Abū ‘Ubayd al-Qāsim b. Sallām—cited overtly by al-Balādhurī as the source of eight of his sixteen individual traditions in his chapter on the island—was a traditionist and jurist who had a keen interest in philology. His surviving work, *Kitāb al-Amwāl*, contains al-Balādhurī’s reports on eighth-century Cypriot history. Even though some have identified al-Balādhurī’s reliance on Abū ‘Ubayd’s material for this chapter, comparative work between the two texts does not appear to have been done, despite questions over the authenticity of materials contained within.⁶

The troublesome events that occurred between the Cypriots and the Muslims during the eighth century rarely interest the non-Muslim sources and are therefore ignored by many modern reconstructions of the island’s history during this period. The few non-Muslim sources that do mention conflict (whether regular raiding or otherwise) completely fail to mention the legal debate that Cyprus’s status and apparent transgressions caused during the reign of Hārūn al-Rashīd. There are several possibilities for why this may be the case: the Muslim tradition may be confusing or simply fabricating the events in question; the non-Muslim sources may have had no interest in including these accounts within their own traditions; or the non-Muslim sources did not have access to the material in question for their own compilations.

Of these possibilities, a combination of the latter two seems most likely, especially when one recognizes that the entire Arabic historical tradition covering the eighth century does not universally record these events as having transpired. Even the monumental universal history of al-Ṭabarī (d. 310/923), *Ta’rīkh al-rusul wa-l-mulūk* (The History of the Prophets and

3. Robert Browning, “Byzantium and Islam in Cyprus in the Early Middle Ages,” *Epeteris tou Kentrou Epistemonikon Spoudon* 9 (1977): 101–16.

4. Among the exceptions to this is Mohamad Tahar Mansouri, *Chypre dans les sources arabes médiévales* (Nicosia: Cyprus Research Centre, 2001).

5. Al-Balādhurī’s text was translated into English by Philip K. Hitti (vol. 1) and Francis C. Murgotten (vol. 2) as *The Origins of the Islamic State* (New York: Columbia Univ. Press, 1916–24). When citing *Futūḥ al-buldān*, the reference will be to the Arabic edition of Ṣalāḥ al-Dīn Munajjid (Cairo: Maktabat al-Nahḍa al-Miṣriyya, 1956–57) with the page numbers to the translation (vol. 1) in parentheses.

6. The work of Marius Canard recognizes the importance of Abū ‘Ubayd’s original text; both his work and, later, that of Costas Kyrris identify Abū ‘Ubayd as the source of al-Balādhurī’s information, but neither compares his surviving text with al-Balādhurī’s account. See Marius Canard, “Deux épisodes des relations diplomatiques arabo-byzantines au Xe siècle,” *Bulletin d’Études Orientales* 13 (1949–51): 51–69, at 67; Costas P. Kyrris, “The Nature of the Arab-Byzantine Relations in Cyprus from the Middle of the 7th to the Middle of the 10th Century A.D.,” in *Graeco-Arabica* 3 (1984): 149–75, at 150–51.

Kings),⁷ as well as other important early Arabic historical texts fail to mention the debate surrounding the island's status that is so carefully preserved by Abū 'Ubayd. The debate itself fits well within the thematic context and focus of Abū 'Ubayd's *Kitāb al-Amwāl*—a compilation of legal opinions of considerable variety, to which Abū 'Ubayd provides commentary and interpretation of the precedent contained within—while it was not of such close relevance to other authors, both contemporary to him and later. Since it was a judicial text primarily concerned with the rules and precedents governing taxation, revenue, and the possession of territory, Cyprus and its treatment within the greater Islamic legal context provided an important model that may have been relevant for future generations of jurists and administrators. Moreover, Abū 'Ubayd's access to the source material that contained the debate, which was not available to others, also seems an essential reason for the inclusion of this Cypriot material within his text.

As will be discussed below, the form the legal debate takes over how to handle the Cypriots during the reign of Hārūn al-Rashīd is unusual when compared to much of what is found in *Kitāb al-Amwāl*—it is found entirely within a series of letters communicated between famed jurists of the period and a governor of the frontier territories. Abū 'Ubayd states that he “found their letters [to the governor]” in “his register (*dīwān*),” very likely the formal state register for the region ruled by the governor. He probably learned of this debate and gained access to the letters in question between 192–210 (807–25), while serving as the judge of Ṭarsūs, a town in the southern coastal region of Anatolia that would have been in the same administrative *jund* ruled over by Hārūn's governor, 'Abd al-Malik b. Ṣāliḥ. With the extraordinary circumstances of Cyprus during the first two Muslim centuries becoming precedent-setting issues themselves,⁸ he conceivably chose to include this debate because of its relevance for other territories that would be allowed to pay tribute rather than submit to full governance under the Islamic state. It is possible that yet another raid under Hārūn in 806 C.E.⁹—just preceding Abū 'Ubayd's judgeship—reinforced his desire to see Cyprus's problematic nature preserved for future generations of jurists, and the material available in the records of the frontier *dīwān* provided the dialogue.

A NARRATIVE OF RAIDS AND “CONQUEST”

While there have been attempts to reconstruct a narrative history of Cyprus in the early Islamic period, some discussion is necessary here in order to contextualize the administrative difficulties that eventually arose.¹⁰ While the Islamic conquests began in earnest in the early 630s, Cyprus is not remembered in the historiographical record as having interested Mus-

7. Al-Ṭabarī, *Ta'rikh al-rusul wa-l-mulūk*, ed. M. J. de Goeje, as *Annales quos scripsit Abu Djafar Mohammed ibn Djarir at-Tabari* (Leiden: E. J. Brill, 1879–1901). The entire work was published in English as *The History of al-Ṭabarī* (ed. Ehsan Yarshater, New York: SUNY Press, 1989–99). References to the English volumes will be cited henceforth as al-Ṭabarī, *History*, vol. no., and pages to the corresponding reference in the edition will follow in parentheses.

8. Cyprus never seems to have been wholly possessed by the Muslims during this period. See A. I. Dikigoropoulos, “The Political Status of Cyprus A.D. 648–965,” in *Report of the Department of Antiquities, Cyprus: 1940–1948* (Nicosia: Government of Cyprus, 1958), 94–114.

9. Theophanes Confessor, *Chronographia*, tr. Cyril Mango and Roger Scott as *The Chronicle of Theophanes Confessor* (Oxford: Clarendon Press, 1997), 662; al-Ṭabarī, *History*, vol. 30: *The 'Abbāsid Caliphate in Equilibrium*, tr. C. E. Bosworth, 262 (3,2: 709); George F. Hill, *A History of Cyprus* (Cambridge: Cambridge Univ. Press, 1940), 1: 293.

10. See D. M. Metcalf, *Byzantine Cyprus: 491–1191* (Nicosia: Cyprus Research Centre, 2009); Hill, *History of Cyprus*; A. I. Dikigoropoulos, “Cyprus betwixt Greeks and Saracens, A.D. 647–965” (Ph.D. diss., Univ. of Oxford, 1961).

lim commanders until the Syrian governorship of Muʿāwiya b. Abī Sufyān (18–35/639–56). Muʿāwiya reportedly wrote to the second caliph ʿUmar (r. 13–23/634–44) to request permission to invade the island, citing its closeness to the Muslim-held coastline and the ease with which it could be captured.¹¹ ʿUmar refused this request, in some reports citing a fear of the sea and his concern for the well-being of the Muslims involved in the island’s invasion. During the reign of his successor, ʿUthmān (r. 23–35/644–55), Muʿāwiya wrote again for permission to conquer Cyprus. While ʿUthmān expressed concern over the endeavor,¹² he granted him permission on the condition that he set sail with members of his immediate family, namely, his wife. Al-Balādhurī and Khalīfa Ibn Khayyāt (d. 240/854) report that Muʿāwiya and ʿUbāda b. al-Ṣāmit set sail with their wives to attack the island; Ibn Aʿtham (fl. early 200s/800s) states that ʿUthmān required him to set sail “with his wife and his children.”¹³

Exact details concerning attacks against the island vary, and make a definitive reconstruction of the conquest difficult. The available early Arabic sources often list multiple dates for the island’s invasion and peace treaty, including 27, 28, and 29; the surviving non-Arabic sources, including two important inscriptions from Soloi on the northern Cypriot coast that state there were two separate attacks, say it transpired between 648–50 (A.H. 27–30).¹⁴ Al-Balādhurī writes that there were two separate attacks by Muʿāwiya against the Cypriots because of a violation of their peace agreement, but al-Ṭabarī disagrees with this, while Khalīfa has no knowledge of the second. While the Soloi inscriptions almost certainly confirm two attacks—which al-Balādhurī’s unnamed informants seem to have communicated to him—al-Balādhurī’s account of a second event (in either 33 or 35/653f. or 655f.)¹⁵ perhaps more likely describes a third event, which occurred after the Soloi inscriptions were etched. In al-Balādhurī’s tradition of the “second invasion,” the reader is informed that this attack occurred because of a violation of the original peace agreement made between the Muslims and the Cypriots; following the attack, the agreement was reportedly reaffirmed rather than a new agreement made.¹⁶ Its exact date of creation is not currently relevant, but the fact that a single Arabic source such as al-Balādhurī includes so many separate dates for the attack

11. Al-Ṭabarī, *History*, vol. 15: *The Crisis of the Early Caliphate*, tr. R. Stephen Humphreys, 26 (1,5: 2820–21); al-Balādhurī, *Futūḥ al-buldān*, 181 (1: 235); Ibn Aʿtham al-Kūfī, *Kitāb al-Futūḥ* (Hyderabad: Dāʾirat al-Maʿārif al-ʿUthmāniyya, 1968–75), 2: 117–18.

12. In al-Balādhurī’s report (*Futūḥ al-buldān*, 181 [1: 235]), ʿUthmān denies Muʿāwiya’s first request before finally assenting in the year 27 (647f.).

13. The request that he sail with his family members is almost certainly a topos, intended not only to demonstrate Muʿāwiya’s commitment to the conquest, but also the ease with which the island was conquered by the Muslims—so simple and safe that Muʿāwiya was comfortable bringing his family along. Since ʿUbāda’s wife, Umm Ḥarām, died during the conquest, the reports clarify—to underscore the ease of conquest—that her death was not on account of fierce fighting or the danger of the undertaking, but because the mule she was riding stumbled, killing her. Al-Balādhurī, *Futūḥ al-buldān*, 182 (1: 235–37); Ibn Khayyāt, *Taʾrīkh Khalīfa b. Khayyāt*, ed. Suhayl Zakkār (Damascus: Wizārat al-Thaqāfa wa-l-Siyāḥa wa-l-Irshād al-Qawmī, 1967), 1: 166; Ibn Aʿtham, *al-Futūḥ*, 2: 118.

14. Denis Feissel, “Jean de Soloi, un évêque chypriote au milieu du VIIe siècle,” *Travaux et Mémoires* 17 (2013): 219–36; Jean des Gagniers and Tran Tam Tinh, *Soloi: Dix campagnes de fouilles (1964–1974)* (Sainte-Foy: Les Presses de l’Université Laval, 1985), 115–24; see also the accounts of Theophanes, Agapius, Michael the Syrian, and the Chronicle of 1234—likely relying on Theophilus of Edessa—in *Theophilus of Edessa’s Chronicle and the Circulation of Historical Knowledge in Late Antiquity and Early Islam*, tr. Robert G. Hoyland (Liverpool: Liverpool Univ. Press, 2011), 131–34; *The Chronicle of Zuqnīn*, tr. Amir Harrak (Toronto: Pontifical Institute of Medieval Studies, 1999), 144.

15. Al-Balādhurī, *Futūḥ al-buldān*, 181–82 (1: 236).

16. Ibid.

against the island and the eventual peace agreement attests to the difficulty of dating the agreement precisely.¹⁷

The settlement agreement reached between Muʿāwiya and the Cypriots is of particular importance. Likely owing to the island's proximity to and influence of its Byzantine neighbors, the island was not a traditional conquest by the Muslims. While the early Arabic sources are somewhat vague on this particular point, the linguistic choices made by the authors to describe the island speak more plainly: many avoid depicting it as a conquest (from the root *f-t-h*), but prefer to speak of it in terms of a raid (*ghazā*). Al-Balādhurī regularly provides chapter headings for his sections on the conquests of territory by using the term *futūḥ* (conquest) in the title, e.g., *futūḥ al-jazīra*; for Cyprus, however, he seems to intentionally call his section on the island "The Matter (*amr*) of Cyprus."¹⁸ This is not universal across the Arabic historical tradition, however, and further demonstrates the contentiousness and problematic nature of the Cypriots' status in the early Islamic period.¹⁹ Al-Balādhurī records the following two reports on the manner of the attacks against the island and the subsequent peace agreement; the first was communicated to al-Balādhurī on the authority of al-Wāqidi "and others besides him (*ghayruhu*)," and the second by Hishām b. ʿAmmār al-Dimashqī:

1. Muʿāwiya b. Abī Sufyān raided (*ghazā*) by way of the sea, the first raid of Cyprus [. . .]. He settled peace terms with them (*ṣālahahum ʿalā*) at 7,200 dinars each year, and the Byzantines [also] agreed terms like that with them. Therefore, they had two payments (*kharājayn*). They [the Cypriots] made it a condition that the Muslims would not prevent them from honoring their agreement with the Byzantines. The Muslims placed a condition on [the Cypriots] that they would not fight whomever wished them harm, and that they would inform the Muslims regarding the movements of their enemies, the Byzantines. Thus, when the Muslims took to the sea, they [the Cypriots] did not intervene against them (*lam yaʿraḍū lahum*). The people of Cyprus did not give aid to them [the Muslims], nor did they gave aid [to anyone] against them.²⁰

2. Muʿāwiya b. Abī Sufyān raided (*ghazā*) Cyprus himself, and with him was his wife. God conquered it (*fatahahā*) magnificently, and the spoils of war He brought to the Muslims were great. The Muslims continued raiding them until Muʿāwiya agreed to a permanent peace treaty (*ṣulḥ*) with them during his reign (*ayyāmihi*) for [the payment of] 7,000 dinars and for their giving information to the Muslims warning them about their enemy, the Byzantines.²¹

The difficulty is further clouded by the mention that Muʿāwiya built a mosque and a city (*madīna*) on the island and stationed a garrison there, which remained until his son and successor, Yazīd (r. 60–64/680–83), removed the troops and ordered the Muslim city destroyed.²²

17. See Kyrris, *Nature of the Arab-Byzantine Relations*, 152–53, for a fuller discussion of this debate and the evidence of the non-Muslim sources. Additionally, early Islamic conquest traditions regularly present the first action taken by the Muslims after the conquest of a region (when conquered forcibly) as creating a settlement agreement, the terms of which remained binding for posterity. For more on this, see Milka Levy-Rubin, *Non-Muslims in the Early Islamic Empire: From Surrender to Coexistence* (Cambridge: Cambridge Univ. Press, 2011), 8–57; Chase Robinson, *Empire and Elites after the Muslim Conquest: The Transformation of Northern Mesopotamia* (Cambridge: Cambridge Univ. Press, 2000), especially 1–15.

18. Ibn Khayyāt, *Taʾriḥ*, 166; Ibn Aʿtham, *al-Futūḥ*, 2: 117–24; al-Balādhurī, *Futūḥ al-buldān*, 181 (1: 235).

19. See, for instance, al-Yaʿqūbī's account of the conquest: "Muʿāwiya b. Abī Sufyān conquered (*iftataḥa*) Cyprus"; al-Ṭabarī's account: "In it [the year 28] Cyprus was conquered (*fataḥa*) at the hand of Muʿāwiya; he raided it at the command of ʿUthmān"; and, finally, the second of al-Balādhurī's accounts detailed below. Al-Yaʿqūbī, *Taʾriḥ*, ed. M. Th. Houtsma as *Ibn-Wādhīh qui dicitur al-Jaʿqubī Historiae* (Leiden: E. J. Brill, 1883), 2: 191; al-Ṭabarī, *History*, 15: 25 (1.5: 2819–20); al-Balādhurī, *Futūḥ al-buldān*, 183 (1: 237).

20. Al-Balādhurī, *Futūḥ al-buldān*, 181 (1: 236).

21. Ibid., 183 (1: 237).

22. Ibid., 182 (1: 236).

Thus, whether Cyprus was considered to have been a conquered and wholly possessed Muslim territory is not a straightforward matter in the early Arabic historical tradition.²³ Between the period of Mu'āwiya's first raids against the island and Yazīd's destruction of the settlement, Muslim presence on the island is not evidence that the Muslims viewed Cyprus, legally and administratively, as a conquered territory.²⁴ It was a territory in which the Muslims held a vested interest, but more than this is not supported by the available sources, written or material.²⁵

The Arabic sources do agree, however, that the peace agreement between the Cypriots and the Muslims was different from that for the majority of conquered territories. The agreement included additional clauses stipulating that the Cypriots would have fee liabilities to both sides, and that they would be safe as long as the islanders did not provide any aid—seemingly in fighting men or information—to the Byzantines against the Muslims. While bound by a peace agreement, they seem to have held only a tributary relationship with the Muslims, and the island served as a neutral and convenient territory for the enemy parties to launch naval attacks against each other.²⁶ It was an important staging ground for excursions by sea, but it was not an integral enough locale for either side to wage a prolonged and costly war to control singularly.²⁷ The island's geographic location gave both sides reason to maintain influence over the population—and to limit the influence of the enemy, ensuring that it did not gain an advantage. With this in mind, the detachment of the Cypriots throughout this period seems to have been of paramount importance from the perspective of the Muslims.

It is worth noting that the Arabic historical tradition remembers the original agreement to have been made between the Muslims and the island's inhabitants, not between the Muslims and the Byzantines. The agreement made between the caliph 'Abd al-Malik b. Marwān and the Byzantine emperor Justinian II in 685 C.E. is said by the non-Muslim sources to be the definitive one, while the Arabic sources suggest that it was simply a reaffirmation of

23. Nor is it, for that matter, completely settled in the non-Muslim sources, which differ on whether the island was invaded (Theophanes, Michael the Syrian, *Chronicle of 1234*, *Chronicle of Zuqnin*) or conquered (Agapius). The later writings of Constantine Porphyrogenitus on ninth-century Cyprus further cloud the issue. Hoyland, *Theophilus of Edessa*, 131–34; *Chronicle of Zuqnin*, 144; Agapius, *Historia Universalis*, ed. P. L. Cheikho (Beirut, 1912), 333; Hill, *History of Cyprus*, 294; Browning, "Byzantium and Islam," 106.

24. Browning's assertion ("Byzantium and Islam," 104) that "[t]he establishment of a Muslim 'city' [echoing other *amṣār* like Kūfa and Baṣra] indicates that Mu'āwiya now regarded Cyprus as conquered territory" is a considerable assumption and a deeply problematic parallel. The presence of Muslim forces may be considered a form of occupation, but not the hallmark of a complete and total conquest. This is especially the case when many Muslim jurists and administrators indicate an issue with viewing the island as a traditional conquest, as demonstrated by the correspondence discussed below. See also Metcalf, *Byzantine Cyprus*, 428; Luca Zavagno, "At the Edge of Two Empires: The Economy of Cyprus between Late Antiquity and the Early Middle Ages (650s–800s CE)," *Dumbarton Oaks Papers* 65/66 (2011–12): 121–55, at 123.

25. See especially D. M. Metcalf's discussion in *Byzantine Lead Seals from Cyprus* (Nicosia: Cyprus Research Centre, 2004). Metcalf is wrong to assume, however, that the Cypriots' maintenance of "Greek language and Christian culture" is evidence that the island remained a part of the Byzantine empire. Until at least the ninth century C.E., a substantial portion of the population living in firmly conquered Muslim territory remained non-Muslim, and the bilingual and trilingual papyri from Egypt demonstrate that a change of language (an administrative *lingua franca*, a vernacular, or otherwise) is not necessarily a requirement of a new master. See also Metcalf, *Byzantine Cyprus*, 425–29. On multilingual documentation, see Petra Sijpesteijn, "Multilingual Archives and Documents in Post-Conquest Egypt," in *The Multilingual Experience in Egypt, from the Ptolemies to the Abbasids*, ed. Arietta Papaconstantinou (Farnham, Surrey, UK: Ashgate, 2010), 105–24.

26. Hill, *History of Cyprus*, 290.

27. Or, perhaps, neither wished to risk harm to the economic benefit the island provided, with its extremely fertile lands for the growing of valuable produce, its status as a shipping hub, and its role in shipbuilding. See Zavagno, "At the Edge of Two Empires," 144–55; Ibn A'tham, *al-Futūḥ*, 2: 352.

the earlier agreement. The difference of opinion notwithstanding, by the end of the seventh century the agreement seems no longer to have involved the Muslims and the Cypriots, but had become one between the Muslim and Byzantine states, which may be why the non-Muslim sources do not mention an earlier agreement. The impetus for the agreement of 685 would have been 'Abd al-Malik's concern regarding the prolonged second Islamic civil war (*fitna*)—he would have had no desire at that time to also face an external enemy in the form of the Byzantines. His willingness to formally cede influence on the island to the Byzantines is therefore not surprising.²⁸

The willingness of the two sides to recognize a shared influence over the island, neither side willing (or able) to express outright dominion over the territory, is itself rather remarkable.²⁹ In much of the frontier territory between the Byzantines and the Muslims during this period, especially the natural borderland around the Taurus Mountains, a buffer zone was created between the two sides.³⁰ The local inhabitants either chose to leave this “no man's land” willingly, owing to the continued dangers of enemy raids,³¹ or they were resettled elsewhere by the state, their towns and villages destroyed to avoid providing any advantage to an enemy who might traverse this region.³² These borderlands therefore became difficult, if not outright impossible, places for a community to survive. With Cyprus, however, the available archaeological evidence advocates for the continued vibrancy of the island throughout the period. Furthermore, the surviving material evidence—including the ceramic record and the circulation of coinage—demonstrates the shared cultural and economic influence that both the Byzantine and the Islamic state had on the Cypriots.³³

THE VIOLATION OF TERMS

Despite the suggested permanent nature of the agreement between the two parties, a number of violations of the treaty by the Cypriots are recorded in the Islamic tradition. The primary theme permeating the Arabic historiography of early Islamic Cyprus is the Cypri-

28. Hoyland, *Theophilus of Edessa*, 180–82; Browning, “Byzantium and Islam,” 105.

29. There are very few other territories where such a revenue-sharing agreement seems to have been made between the Byzantines and the Muslims. The treaty between 'Abd al-Malik and Justinian II stated that the two sides would share the revenue of not just Cyprus, but also Armenia and Iberia (here referring to the territory of the southern Caucasus). Theophanes, *Chronographia*, 506.

30. Ralph-Johannes Lilie, “The Byzantine-Arab Borderland from the Seventh Century to the Ninth Century,” in *Borders, Barriers, and Ethnogenesis: Frontiers in the Early Middle Ages*, ed. Florin Curta (Turnhout: Brepols Publishers, 2005), 13–21. For more on the status of the frontier territories between the two sides, see Michael Bonner, *Aristocratic Violence and Holy War: Studies in the Jihad and the Arab-Byzantine Frontier* (New Haven: American Oriental Society, 1996).

31. Cf. the report of al-Balādhuri (*Futūḥ al-buldān*, 201 [1: 262]) of the fleeing inhabitants of Sīsiyya, a frontier town between Antioch and Ṭarsūs. See also Yāqūt, *Muḥjam al-buldān*, ed. Ferdinand Wüstenfeld as *Jacut's geographisches Wörterbuch* (Leipzig: F. A. Brockhaus for the Deutschen Morgenländischen Gesellschaft, 1866–73), 3: 217.

32. See Hans Ditten, *Ethnische Verschiebungen zwischen der Balkanhalbinsel und Kleinasien vom Ende des 6. bis zur zweiten Hälfte des 9. Jahrhunderts* (Berlin: Akademie Verlag, 1993), 177–91, for the decision of the Byzantine emperor Constantine V (r. 741–75) to resettle subjects living in the frontier territories to the more secure European provinces. For the Islamic state practicing an identical policy, see the case of Arabissos discussed below, as well as 'Umar 'Abd al-'Azīz's (r. 99–101/717–20) similar intention with the town of al-Maṣṣīsa, in Abū 'Ubayd, *Kitāb al-Amwāl*, ed. Muḥammad Ḥāmid Fiḳī (Cairo: Maktabat al-Tijāriyya al-Kubrā, 1934), 169–70; al-Balādhuri, *Futūḥ al-buldān*, 198 (1: 258); Yāqūt, *Muḥjam al-buldān*, 4: 557–58.

33. Luca Zavagno, “Two Hegemonies, One Island: Cyprus as a ‘Middle Ground’ between the Byzantines and the Arabs (650–850 A.D.),” *Reti Medievali Rivista* 14,2 (2013): 3–32; idem, “‘Betwixt the Greeks and the Saracens’: Coins and Coinage in Cyprus in the Seventh and the Eighth Century,” *Byzantion* 81 (2011): 448–77.

ots' status as apparent oathbreakers, who regularly violated the original agreement made with Mu'āwiya upon the early conquest of the island. Violations are cited several times by al-Balādhurī, including at least one during the reign of Mu'āwiya; one under al-Walid b. Yazid; and then, finally, on two separate occasions during the reign of Hārūn al-Rashīd. This mention of conflict with the Cypriots under al-Walid is also reported by al-Ṭabarī, who states without explanation that the caliph intended to displace many of the island residents by moving them to Syria or allowing them to flee the island for Byzantine territory.³⁴ Only al-Balādhurī provides a reason, reporting that it was “because of a charge of suspicion (*li-amrin ittahama bihi*) brought against them.”³⁵ They were later allowed to return to the island by the caliph Yazid b. al-Walid (r. 126/744).

In his account al-Balādhurī mentions that the first occurrence of a problem with the Cypriots during the reign of Hārūn al-Rashīd occurred because of a “misdeed” (*ḥadath*),³⁶ and many of the Cypriots were taken prisoner in a raid before later being returned to the island, having “corrected their conduct towards the Muslims.”³⁷ It seems clear that both al-Ṭabarī and al-Balādhurī are referring to an identical incident, one that al-Ṭabarī suggests occurred in the year 125 (742f.). Leaving aside the discrepancy, it was the violation under Hārūn al-Rashīd that prompted an important legal debate involving many of the great juristic minds of the late eighth century, which was recorded by Abū 'Ubayd and transmitted thus by al-Balādhurī:

Abū 'Ubayd said: After that was an incident regarding the people of Cyprus, which is an island in the sea between the Muslims and the Byzantines. Mu'āwiya had entered into an agreement with them on the condition of the payment of tax (*kharāj*) of a certain amount to the Muslims. Along with this, they would pay tax to the Byzantines also. Thus, they had two liabilities, and it remained like that until the time of 'Abd al-Malik b. Ṣāliḥ, who was ruling over the frontier (*thughūr*).³⁸ There was an incident caused by them, or caused by some of them, which 'Abd al-Malik interpreted as a violation of their agreement. There were many jurists during this period, and so he wrote to a number of them seeking their counsel in waging war against them [the

34. It seems odd that al-Ṭabarī did not provide an explanation for why al-Walid would have required a substantial portion of the population to leave the island for either Byzantine or Muslim territory. This option would have been given to them not just to save themselves from attacks by the Muslims, but also to ensure that they did not provide any benefit to the Byzantines, i.e., by giving information or needed supplies to a Byzantine fleet hoping to launch an attack against the island, or letting them use the island as a base of operations for further attacks.

35. Al-Balādhurī, *Futūḥ al-buldān*, 183 (1: 238). Ismā'īl b. 'Ayyāsh's letter, below, refers to the Muslims jurists during the time of al-Walid being appalled by the caliph's decision to remove the inhabitants of the island. Whether this indicates that jurists were engaged in appealing to the caliph in this instance or that they simply expressed their displeasure with the decision in another form is uncertain—no debate from this period has survived. Furthermore, the historians do not provide any details about what exactly happened to those transplanted. This may have been an ongoing matter, and perhaps there is a connection between this type of movement of prisoners and those required to work on public estates in the Dead Sea region mentioned by Anastasius of Sinai. See Robert G. Hoyland, *Seeing Islam as Others Saw It: A Survey and Evaluation of Christian, Jewish, and Zoroastrian Writings on Early Islam* (Princeton: Darwin, 1997), 100.

36. The Arabic word used here by al-Balādhurī, “event,” is non-specific although the term is often used in legal texts to describe one that is reprehensible or calamitous; the context here corroborates that it was of a negative nature. I have opted to soften the language used by Hitti in his translation of the *Futūḥ al-buldān*, where he described the event as a “rebellion.” This has an extremely violent connotation that I am unwilling to assign, particularly when the provided context of the tradition does not appear to support it.

37. Al-Ṭabarī, *History*, vol. 26: *The Waning of the Umayyad Caliphate*, tr. Carole Hillenbrand, 119–20 (2,3: 1769); al-Balādhurī, *Futūḥ al-buldān*, 183 (1: 238).

38. 'Abd al-Malik was the governor of this administrative district between A.H. 173–78 (789–94), before being shifted to govern the district of Damascus. See Paul M. Cobb, “'Abd al-Malik b. Ṣāliḥ,” *Encyclopaedia of Islam*, 3rd ed.

Cypriots]. Among those to whom he wrote were al-Layth b. Saʿd (d. 175/791), Mālik b. Anas (d. 230/845), Sufyān b. ʿUyayna (d. 196/811), Mūsā b. Aʿyan (d. 177/793f.), Ismāʿīl b. ʿAyyāsh (d. 181/797), Yaḥyā b. Ḥamza (d. 183/799f.), Abū Ishāq al-Fazārī (d. ca. 185/801), and Makhlad b. Ḥusayn (d. ca. 191/806). All of them responded to his letter.

Abū ʿUbayd said: I found their letters (*rasāʾil*) to him that were extracted from his register (*diwān*). I have summarized from them the information concerning [the issue] that they wished to communicate to him. Their opinions differ; there were more, however, who advised restraint toward them and fulfilment of their agreements, even if some of them acted treacherously, than those who recommended war.³⁹

While no date is provided for the event in question, it seems to have occurred between A.H. 172–75 (789–91), perhaps more specifically between 173–75 (790–91). An Arab fleet sailing to Cyprus in 790, briefly recorded by Theophanes, may have been the prelude to this event—the Byzantine chronicler makes clear that the Byzantine empress Irene was “forewarned of this,” suggesting that the Cypriots may have notified them of an impending Muslim naval strike.⁴⁰ This suggested date is also based on the tenure of ʿAbd al-Malik’s governorship over Qinnasrīn and al-ʿAwāṣim, and thus the Syrian frontier territories,⁴¹ along with the earliest date of death for one of the jurists he consulted on his Cypriot dilemma, al-Layth b. Saʿd.⁴²

Individual opinions sent as letters to ʿAbd al-Malik were delivered from each of the jurists consulted, and they each provided limited legal precedent and revealed scripture from the Quran to justify their stance on the matter. Their opinions were not unanimous, nor was the evidence used as their justification. Sufyān b. ʿUyayna was the lone voice for a harsher penalty against the island, citing both the Quran and the Prophet’s treatment of the people of Najrān. Al-Layth b. Saʿd, Abū Ishāq al-Fazārī, and Makhlad b. Ḥusayn favored the removal of the population from the island to either Byzantine or Muslim territory depending on the inhabitants’ preference. While this would have resulted in the destruction of their settlements in accordance with what had been done in many other frontier territories, it was seen as a fairer option for the Cypriots than open warfare. Most suggested that the original covenant be maintained since the overall popular opinion was that there was not enough evidence to demonstrate large-scale collusion against the Muslims by Cyprus’s populace. Prudence in the treatment of the Cypriots was apparently accepted by ʿAbd al-Malik, although this is never explicitly mentioned by either Abū ʿUbayd or al-Balādhurī. Abū ʿUbayd does add his opinion, however, writing that:

In my view, the majority of them [advocated] abiding by the covenant and prohibited warfare against them, unless the community had agreed upon the violation. The first of these two opinions should be followed. The general public shall not be held [liable] for the offenses of the few, except if they have collaborated and assented to what the few have done. In that case, the shedding of their blood is licit.⁴³

39. Abū ʿUbayd, *Kitāb al-Amwāl*, 171.

40. Theophanes (*Chronographia*, 639) provides no explanation for this Arab excursion to (near?) the island, and this may have been another example of Cyprus being used as a staging ground for Muslim naval raids against the Byzantine mainland. Dikigoropoulos (“Political Status of Cyprus,” 102) suggests that it may have been this occurrence of information-sharing by the Cypriots that caused ʿAbd al-Malik to recognize betrayal, which seems a very reasonable suggestion.

41. Paul M. Cobb, *White Banners: Contention in ʿAbbāsīd Syria, 750–880* (Albany: SUNY Press, 2001), 12.

42. ʿAbd al-Malik reigned over these territories from 173–78 (789–94), and al-Layth b. Saʿd’s recorded death date is 175 (791). Kyrris (“Nature of the Arab-Byzantine Relations,” 151) postulates that this event occurred ca. 793 C.E., but this is clearly incorrect owing to al-Layth’s date of death.

43. Abū ʿUbayd, *Kitāb al-Amwāl*, 175.

Abū ‘Ubayd’s discussion of this problem with the Cypriots occurs in a subsection of his *Kitāb al-Amwāl* entitled “The chapter on the people of the peace treaty and the covenant: When is the shedding of their blood licit?” As with much of the text, the section focuses on legal precedent regarding the topic going back to the Prophet and his treatment of the Arabian oasis of Khaybar. Abū ‘Ubayd’s consideration of the Cyprus issue follows a brief mention of the caliph ‘Umar’s handling of a frontier town between the Byzantines and Muslims in Anatolia called Arabissos,⁴⁴ which was being charged with breaching the peace agreement with the Muslims because the Muslim governor discovered that “they do not conceal from our enemy our weaknesses, and yet they do not make clear for us their weaknesses.”⁴⁵ This case of the purported treachery of the residents of Arabissos is explicitly used as precedent for Cyprus, grouped together in the letters of Yaḥyā b. Ḥamza, Abū Ishāq, and Makhlad b. Husayn. Yaḥyā wrote:

The issue of Cyprus is similar to that of Arabissos, which is a good model and a precedent to be followed. [. . .] There is no equivalent of their status with regard to what is between the Muslims and their enemy except the like of that [the Cypriots]. . . . They are not protected (*bi-dhimma*);⁴⁶ rather, they are “the people of ransom” (*ahl al-fidya*).⁴⁷

Abu ‘Ubayd’s treatment of this incident with the Cypriots is unique for much of the text of *Kitāb al-Amwāl*; in very few other places does he provide full letters allegedly communicated to him by other jurists, let alone include an entire legal deliberation of an issue. The inclusion of letters in the text is normally limited to those purportedly from the Prophet Muḥammad himself. In addition to the rarity of having a clear view into a legal debate on territory and warfare, Abū ‘Ubayd very rarely provides much discussion on events that are contemporary to his own lifetime. Unsurprisingly, much of the text focuses on Prophetic precedent, or precedents that were established by the earliest caliphs and the companions of the Prophet—especially ‘Umar.⁴⁸ As his explanation above suggests, however, there was seemingly very little precedent for the non-aggressive violation of a peace agreement between the Muslims and another party, let alone for the violation of an agreement that was already non-standard, to wit, the fact of the Cypriots being tributaries of the Muslims, who shared influence over the island with the Byzantines, rather than a conquered—and therefore protected (*dhimmī*)—people.

44. Yāqūt, *Muḥjam al-buldān*, 3: 633. The edited versions of both Abū ‘Ubayd and al-Balādhurī’s texts provide different renderings of this place name (‘Arbassūs/‘Arbisūs), which is modern-day Afşin. In Abū ‘Ubayd’s report (*Kitāb al-Amwāl*, 169–70), ‘Umar offered the people of Arabissos double of everything they owned in order to leave their town, allowing them to emigrate to either Byzantine- or Muslim-held territory before destroying the settlement. According to Abū ‘Ubayd, he offered them this because the guilt of the entire population had not been firmly established. His suggested action of destroying the frontier village would have been in agreement with the “no-man’s land” policy mentioned above.

45. The second half of this statement might be read more literally as “they would not give us ascendancy/victory on the basis of their faults” (*lā yuḡhirūnnā ‘alā ‘awrātihim*), but the nature of the clause remains the same. Abū ‘Ubayd, *Kitāb al-Amwāl*, 169.

46. Referring to the “people of protection” (*ahl al-dhimma*) for whose security and well-being the Muslims were responsible in exchange for the payment of tax.

47. Abū ‘Ubayd, *Kitāb al-Amwāl*, 174.

48. The second caliph, ‘Umar, is often recognized as the most important legal mind of the early period following the death of the Prophet Muḥammad. He is regularly imagined as the progenitor of a substantial amount of legal rulings—the ultimate keeper of the law despite his short reign as caliph. For more on this, see Tayeb El-Hibri, *Parable and Politics in Early Islamic History: The Rashidun Caliphs* (New York: Columbia Univ. Press, 2010), 77–84; Avraham Hakim, “‘Umar b. al-Ḥaṭṭāb: L’authorité religieuse et morale,” *Arabica* 55,1 (2008): 1–34.

Several of the letters—including that from Yaḥyā, above—focus on how exactly the Cypriots should be classified based on their original settlement agreement. Mūsā b. Aʿyan wrote: “If they are among the protected people (*ahl al-dhimma*), their agreement is abrogated, and they are excluded from protection.”⁴⁹ As a conquered territory, the payment of tax was seen as submission to the Muslim authority, and therefore entitled the taxpayers to the protection of the state. The conquest accounts and ensuing settlement agreements contained within the early Arabic historical tradition regularly demonstrate this, including this account from the conquest of Egypt:

The Muslims took the same measures against those who were overpowered [in Alexandria] by force as they had taken in the case of those who had surrendered on the condition of a treaty. They were all placed under protection (*dhimma*). Their [the Egyptians’] treaty is as follows:

In the name of God, the compassionate, the merciful. This is [the covenant] that was granted by ‘Amr b. al-ʿĀṣ to the people of Egypt concerning security (*amān*) for themselves, their religion, their possessions, churches, crucifixes, as well as their land and their waterways. . . .⁵⁰

The above example demonstrates a fairly standard settlement agreement preserved by the Arabic historical sources for a conquered territory. It provides for the Egyptians to maintain their religion and the bulk of their possessions, and to receive protection and safety in exchange for their payment of tax (*jizya*) to the Muslims.⁵¹ This particular agreement includes additional clauses important for this region, namely, guaranteed protection for the Nile waterways that were essential for regional survival (economic and otherwise).

The settlement agreement between the Muslims and the Cypriots as recorded by all of the surviving Arabic sources includes nothing about providing protection for them or their possessions. It also does not provide for protection from an internal or external enemy. Rather, the Cypriot yearly tributary payment seems to have been provided in exchange for their maintained “nonalignment”—the Muslims would not indiscriminately harm the island’s population by raid or otherwise. On their part, the Cypriots were required to withhold information regarding the movements of Muslim forces in and around the territory from their enemy, the Byzantines, yet to share that same information concerning the Byzantines with the Muslims. As such, the information preserved by Abū ‘Ubayd and others establishes that the purported treaty made between the Muslims and the Cypriots gave them the status of tributaries, *ahl al-fidya*, and not the protected status of *ahl al-dhimma* provided to most non-Muslim populations of fully conquered territories.

Although Yaḥyā chose to classify the Cypriots as *ahl al-fidya*, this means of referring to a community is not often used in either legal or economic Arabic treatises. Yaḥyā appears to have been grasping to find a model on which to contrast the status of the Cypriots with that of the traditional *ahl al-dhimma*, but this particular manner of describing them did not gain much popularity. I translated Yaḥyā’s term *ahl al-fidya* above as “the people of ransom” to reflect the difference in status, and to resonate with the Quranic use of *fidāʾ*, from the same root, which is used in Q 47:4 as the ransom paid specifically for the release of prisoners. It is this form of ransoming that is recurrently seen in the Arabic historical tradition, and the

49. Abū ‘Ubayd, *Kitāb al-Amwāl*, 173.

50. Al-Ṭabarī, *History*, vol. 13: *The Conquest of Iraq, Southwestern Persia, and Egypt*, tr. G. H. A. Juynboll, 170 (1,5: 2588).

51. The terms *jizya* and *kharāj* are often used to describe the Islamic poll tax and land tax, respectively, in later sources. This division of terminology was not so clearly defined within the early Arabic tradition, and they are often used interchangeably to refer to the general payment of tax.

exchange of prisoners for a payment by the state is an idea rooted in antiquity.⁵² *Fidya* itself is also found three times in the Quran, e.g., in sura *al-Baqara* (2:184), where it is the payment made to compensate for not fasting at required times. In this sense, Yaḥyā's use of *ahl al-fidya* might better be translated with "the people of tribute," namely, the people who paid a fee to the Muslims to maintain a form of neutrality.⁵³ The implication here is that *fidya* and other root forms connote the payment made for the removal of various types of bondage—the bondage of the Cypriots being continued Muslim raids against both their possessions and their persons.

Having never agreed to governance by the Muslims and the protection that came with the payment of traditional taxes, the Cypriots were ostensibly guilty of a lesser crime than members of *ahl al-dhimma* would have been in a similar circumstance. Added to this was the final mitigating factor cited by several of the jurists within the debate, which was the primary force for Abū 'Ubayd's opinion on the matter: the entire community was not demonstrably guilty of the abuse. Only a portion of the community violated the agreement by providing information to the enemy of the Muslims, and 'Abd al-Malik and the consulted jurists had no information about who (or perhaps, what community of Cypriots) was actually to blame for the violation. Therefore, Abū 'Ubayd opined in closing the discussion: "The general public shall not be held [liable] for the offenses of the few, except if they have collaborated and assented to what the few have done."⁵⁴

COMPARING THE ACCOUNTS OF ABŪ 'UBAYD AND AL-BALĀDHURĪ

From a historiographical perspective, this legal debate enshrined by Abū 'Ubayd has a number of intriguing layers. It further establishes the continued importance placed on the settlement agreements reportedly concluded during the Islamic conquests, and indicates that the status of territory and the people therein was a lively and apparently vigorous debate into the early Abbasid period. It also affords insight into the compilation techniques involved in the construction of Abū 'Ubayd's text and, through comparative analysis, insight into the construction techniques involved in al-Balādhurī's *Futūḥ al-buldān*, which relied on it for its own accounts.

Al-Balādhurī's access (either direct or indirect) to long-lost documentary material in the compilation of his work has recently been gaining greater recognition. Wadad al-Qadi's study on landed estates in the Iraqi city of Baṣra during the early Islamic period brought critical analysis and attention to al-Balādhurī's access—through the intermediary of informant al-Qaḥdhamī (d. 222/837)—to information kept in the official *dīwān* of the city. In the analysis of the section on Baṣra in *Futūḥ al-buldān*, al-Qadi benefited from the citation style and language used by al-Balādhurī, namely, his plainly stating that his informant al-Qaḥdhamī

52. The ransoming of prisoners has a Quranic and Prophetic precedent from the lifetime of Muḥammad as well. See Lena Salaymeh, "Early Islamic Legal-Historical Precedents: Prisoners of War," *American Society for Legal History* 26.3 (2008): 521–44. Furthermore, there are numerous cases of ransoming prisoners of war between the Romans and the Persians, although this act was not limited only to interactions between these two sides in antiquity. See Beate Dignas and Engelbert Winter, *Rome and Persia in Late Antiquity: Neighbours and Rivals* (Cambridge: Cambridge Univ. Press, 2007), 119–51; Pauline Allen and Bronwen Neil, *Crisis Management in Late Antiquity (410–590 CE): A Survey of the Evidence from Episcopal Letters* (Leiden: Brill, 2013), 37–44.

53. Muslim assent to an agreement like this suggests a lack of interest—or perhaps naval weakness—in being able to exert singular control of the island.

54. Abu 'Ubayd, *Kitāb al-Amwāl*, 175.

“saw” the register, while implying continued access to these vital documents elsewhere.⁵⁵ A greater analysis of the informants, sources, and information utilized by surviving early Islamic Arabic sources is integral for a greater understanding of the potential authenticity of materials included within.⁵⁶ Here, a comparison of Abū ‘Ubayd’s Cyprus traditions with those included by al-Balādhurī provides another example of the latter’s use of an informant with access to valuable documentary material.

Al-Balādhurī does not say that he saw the letters sent by the jurists to ‘Abd al-Malik; he states at the beginning of these reports that “some of the learned people from among the Syrians and Abū ‘Ubayd al-Qāsim b. Sallām related to me, saying,” a form of abbreviation (*ikhtisār*) where the author of the text combined reports (in this case, of Abū ‘Ubayd) with others he heard elsewhere. Al-Balādhurī introduces ‘Abd al-Malik’s dilemma as follows:

The people of Cyprus took part in a misdeed (*ḥadath*) during the governorship of ‘Abd al-Malik b. Šāliḥ b. ‘Alī b. ‘Abd Allāh b. ‘Abbās over the frontier territory (*thughūr*). [Because of this,] he wished to nullify their peace agreement, and the jurists [who could be contacted about the issue] were numerous. He wrote to al-Layth b. Sa‘d, Sufyān b. ‘Uyayna, Mūsā b. A‘yan, Ismā‘īl b. ‘Ayyāsh, Yahyā b. Ḥamza, Abū Ishāq al-Fazārī, and Makhlad b. Ḥusayn, and they responded to him.⁵⁷

He is not specific about the exact cause that ‘Abd al-Malik recognized as a violation of the agreement with the Cypriots. Reading *Futūḥ* alone does not provide any real insight into the reason, as it completely lacks the context provided in Abū ‘Ubayd’s work. Additionally, and unlike *Kitāb al-Amwāl*, al-Balādhurī does not proffer an opinion of the matter, nor does he state what the outcome of the debate was.

Unlike the details on Baṣra, mentioned above, the audience has no way of knowing how this information came to al-Balādhurī. Since Abū ‘Ubayd was one of al-Balādhurī’s teachers, it is likely that al-Balādhurī learned of this Cyprus material directly from him in Baghdad,⁵⁸ especially since it is doubtful that *Kitāb al-Amwāl* already existed in a finalized written form prior to al-Balādhurī’s *Futūḥ al-buldān*.⁵⁹ Thus, al-Balādhurī most likely would not have seen the correspondence between ‘Abd al-Malik and the jurists himself, which explains the occasional minor variations in wording between the two texts.⁶⁰ I will use the correspon-

55. Wadād al-Qāḍī, “The Names of Estates in State Registers before and after the Arabization of the ‘Dīwāns’,” in *Umayyad Legacies: Medieval Memories from Syria to Spain*, ed. Antoine Borrut and Paul M. Cobb (Leiden: Brill, 2010), 255–80, esp. 276–77.

56. For more on this, see Ryan J. Lynch, “Between the Conquests and the Court: A Critical Analysis of the *Futūḥ al-Buldān* of al-Balādhurī” (Ph.D. diss., Univ. of Oxford, 2016).

57. Al-Balādhurī, *Futūḥ al-buldān*, 183–84 (1: 238).

58. Abū ‘Ubayd stayed in Baghdad during the early 830s before departing on pilgrimage in 219/834; he died in Mecca in 224/838. Taking into account al-Balādhurī’s death date, ca. 278/892, he was very likely a young man at the end of Abū ‘Ubayd’s life, and therefore also in all likelihood not competent enough to have learned from his teacher before his arrival in Baghdad. Al-Dhahabī, *Siyar a‘lām al-nubalā’*, ed. Shu‘ayb Arnā’ūt and Ḥusayn Asad (Beirut: Mu‘assasat al-Risāla, 1981–88), 10: 492; Reinhard Weipert, “Abū ‘Ubayd al-Qāsim b. Sallām,” *Encyclopaedia of Islam*, 3rd ed.

59. *Kitāb al-Amwāl* may have existed as a “text” that had not been committed to writing by Abū ‘Ubayd yet. For more on the analysis and creation of Abū ‘Ubayd’s work, see Andreas Görke, *Das Kitāb al-Amwāl des Abū ‘Ubayd al-Qāsim b. Sallām: Entstehung und Überlieferung eines frühislamischen Rechtswerkes* (Princeton: Darwin, 2003), 34–62.

60. This is also suggested by the author’s not introducing the letters by saying he saw them—something he does do elsewhere—and also by the fact of al-Balādhurī’s tutelage by Abū ‘Ubayd taking place, with near certainty, in Baghdad. Abū ‘Ubayd would have had little reason to take the letters with him from the *dīwān* in the Syrian frontier region.

dence sent by Ismāʿīl b. ʿAyyāsh as an example (with differences in wording, vocabulary, and order noted in bold):

The people of Cyprus are humiliated and subjugated; the Byzantines hold mastery over them and their wives. Therefore, it is incumbent upon us that we protect them and defend them. Ḥabīb b. Maslama had written **to the people of Taffīs**⁶¹ in his covenant **and his grant of protection**: “If a matter should preoccupy the Muslims from [protecting] you and your enemy should subjugate you, **then that would not be a violation of your covenant as long as you remain loyal to the Muslims; you will not be taken.**”⁶² Thus, I believe that they should keep their covenant and their protection (*dhimmatihim*). When al-Walid b. Yazīd expelled them [the Cypriots] to Syria, **the Muslim jurists found that detestable and shocking.**⁶³ So when Yazīd b. al-Walid b. ʿAbd al-Malik⁶⁴ came to power, he sent them back to Cyprus, and the Muslims approved of that and they considered **it** just.⁶⁵

All of the other letters transmitted by al-Balādhurī from the jurists contain similar variations, but the content remains near identical. The comparison between the correspondence and associated introductory reports suggests that al-Balādhurī’s ultimate source for his information on early Islamic Cyprus was this actual correspondence. Although we cannot be certain that he had not seen it for himself, it emphasizes the variety of different types of sources al-Balādhurī had at his disposal for his *Futūḥ*, and further suggests that his access to authentic written materials extended far beyond his section on Baṣra.

Letter writing has been argued to be a common formula employed in the Arabic narrative sources to communicate additional detail, to enliven an account, and to keep central executives engaged with periphery matters in the eyes of the audience.⁶⁶ It is clear that this topos can regularly be found throughout the Arabic historical tradition, and the literary and formulaic character of accounts sometimes found within these sources is demonstrable. What is found here, however, seems far more likely to be genuine correspondence obtained by Abū ʿUbayd and faithfully rendered by al-Balādhurī in his own text, therefore providing invaluable access to the history of early Islamic Cyprus and the early Islamic administrative and judicial systems.

CONCLUSION

Cyprus was a territory unlike most others in the early Islamic period, and its status, location, and the influence shared between the Muslims and Byzantines presented a number of challenges for Muslim jurists and administrators. The peace agreement reached between the Muslims and the Cypriots in the first/seventh century had deep and lasting effects for

61. Al-Balādhurī specifies that Ḥabīb’s agreement covered Taffīs (Tbilisi), while Abū ʿUbayd says it was for “the people of Armenia,” adding also “grant of protection” (*amān*). Cf. Yāqūt, *Muʿjam al-buldān*, 1: 857–59.

62. This clause is included in both versions with the same vocabulary, but the ending “you will not be taken” (*ghayr māʾkhūdhīn*) is only included in Abū ʿUbayd’s version.

63. Employing the same vocabulary, al-Balādhurī’s version reads, “The Muslims were outraged at that and the jurists were shocked.”

64. Added by al-Balādhurī.

65. Abū ʿUbayd, *Kitāb al-Amwāl*, 173–74; al-Balādhurī, *Futūḥ al-buldān*, 185 (1: 241). Al-Balādhurī’s version (*fa-istaḥsana al-muslimūn dhālika min fīʾlihi wa-raʾawhu ʿadlan*) makes clear that it was the act that was considered just by the Muslims, whereas Abū ʿUbayd’s version (*fa-istaḥsana al-muslimūn dhālika wa-raʾawhu ʿadlan*) is ambiguous—it could be referring to the act or to Yazīd.

66. Albrecht Noth and Lawrence I. Conrad, *The Early Arabic Historical Tradition: A Source-Critical Study*, tr. Michael Bonner (Princeton: Darwin, 1994), 76–87; Nicola Clarke, *The Muslim Conquest of Iberia: Medieval Arabic Narratives* (Abingdon, Oxon, UK: Routledge, 2012), 126–31.

relations between the two parties, as the island was awarded a unique status as a tributary of both the Muslims and the Byzantines rather than given a standard agreement as a formally conquered territory. Not simply two parties that went through constant cycles of warfare, treaty, and the usual seasonal raiding, the case of the Muslims and the Byzantines in Cyprus reveals instead the complexity this relationship could take based on perceived need. The Muslims stipulated that the Cypriots avoided providing aid to the Muslims' Byzantine enemies—whether physical assistance or information-sharing—and this stipulation was the impetus for conflict between the two parties for the next 150 years with little lasting change to the status quo. When the alleged, continued violations of the settlement agreement by the Cypriots reached a breaking point in the late eighth century, the ensuing legal debate preserved by Abū 'Ubayd further emphasizes not just the jurists' differences of opinion on how to handle the situation, but their own uncertainty on how legal precedent could even be applied to such a distinctive agreement.

Abū 'Ubayd's access to this correspondence allowed him to preserve an important debate that many other surviving sources did not have access to or did not have interest in, and this material was subsequently utilized by al-Balādhurī in his *Futūḥ al-buldān*. From al-Balādhurī's text alone, it is not immediately clear that the actual correspondence for the debate was the source for his material, but the comparison between his work and that of Abū 'Ubayd testifies to an unexpected level of authenticity. The source-critical analysis of the early Arabic tradition has in many cases shown us the importance of in-depth critique and skepticism of the materials contained within. Analysis of early Arabic historical texts such as these, however, provides a comforting support for modern scholars hoping to examine the early Islamic period using the more narrative histories. It is hoped that continued comparative work will further our understanding of the usefulness—and limitations—of these important surviving texts, affording further insight into the history of the period as well as the construction and transmission of materials in this process.