



**HAL**  
open science

# Recording Debts in Sufyānid Fuṣṭāṭ: A Reexamination of the Procedures and Calendar in Use in the First/Seventh Century

Mathieu Tillier, Naïm Vanthieghem

► **To cite this version:**

Mathieu Tillier, Naïm Vanthieghem. Recording Debts in Sufyānid Fuṣṭāṭ: A Reexamination of the Procedures and Calendar in Use in the First/Seventh Century. John Tolan. *Geneses: A Comparative Study of the Historiographies of the Rise of Christianity, Rabbinic Judaism and Islam*, Routledge, pp.148-188, 2019. halshs-02308264

**HAL Id: halshs-02308264**

**<https://shs.hal.science/halshs-02308264>**

Submitted on 8 Oct 2019

**HAL** is a multi-disciplinary open access archive for the deposit and dissemination of scientific research documents, whether they are published or not. The documents may come from teaching and research institutions in France or abroad, or from public or private research centers.

L'archive ouverte pluridisciplinaire **HAL**, est destinée au dépôt et à la diffusion de documents scientifiques de niveau recherche, publiés ou non, émanant des établissements d'enseignement et de recherche français ou étrangers, des laboratoires publics ou privés.

## Chapter 8

### Recording Debts in Sufyānid Fuṣṭāṭ: A Reexamination of the Procedures and Calendar in Use in the First/Seventh Century\*

Mathieu Tillier and Naïm Vanthieghem

*Abstract:* The phrase *s.n.t. qaḍā' al-mu'minīn*, used in several seventh-century Arabic papyri, has been subject to varying interpretations for several years. Yūsuf Rāḡib considers it as an “era (*sanat*) of the believers’ jurisdiction,” while Jelle Bruning interprets it as a “legal sunna.” This chapter uses new papyrological data to reexamine these competing explanations. This expression appears so far only in documents relating to debts, some of which were subject to institutional registration in Fuṣṭāṭ. The new documents we are editing here, as well as minor paleographic evidence, suggest that the reading *sanat qaḍā' al-mu'minīn* initially proposed by Rāḡib is the most convincing, and that it refers to a calendar. Among several hypotheses, we argue that the term *qaḍā'* should be understood as a “decree” and refers to the sovereignty of the “believers,” semantically associated with God’s decree. This specification might have been particularly important for acknowledgment of debts in order to comply with the Qur’anic injunction (2:282) to record the debts in writing by precisely defining their deadline. We hypothesize that this was a name of the official imperial calendar, which originally may not have referred to the Muḥammad’s exodus to Medina, but rather to the affirmation of his sovereignty following the treaty of al-Ḥudaybiyya.

#### INTRODUCTION

The Arabic documents that have come down to us from the first 60 years after the conquest are still not widely known.<sup>1</sup> Few in number, they come mostly from the old city of Fuṣṭāṭ, where they were discovered by illegal diggers in the early twentieth century in circumstances that have been well documented by Adolf Grohmann.<sup>2</sup> These papyri, which for the most part are held by the Oriental Institute in Chicago, the Austrian National Library, the Egyptian National Library (Dār al-Kutub), Cambridge University Library and the Louvre Museum, were written in a very characteristic script

---

\* The authors thank Yasmine Faghihi, Curator of Oriental Manuscripts at Cambridge University Library; Bernhard Palme, Director of the Papyrology Collection in Vienna; and Luise Poulton, Director of Special Collections at the J. Willards Marriott Library, University of Utah for allowing them to publish the documents used in this chapter. The published papyri are cited according to the rules given in the Checklist of Arabic Papyrology (<http://www.naher-osten.lmu.de/isapchecklist>). The authors are also grateful to Luke Yarbrough for his comments on a previous draft of this chapter.

<sup>1</sup> On the documents from the first century of the Hijra, cf. Y. Rāḡib, “Les plus anciens papyrus arabes,” *AnIsl* 30 (1996), 1-19 and Y. Ragheb, “Les premiers documents arabes de l’ère musulmane,” in *Constructing the Seventh Century*, C. Zuckerman, ed. (Paris, 2013), 679-729. The two oldest documents on this list come from Egypt and date to the 22nd year of the Hijra. The first, dated 25 April 643, and which is complete, is the bilingual Greek-Arabic P. Vindob. Inv. G 39726 (= *SB* VI 9576), a receipt written by a certain ‘Abd Allāh b. Jābir after receiving sheep to feed his troops stationed in the Heracleopolite. The second, the Arabic papyrus P. Berol. Inv. 15002 (= *P. Ragheb An* 22), which is quite fragmentary, is probably an acknowledgment of debt, where only the date by which the debt had to be repaid has been preserved (see below). However, these articles only consider to a lesser extent the documents of the first 30 years of the Hijra, as most of them remain unpublished.

<sup>2</sup> A. Grohmann, *Einführung und Chrestomathie zur arabischen Papyruskunde. I. Einführung* (Prague: Státní Pedagogické Nakladatelství, 1954), 28, notes that a large number of documents exhumed at the medieval site of Fuṣṭāṭ began arriving on the Cairo antiquities market in 1929.

that has been classified as *ḥijāzī*.<sup>3</sup> The documents from this era include incipits, usually introduced by the demonstrative *hādhā*, which have nothing in common with what we know of Arabic documentary styles attested in later periods: for instance, we find papyri that begin with the words *hādhā kitāb madad* (This is a document of the auxiliary troops)<sup>4</sup> or even *hādhīhi iddat iyāl<sup>5</sup>* (Here is the number of families). Among these documents are a large number of letters,<sup>6</sup> as well as a still larger number of lists recording the names of people attached to military units,<sup>7</sup> and the names of Arabic families living in Fustāt.<sup>8</sup> Aside from these epistolary documents and documents relating to population surveys or accounts, there are also a few documents of a legal nature: these are registers of receipts (*barā'āt*), perhaps issued for debts paid by debtors,<sup>9</sup> registers listing the names of those who had been paid their pensions (*atā*)<sup>10</sup> and lastly acknowledgments or registers of debts. These different documentary styles are evidence that, very early on in the neighborhoods of Fustāt, there was a developed and organized military-tribal administration that kept detailed records about everyday life.

In this chapter, we will focus on acknowledgments of debt from this period. The documents that allude to debt records or payments can be divided into three distinct categories:<sup>11</sup>

1. The first group includes acknowledgments of individual debts, in which a person recognizes that he owes a sum of money that will be paid on a specific date. Three documents fall into this category: P. Louvre Inv. E 7106 = *P. Bruning Sunna* (44/664) as well as probably P. Berol. Inv. 15002 = *P. Ragib An 22* (22/642-643) and P. Utah 520 = 4 (47/667).

<sup>3</sup> On this type of script, see, among others, F. Déroche, “The Codex Parisino-petropolitanus and the Hijazi Scripts,” in *The Development of Arabic Script as a Written Language*, M.C.A. Macdonald, ed. (Oxford, 2010), 113-20 and F. Déroche, “A Qur’anic Script from Umayyad Times. Around Marcel 13,” in *Power, Patronage, and Memory in Early Islam: Perspectives on Umayyad Elites*, A. George and A. Marsham, eds. (Oxford, 2017), 69-80.

<sup>4</sup> P. Vindob. Inv. A.P. 11160 reads *bismi llāh al-rahmān al-rahīm | hādhā kitāb madad al-’a būr ‘arīfu-hum Shuraḥbil b. Ya ‘ffūr/Ya ‘q[ūb] | fa-jamī ‘ amdādi-him thamāniya wa-thalāthūn rajulan* (In the name of God, the Clement, the Merciful. This is the list of auxiliaries of ... whose chief is Shuraḥbil b. Ya ‘fūr / Ya ‘qūb. The number of their reinforcements is thirty-eight men).

<sup>5</sup> This is the *incipit* of P. Louvre Inv. JDW 42 recto, which will be published by Y. Rāḡib in the near future.

<sup>6</sup> A series of these letters was recently edited by Kh. Younes in his as-yet-unpublished thesis, *Joy and Sorrow in Early Muslim Egypt. Arabic Papyrus Letters. Text and Content* (doctoral thesis; Leiden: University of Leiden, 2013); <https://openaccess.leidenuniv.nl/handle/1887/21541>.

<sup>7</sup> Thus, the names of people who belong to two *‘ashīras*, one called the *‘ashīra* of a certain ‘Abd al-Rahmān, the other of a certain ‘Alī, are found in P. Vindob. Inv. A.P. 11011.

<sup>8</sup> Cf., for example, *P. Worp* 65, which includes a list of Companions and their addresses, as well as the unedited P. Vindob. Inv. A.P. 11169: *wa-bayt Muḥammad b. Kumays min al-‘arab arba ‘a : | imra ‘atu-hu Buwayla bint Buwayt ... wa-Ḥajar b. Muḥammad | nasl wa-‘Aws b. Muḥammad nasl wa-Qunayla bint | Muḥammad nasl* (“... and the house of Muḥammad b. Kumays of the Arabs, four: his wife Buwayla bint Buwayt ..., Ḥajar b. Muḥammad [his son], ‘Aws b. Muḥammad [his son] and Qunayla bint Muḥammad [his daughter]”).

<sup>9</sup> P. Vindob. Inv. A.P. 11154 reads *[bismi llāh al-rahmān al-rahīm hādhā barā’ a | [li-fulān b. fulān mi]mmā yas ‘alu-hu ‘Umayr b. Shurayḥ | [... ‘Ab]d al-Rahmān b. Zur’ a | (vacat) | [bismi llāh al-rahmān al-rahīm] hādhā barā’ a li-Ḥajar b. ‘Asar | [... mimm]ā yas ‘alu-hu ...* (In the name of God, the Clement, the Merciful. This is a receipt for So-and-so, son of So-and-so ... for that which is claimed by ‘Umayr b. Shurayḥ ... Witnessed by ... ‘Abd al-Rahmān b. Zur’a. In the name of God, the Clement, the Merciful. This is a receipt for Ḥajar b. ‘Asar ... for that which is claimed by ...). A similar register fragment is preserved in the Bibliothèque nationale de France (Inv. ms arabe 7075 [53]).

<sup>10</sup> P. Vindob. Inv. A.P. 11154 reads *bismi llāh al-rahmān al-rahīm | dafa’ a ‘Abd Allāh b. [...] | dafa’ a ilayyā kulla-hu a [...] | ilay-hā ‘atā zawji[-hā ...] | ‘arafāt sa[b]’ a [...] | fī sanat [a]r[ba]’ wa-[...] | shahida a[...]*.

<sup>11</sup> The date following the reference for each papyrus is the date that the debt was due; the papyrus was therefore written some months earlier, or even a year or two earlier.

2. The second group includes portions of registers in which various debt acknowledgments have been recorded. The documents that fall into this category are more numerous: P. Louvre Inv. JDW 20 = *P. RagibJurisdiction* 1 (42/662-663); P. Camb. UL Inv. Michael. Pap. 893 = 3 (47/667-668), P. Vindob A.P. 11191 = *P. RagibJurisdiction* 2 = 2 (57/676-677) to which the unedited fragments 11153 (49/670), P. Vindob. Inv. A.P. 11012 (54/674), 11074 (57/676-677), 11076 (57/676-677), 11086 (47/668 or 57/677), 11078 (not specifically dated) as well as P. Paris BNF Inv. 7075 (9) (not specifically dated) can probably be added.<sup>12</sup>
3. The last group consists of receipts establishing that a payment has been made. Two examples are attested so far: P. Vindob. Inv. A.P. 519 = *Chrest.Khoury* I 48 = 1 (20/641) and *P. Ness. III* 56 (*rajab* 67/18 January 687).<sup>13</sup>

Whichever category they fall into, all of these documents have one thing in common: they are dated using a unique calendar system. This calendar is characterized by the addition of the expression *sanat qaḍā' al-mu'minīn* or its elliptical equivalent *sana* after the calendar year. This expression was discovered by Yūsuf Rāḡib, who proposed to translate it as “the year of the jurisdiction of the believers,” but since then the precise meaning has been hotly debated.

In this chapter, we will focus first on the function of these documents—especially debt registers—and their use by the military-tribal institutions of the first Muslims who settled in Fustāṭ (§1). We will then examine the dating system used in these documents, with a particular focus on the meaning of the term *qaḍā'* (§2). Lastly, we will provide an edition (§3) of two new documents (doc. 3-4) as well as a new edition of two other documents (doc. 1-2), which all involve debts and all use the above-mentioned dating system.

## DEBTS, RECEIPTS AND REGISTERS IN FUSTĀṬ IN THE FIRST/SEVENTH CENTURY

### *Debt registers*

Until now nobody has noticed<sup>14</sup> that several debt-related documents are part of registers (category 2). This can be deduced from a combined analysis of their content and their form. Three of these documents appear to be lists of debts, involving different actors and witnesses. Each debt is dealt with in a specific paragraph, sometimes separated from the others by an empty space, and is written in a distinct hand.<sup>15</sup> The dates mentioned are the due dates for each debt. All the fragments generally cover the same year, except for P. Camb. UL Inv. Michael. Pap. 893, where the year 47 appears between two

---

<sup>12</sup> We will soon be publishing this last fragment in a volume of Greek, Coptic and Arabic papyri from the Bibliothèque nationale de France.

<sup>13</sup> This bilingual document has a date in the Arabic portion and the Greek portion. The Greek dating is specified down to the day. The Arabic dating has been read by the editor as *kataba [..]n sanat sab' wa-sittīn salām*. As Eugenio Garosi has noted in “An Early Islamic Validity Cause: P. Ness. 56 Revisited,” which he presented at the International Society for Arabic Papyrology conference in March 2018, this should not be read with the word *salām*, which means nothing in this context, but rather as *s.n.t.* Therefore, it likely reads *kutiba [rajab mi]n sanat sab' wa-sittīn s.n.t.*

<sup>14</sup> Jelle Bruening, in whose view “[t]he exact purpose of collecting the different *dhikr ḥaqqs* on single sheets of papyrus escapes us at present,” does not attempt to interpret these documents as portions of registers. J. Bruening, “A Legal *Sunna* in *Dhikr Ḥaqqs* from Sufyanid Egypt,” *Islamic Law and Society* 22 (2015): 356.

<sup>15</sup> P. Louvre Inv. J. David-Weill 20; P. Camb. UL Inv. Michael. Pap. 893; P. Vindob A. 11191. Yūsuf Rāḡib noted that the first of these papyri was written in three hands (Y. Rāḡib, “Une ère inconnue d'Égypte musulmane: l'ère de la juridiction des croyants,” *Annales islamologiques* 41 (2007): 194-95), but did not deduce that he was dealing with a register; he also did not notice that the same was true for P. Vindob A. 11191.

debt records with a due date in the year 48. The unedited fragments P. Vindob. Inv. 11074 and P. Vindob. Inv. 11076 both carry the date 57/676-677, and must surely be related to P. Vindob A. 11191, which bears the same dates: they are doubtless extracts from the same register, preserved in the same collection and acquired all in one batch.

These papyri therefore prove the existence of debt registers, which in all likelihood come from Fustāt, between 42 and 57/662 and 677, that is, during the reign of Caliph Mu‘āwiya (r. 41-60/661-680) and under the governorships of ‘Amr b. al-‘Āṣ, ‘Utba b. Abī Sufyān, ‘Uqba b. ‘Āmir and Maslama b. Mukhallad. Creditors and debtors seem to have been encouraged to have their agreements recorded following the precept found in the Qur’ān, *sūra* 2:282:

O ye who believe! When ye deal with each other, in transactions involving future obligations in a fixed period of time, reduce them to writing. Let a scribe write down faithfully as between the parties: let not the scribe refuse to write as God has taught him so let him write. Let him who incurs the liability dictate, but let him fear his Lord God and not diminish aught of what he owes. If the party liable is mentally deficient, or weak or unable himself to dictate, let his guardian dictate faithfully. And get two witnesses out of your own men, and if there are not two men, then a man and two women, such as ye choose, for witnesses, so that if one of them errs, the other can remind her. The witnesses should not refuse when they are called on (for evidence). Disdain not to reduce to writing (your contract) for a future period, whether it be small or big: it is juster in the sight of God, more suitable as evidence, and more convenient to prevent doubts among yourselves; but if it be a transaction which ye carry out on the spot among yourselves, there is no blame on you if ye reduce it not to writing. But take witnesses whenever ye make a commercial contract; and let neither scribe nor witness suffer harm. If ye do (such harm), it would be wickedness in you. So fear God; for it is God that teaches you. And God is well acquainted with all things.<sup>16</sup>

Debt registers were obviously kept by several scribes, as suggested by the presence of different hands that can easily be distinguished in the papyri. After the *basmala*, the names of both parties were given, as well as the amount borrowed and the names of two witnesses. To mark the end of each paragraph introduced into the register and thus to avoid any future additions, the scribes customarily added the verb *kutiba*.<sup>17</sup> Most creditors and debtors were men, and moreover Arabs and Muslims, judging from their names. However, one register notes that a woman named Qunayla bint Mālik borrowed money from a certain ‘Umar b. ‘Asr,<sup>18</sup> and another states that a Christian named Yuḥannis b. Thiyudur loaned money to another person. In a second step, when the debt was paid, all the key elements were wiped from the register with a sponge or wet cloth<sup>19</sup>: the name of the creditor, the

<sup>16</sup> Translation by Abdullah Yusuf Ali.

<sup>17</sup> This same verb is added to the end of letters up to the third/ninth century; on this usage in the epistolary genre, cf. W. Diem, “Katabtu ilayka ‘Ich schreibe dir’ und Verwandtes. Ein Beitrag zur Phraseologie des arabischen Briefes unter besonderer Berücksichtigung des Briefperfekts,” *Zeitschrift der Deutschen Morgenländischen Gesellschaft* 154 (2004): 285-345, in part. pp. 295-96 and E.M. Grob, *Documentary Arabic Private and Business Letters on Papyrus: Form and Function, Content and Context* (Berlin/New York, 2010), 76-77.

<sup>18</sup> Here, we are correcting the reading in the editio princeps *P. Ragib Jurisdiction* 1, 9 that has the reading *wa-‘alā qabīla Janb milk ‘alay-hā* (The tribe of Janb owes property). We read *wa-‘alā Qunayla bint Mālik ‘alay-hā* (Qunayla bint Mālik owes ...).

<sup>19</sup> See the explanations given by Y. Rāḡib, “Une ère inconnue,” 195.

amount,<sup>20</sup> as well as sometimes the name of the witnesses.<sup>21</sup> It is notable that all the debt registers that have come down to us have a blank reverse side, which suggests that the registers were kept in the form of a roll rather than in a codex; otherwise the scribes would probably have written on both sides.

These registers were probably kept and preserved by an official institution. Several hypotheses may be considered as to the nature of this institution:

1. The judicial institution, that is, the qadī. At this time, the qadī of Fustāṭ was Sulaym b. ʿItr al-Tujībī (in office from 40 to 60/660-1 to 679-680). Al-Kindī reports that he “was the first qadī to record his judgements in writing (*sajjala sijillan*) in Egypt.”<sup>22</sup> Could the type of recording that we are dealing with here correspond with what al-Kindī calls *sijill*? If we assume that the debts were recorded by a court, this would mean that they were recorded at the end of a trial, and hence that the plaintiff had proved the existence of a debt. The qadī would have had the debt noted in the register, along with the names of the witnesses and the deadline for reimbursement. However, this hypothesis seems fragile. There is no specific phrase that can link these records to any particular trial. Besides, they do not mention any kind of complaint or legal decision. In addition, no trial could have taken place before the date that the debt was supposed to be paid, yet these dates are placed in the future.
2. The *dīwān al-jund*. In the age that concerns us here, the financial administration in Fustāṭ was involved in settling financial matters between individuals. Al-Kindī relates that in cases of assault, the qadī Sulaym b. ʿItr transferred to the head of the financial administration (*ṣāhib al-dīwān*) the amount of compensation that needed to be withdrawn from the pensions (*ʿaṭā*) paid annually to members of the guilty party’s military-tribal unit (*ʿashīra*)<sup>23</sup>; the fixed amount was broken down into three yearly payments.<sup>24</sup> This means that the *dīwān* had to keep registers recording the amounts to be deducted from the annual pensions.<sup>25</sup> Assuming that this type of compensation could be equated to a debt contracted by the tribal unit, it is possible to imagine that the *dīwān* kept lists of debts more generally. By extension, this would mean that the amounts mentioned in these registers were deducted directly from the debtors’ pensions.

We know that the financial administration of Fustāṭ kept registers for each tribe.<sup>26</sup> It should be noted that the names of the parties that were not erased do not include any tribal *nisba*,<sup>27</sup> unlike individual debt recognitions such as P. Louvre Inv. E 7106. This suggests that the tribe

---

<sup>20</sup> P. Louvre Inv. J. David-Weill 20; P. Camb. UL Inv. Michael. Pap. 893.

<sup>21</sup> P. Vindob A. 11191.

<sup>22</sup> Al-Kindī, *Akhbār quḍāt Miṣr*, in *The Governors and Judges of Egypt*, R. Guest, ed. (Leiden: Brill, 1912), 310; M. Tillier, trans., in al-Kindī, *Histoire des cadis égyptiens* (Cairo: Ifao, 2012), 59.

<sup>23</sup> In Egypt, the *ʿashīra* corresponded to an administrative unit responsible for distributing the *ʿaṭā*. See S. Bouderbala, *Jund Miṣr: étude de l’administration militaire d’Égypte des débuts de l’Islam, 21/642-218/833* (doctoral thesis, Université Paris 1-Panthéon-Sorbonne, 2008), 190; K. Morimoto, “The *Dīwāns* as Registers of the Arab Stipendiaries in Early Islamic Egypt,” *Res Orientales* 6 (1994): 355, 361.

<sup>24</sup> Al-Kindī, *Akhbār quḍāt Miṣr*, 309/trans. 58.

<sup>25</sup> On the registers kept by the *dīwān al-ʿaṭā*, see W. al-Qādī, “A Documentary Report on Umayyad Stipends Registers (*dīwān al-ʿaṭā*) in Abū Zur’a’s *Tārīkh*,” in *Les méthodes de travaux des historiens en Islam = Quaderni di studi arabi*, F. Bauden, ed. (N.S. 4, 2009), 1-44 and Ead., “Death Dates in Umayyad Stipends Registers (*Dīwān al-ʿAṭā*)? The Testimony of the Papyri and the Literary Sources,” in *From Bāwīt to Marw: Documents from the Medieval Muslim World*, A. Kaplony, D. Potthast and C. Römer, eds. (Leiden: Brill, 2015), 59-82.

<sup>26</sup> S. Bouderbala, *Jund Miṣr*, 207-8.

<sup>27</sup> For example, ʿUmar b. ʿAsr, ʿUmar b. Malkī, Shahr b. Malkī (P. Louvre Inv. J. David-Weill 20).

to which the parties belonged was sufficiently clear that it was not necessary to mention it. Therefore, each debt register may have been related to the ‘*aṭā*’ register of a specific group, in which it was relatively easy to identify individuals based on their names and patronyms.

However, for this assumption to be true, the flood period, here mentioned as a term for the repayment, would have to correspond to the time when the ‘*aṭā*’ was distributed. Furthermore, there is no textual evidence in these fragments that would establish a link between reimbursement of the debt and the payment of pensions by the central *dīwān* in Fustāṭ. It should also be noted that the first debtor in document 3 has a Christian name, Yuḥannis b. Thiyudur, and unless he was part of the conquering army, it is doubtful that he was eligible for a pension.

3. The administration of a ‘*ashīra*’. The lack of tribal *nisba* in these registers opens a third possibility, that of an administrative unit smaller than the *dīwān al-jund*. If this assumption is correct, the most likely institution is the ‘*irāfa*’, the administrative head of tribal units in the Egyptian *jund*. Several ‘*arīfs*’, in different tribal areas of the capital, were in charge of an office whose chief mission was to distribute the ‘*aṭā*’ to members of the army.<sup>28</sup> The details of their duties are still not well understood. Judging from the documents that we have, they were perhaps responsible for keeping the debt registers of their constituents—so that they could refer to them, when necessary, to distribute the ‘*aṭā*’ or more generally to help maintain social order.

The document P. Vindob A. 11191 (doc. 2) stands out due to its use of the distinctive expression *ghayr lāwī wa-lā maḥdhūr bi-dayn ustuhilla* (who, neither being late nor has been given formal notice to repay any debt, is authorized (?)), which is repeated twice. The subject of the second occurrence seems to be ‘*arīfu-hu*’, which, if our interpretation proves to be correct, would mean the ‘*arīf*’ of the debtor’s tribal section. It is possible that the latter is mentioned as a guarantor, who, as specified, is not himself overindebted. One could also assume, if some debts were deducted from the pensions paid by the *dīwān*, as we suggested above, that the debt was transferred to the ‘*arīf*’, who was responsible for paying the debt to the creditor from the debtor’s pension. In any case, the fact that they adopted such a legal formula suggests that these were standardized registers, probably recorded by an institution.

### *Recording procedures*

The way that these debt registers were kept provides valuable clues about their function. We noted above that they were written in different hands. This leads to the following two hypotheses:

1. Each debt may have been written by one of the people involved: the creditor, the debtor or one of the witnesses.
2. Several scribes were in charge of keeping these registers, and wrote according to their availability. However, we cannot tell from the fragments that have come down to us whether one hand recurs on a regular basis. Each record was notarized, that is, attested by witnesses, generally two in compliance with the Qur’ānic injunction on writing debt acknowledgments (2:282). In several cases, however, one of the “witnesses” was none other than the debtor, who “testifies against himself.”<sup>29</sup> Thus, there does not seem to be any formal difference in this

<sup>28</sup> S. Bouderbala, *Jund Miṣr*, 263.

<sup>29</sup> P. Camb. UL Inv. Michael. Pap. 893.

period between testimony and confession—furthermore, it should be noted that the verb *aqarra* (confess) is not present in the Qurʾān in any form. It might initially seem that this type of “testimony against oneself” had a higher value than testimony from another person, as does confession in classical Islamic law. However, the fact that two outside witnesses, rather than the debtor, testified on some records suggests that outside witnesses were preferred and that the debtor “testified” only when there was no second witness to validate the record. This use of “testimony against oneself” is a legal archaism that left only traces in the Umayyad period.<sup>30</sup> It was later replaced by “having someone testify against oneself,” that is, bringing in third parties to testify.

Debts may have been recorded as evidence, as presumption or simply for administrative purposes: as things currently stand, one cannot know. However, we should not exclude their value as evidence in court. The Yemenite ʿAbd al-Razzāq al-Ṣanʿānī (d. 211/826) reports that according to al-Zuhrī, in an earlier—but unspecified—era, people gave greater probative value to what he calls “testimony of dead people” (*shahādat al-mawtā*), that is, written documents that were the only evidence after the death of the witnesses.<sup>31</sup> Erasing key terms from each debt record might confirm that these registers were used as evidence. Once the debt was repaid, the parties returned to the institution where the register was kept to carry out this sort of destruction of the evidence: if we are correct that the registers were associated with the *dīwān*, this erasure may have been carried out by the scribes, once the debts were subtracted from the pensions. Whatever the case, this erasure destroyed the record’s value.

## SUNNA AND CALENDARS

The common feature of the documents that we are editing here is that they all use the same expression, *s.n.t. qaḍāʾ al-muʾminīn*, sometimes shortened to *s.n.t.*, which usually follows the year, and in one case follows the word *dīnār*. The correct reading and meaning of this expression is controversial. To date, three explanations have been suggested.

### *The hypotheses of Rāḡib, Bruning and Shaddel*

Yūsuf Rāḡib, the first to tackle this question, suggested the reading *sanat qaḍāʾ al-muʾminīn*, which he translates as “the year of the jurisdiction of the believers.” According to him, this could be an early way of naming in Egypt a lunar–solar calendar based on the Hijra calendar—which Muslims seem not to have called by that specific name for several centuries. Based on a unique tradition reported later by Abū Dāʾūd (d. 225/889), Rāḡib states that the term *qaḍāʾ* “must refer to judgeship”; the full expression would therefore refer to a “year used by the Muslims for legal acts.”<sup>32</sup> One criticism can immediately be raised against this interpretation. Rāḡib believes that this type of dating referred to a lunar–solar system, that is, a calendar that did not follow the lunar months, despite being dated from the Hijra, but

<sup>30</sup> See P. Khan Legal Document (year 88/707); P. Khalili I 09 (year 104/723).

<sup>31</sup> ʿAbd al-Razzāq al-Ṣanʿānī, *Muṣannaḡ ʿAbd al-Razzāq*, Ḥabīb al-Raḥmān al-Aʿzamī, ed., (Beirut: al-Maktab al-Islāmī, 1983), VIII, 354-5. Cf. Ibn Qutayba, *ʿUyūn al-akḥbār* (Cairo: Dār al-Kutub al-Miṣriyya, 1996), II, 28. See M. Tillier, *L’invention du cadi. La justice des musulmans, des juifs et des chrétiens aux premiers siècles de l’Islam* (Paris: Publications de la Sorbonne, 2017), 348-51.

<sup>32</sup> Y. Rāḡib, “Une ère inconnue,” 192-93.



instead used the months of the solar (Coptic) calendar, which did not start on 1 *Muḥarram* but on 1 *Thôt*.<sup>33</sup> This interpretation is based on the conclusion that the date of maturity for debts in P. Louvre Inv. J. David-Weill 20 is “the end (*mil*’) of year forty-two.” The end of the lunar–solar year would thus correspond with the “full flooding of the basins,” or the end of the Coptic year. However, as Jelle Bruning has noted, it is rather inconsistent to translate *mil*’ as both “end (of the year)” and “full flooding (of the basins).”<sup>34</sup> The other documents that we are editing here show that the term was not always repeated: in P. Camb. UL Inv. Michael. Pap. 893 and P. Vindob A. 11191, the “basins” (*ghayl*) are not mentioned, and *mil*’ clearly refers to the “high waters” of the flooding of the Nile. It is therefore likely that in P. Louvre Inv. J. David-Weill 20, the word *mil*’ is redundant: it would make more sense to translate it as “until the basins are full, until the high waters of the year forty-two.”<sup>35</sup> Consequently, there is no evidence that the fixed term corresponded to the “end” of the year of the *qaḍā’ al-mu’minīn*. This term is related to the high point of the flood, the end of the Coptic year; however, there is no evidence that the year of the *qaḍā’ al-mu’minīn* also ended on that date, and therefore that Muslims used a lunar–solar year with months based on the Coptic calendar. On the contrary, the mention of this dating system in document *P. Ness. III 56*, discovered in Palestine, suggests that the calendar in question was not uniquely Egyptian.

Jelle Bruning also contested Yūsuf Rāḡib’s reading more generally. He noted that the expression was abbreviated to *s.n.t.* in P. Louvre Inv. E 7106 and suggested an alternative interpretation. According to Bruning, this phrase may have been a validity clause. The term *qaḍā’* should be understood as a reference to a “procedure” and *s.n.t.* should actually be read as *sunnatan*. The expression *sunnata qaḍā’ al-mu’minīn* would then mean “in accordance with the normative procedure of the believers,”<sup>36</sup> or more literally, “in accordance with the customary procedure of the believers.” This explanation leads to intriguing possibilities about the early existence of a legal standard associated with Muslim judicial institutions. This interpretation has recently been critically examined by Mehdy Shaddel. Shaddel questions whether the expression may persuasively be interpreted as a validity clause, as this type of clause was generally reserved for more developed documents such as contracts, rather than acknowledgments of debts. He further notes that the *sunna*, both in the pre-Islamic period and in the early days of Islam, corresponded to a precedent set by an individual, not by an institution; therefore, court proceedings could not themselves be a source of *sunna*. Lastly, he shows that Bruning’s reading is not satisfactory from a grammatical point of view, as the noun *qaḍā’* cannot be used as an adverb, as he suggests. Shaddel also points out that in the first/seventh century, the root *q.ḍ.y.* did not yet seem to denote judicial activity.<sup>37</sup>

To these arguments, we should add that the polysemous root *q.ḍ.y.* could mean “judgment,” or “judiciary,” but as far as we know never referred to “court procedures.” Furthermore, Bruning’s conclusions may be rejected using the *rasm* argument. As we have seen, Bruning rightly points out

<sup>33</sup> Y. Rāḡib, “Une ère inconnue,” 193.

<sup>34</sup> J. Bruning, “A Legal *Sunna*,” 368.

<sup>35</sup> As suggested by J. Bruning, “A Legal *Sunna*,” 365.

<sup>36</sup> J. Bruning, “A Legal *Sunna*,” 370-73.

<sup>37</sup> M. Shaddel, “The Year According to the Reckoning of the Believers’: Papyrus Louvre Inv. J. David-Weill 20 and the Origins of the *hijrī* Era,” *Der Islam* 95 (2018): 296-297. The authors thank Mehdy Shaddel for sharing with them his article pre-publication. On the documentary attestations of legal institutions in the first/seventh century, see M. Tillier, *L’invention du *caḍī**, 41-113.

that we cannot suggest two different meanings for two occurrences of *mil*’ separated by only a few words, as Rāḡib does. But this argument can likewise be raised against Bruning about *s.n.t.* In P. Louvre Inv. J. David-Weill 20 (l. 5), as in P. Louvre Inv. E 7106 (l. 4-5), *s.n.t.* appears twice in the same sentence, surrounding the date of maturity of the debt. Although Bruning defends his reasons for choosing the reading *sunna* the second time it appears, he does not justify his rejection of *sana*. However, it would seem more consistent if one *rasm* had the same meaning when separated by only three words, even though it would be redundant. Whether placed before or after the year number, textual logic requires one to read *sana*, not *sunna*. A palaeographical clue in P. Berol. Inv. 15002, unnoticed by the editors, might confirm that the two instances of *s.n.t.* correspond to the same word.<sup>38</sup> This short fragment acknowledging a debt that was due in the year 22/642-643 seems to end with *sana ithnatayn wa-’ishrīn*. *Sana* is written between two horizontal lines (Figure 8.1), the intention of which seems to be to attract the reader’s eye to the word. Another line begins to the left of the word *’ishrīn*, just before the torn edge of the fragment, which leads us to believe that the following word was again *s.n.t.* and that it too was also surrounded by two horizontal lines. Highlighting both words in the same manner suggests that the scribe wanted to indicate that this was the same word in both cases, which therefore must be read *sana*.

**[[Figure 8.1 begins; position near the above running-text paragraph:]]**

Figure 8.1: Facsimile of P. Berol. Inv. 15002, 3.

**[[end of figure]]**

Bruning’s interpretation is therefore less straightforward: it depends on complex reasoning where a more straightforward reading of *sana* seems to correspond better with the logic of the text. Yet the rest of the expression, *qaḏā’ al-mu’minīn*, still needs to be explained. The second term, *al-mu’minūn*, poses no difficulty: it means the “believers,” the term that the followers of the new religion seem to have favored to refer to themselves for several decades. According to Fred M. Donner’s interpretation, up to the end of the Sufyānid era at least, the word may have referred to the members of the monotheistic community led by the *amīr al-mu’minīn*, and it was only later that this community was restricted to *muslimūn* only, defined as those who adhered to the preaching of Muḥammad to the exclusion of any other prophet.<sup>39</sup> The most problematic term is still *qaḏā’*, which Rāḡib does not really try to explain. He writes that the word *qaḏā’* “must mean the judiciary,” but in support of his argument he cites only one later source, the *Sunan* of Abū Dāwūd, which does not mention the *qaḏā’ al-mu’minīn* but rather the *qaḏā’ al-muslimīn*. Furthermore, he tends to confuse the *qaḏā’*, a *judicial* institution (“judiciary,” “jurisdiction”) in classical *fiqh*, with *legal* practices—he speaks of a “year used by Muslims for legal acts”—that are not necessarily associated with the judiciary.<sup>40</sup> The lack of any reference to any jurisdiction named *qaḏā’* in papyri from the early centuries of Islam casts doubt on

<sup>38</sup> The text was edited independently, 20 years apart, first by W. Diem without any analysis, in his article “Philologisches zu den arabischen Aphrodito-Papyri,” *Der Islam* 61 (1984): 251-75, in part. p. 272 then by Y. Rāḡib, with an exhaustive analysis and commentary, in “Un papyrus arabe de l’an 22 de l’hégire,” in *Histoire, archéologies, littératures du monde musulman. Mélanges en l’honneur d’André Raymond*, G. Alleaume, S. Denoix and M. Tuchscherer, eds. (Cairo: Ifao, 2009), 363-72.

<sup>39</sup> F.M. Donner, *Muhammad and the Believers. At the Origins of Islam* (Cambridge, MA/London: Harvard University Press, 2010), 204.

<sup>40</sup> Y. Rāḡib, “Une ère inconnue,” 192-93.

the relevance of this interpretation: we cannot see how such a poorly documented judicial institution, which we can trace only with difficulty for the first centuries, and which as far as we know was not even called *qaḍā'* in this early period, could lend its name to a calendar. Bruning's interpretation does not differ here from Rāḡib's. According to Shaddel, *qaḍā'* is a key term for understanding the expression *s.n.t. qaḍā' al-mu'minīn* as referring to a calendar. He notes that the root *q.ḍ.y.* appears in the Qur'ān to evoke the passage of time, and that in later papyri the root is used in a temporal sense. He therefore suggests that the root may have acquired the secondary meaning of "passage," and that the expression could mean "the year according to the reckoning of the believers."<sup>41</sup> Although there is no doubt that Shaddel is essentially correct, as we will try to show, his arguments can be disputed. It is no coincidence that the root *q.ḍ.y.* has a temporal connotation in the Qur'ān: in all of the examples that he cites, the root refers above all to achieving or fulfilling something. It does not, however, carry the idea of the passage of time.<sup>42</sup> Furthermore, later papyri do not use the verb *qaḍā'* (of which *qaḍā'* is the *maṣdar*) to indicate the passage of time, but rather the VII form *inqaḍā'*, which has a well-attested temporal meaning, but is not directly related to the temporal meaning of *qaḍā'*. We must therefore explore other hypotheses and explanations.

#### *Qaḍā'* = reimbursement?

Researchers who have studied the expression *s.n.t. qaḍā' al-mu'minīn* have so far never taken into account the general context in which it appears. As we saw above, all the documents in which it is used concern debts, whether they are parts of registers or debt acknowledgments. As a matter of fact, the sense of "fulfilment"<sup>43</sup> carried by the root *q.ḍ.y.* finds a particular meaning when talking about debts: *qaḍā' daynan* means "he settled a debt, paid off a debt,"<sup>44</sup> an expression attested in documents from the first/seventh century. Thus, the receipt that we are reediting here (1), which dates from the decade of the 20s/640s, if not from the year 20 itself, begins with *hādhā mā qaḍā'* ("here is what he paid"), as does the unedited document P. Louvre Inv. JDW 26.<sup>45</sup>

If the term *qaḍā'* should be understood in the sense of "reimbursement" of a debt, the expression *qaḍā' al-mu'minīn* would then literally mean "reimbursement of the believers." When associated with a numerical amount, *qaḍā' al-mu'minīn* could thus mean that the debtor committed to reimbursing this amount "in accordance with the manner used by the believers to reimburse [their debts]." As Bruning supposes, this would then be a type of clause. Such an interpretation would also allow us to read, as does Bruning, *sunnata qaḍā' al-mu'minīn*, but in the sense of "in accordance with the reimbursement custom followed by the believers." The alternative reading of *sanata qaḍā' al-mu'minīn* should be understood as "according to the believers' year/calendar of reimbursement." Therefore, using this expression meant that the debt would have to be paid back according to the specific conditions imposed by the followers of the new religion.

<sup>41</sup> M. Shaddel, "The Year According to the Reckoning of the Believers," 298-299.

<sup>42</sup> See M. Tillier, *Les cadis d'Iraq et l'État abbasside (132/750-334/945)* (Damascus: Presses de l'Ifpo, 2009), 80-81.

<sup>43</sup> Al-Azharī, *Tahdhīb al-lughā*, 'Abd al-Salām Muḥammad Hārūn and Muḥammad 'Alī al-Najjār, ed. (Cairo: al-Dār al-Miṣriyya li-l-ta'lif wa-l-tarjama, n.d.), IX, 211-2. See also M. Tillier, *Les cadis d'Iraq et l'État abbasside*, 80.

<sup>44</sup> See M. Tillier, *Les cadis d'Iraq et l'État abbasside*, 81.

<sup>45</sup> We are currently preparing an edition of this document.

Bruning's article contains the seeds of the idea that the expression might refer to a specific type of debt repayment within the young Muslim community. However, although he mentions in a footnote that the "Constitution of Medina" speaks out against debt slavery, Bruning does not fully develop a hypothesis about this.<sup>46</sup> Another, surely more essential element should be added, namely the Qur'ānic prohibition on borrowing at interest (*ribā*) for "those who believe" (Qur'ān 2:275-280; 3:130; 4:161). The clause could refer to this Qur'ānic prohibition, by specifying that the debtor would have to repay only the capital, without having to pay any interest. If this is the case, the phrase *qaḍā' al-mu'minīn* would be the opposite of the Qur'ānic expression *ḥukm al-jāhiliyya*, the "judgment of ignorance" (Qur'ān 5:50). Its use could be a reminder that debts between believers were governed by new norms, distinct from those used in other societies that were considered to be ignorant.

This interpretation applies when *qaḍā' al-mu'minīn* is associated with a numerical amount, and also if we accept that the reading is *sunnat qaḍā' al-mu'minīn*, as Bruning does. Nevertheless, we have seen that the much more likely reading is *sanat qaḍā' al-mu'minīn*, referring to the notion of a calendar: the expression would therefore rather specify which calendar is being used for the maturity date of the debt. As Rāḡib states, Muslims generally did not find it necessary to specify the era that they were using as a reference, and which in Muslim tradition is associated with the Hijra.<sup>47</sup> Because among Muslims there was no doubt or ambiguity, they mentioned the date without specifying any calendar.<sup>48</sup> The same is true for the oldest dated tax documents.<sup>49</sup> Why then would our series of documents be any exception? The answer is precisely because of their subject matter, namely debts. The Qur'ānic injunctions about debts, in an unusually long verse (Qur'ān 2:282), are quite clear: "O ye who believe! When ye deal with each other in transactions involving future obligations in a fixed period of time (*ajal musammā*), reduce them to writing ... ." The goal of putting them in writing and including the due date (as mentioned by the verse a few lines later) was to "prevent doubts." In the third/ninth century, one of the first Muslim historiographers, Khalīfa b. Khayyāt (d. 240/854) began his *Book of Dating* (*Kitāb al-ta'rīkh*)—often improperly translated as *Chronicle*—with the following words:

This is the *Book of Dating*. It is thanks to dates that people are able to understand matters relating to pilgrimage, fasting, the end of their spouses' waiting period and the date of maturity (*maḥill*) of their debts.<sup>50</sup>

According to this author, the calendar is above all a legal necessity, allowing believers to meet their religious obligations and the rules for living in society, in particular those concerning debts. A tale reported by al-Ṭabarī (d. 310/923) about the establishment of the Muslim calendar also highlights

<sup>46</sup> J. Bruning, "A Legal *Sunna*," 374.

<sup>47</sup> Y. Rāḡib, "Une ère inconnue," 187.

<sup>48</sup> In the twelfth century, al-Harawī cites the inscription on a tombstone that he saw in Cyprus, which had been reused for the wall of a church, and which was dated to "the year 29 of the Hijra" (650). However, Fred Donner doubts its authenticity (F.M. Donner, *Narratives of Islamic Origins. The Beginnings of Islamic Historical Writing* (Princeton: The Darwin Press, 1998), 88 n. 86). Amikam Elad, who argues in favor of its authenticity, nevertheless assumes that the *li-l-hijra* could have been added by al-Harawī in order to give a more specific date. A. Elad, "Community of Believers of 'Holy Men' and 'Saints' or Community of Muslims? The Rise and Development of Early Muslim Historiography," *Journal of Semitic Studies* 47 (2002): 287. For this inscription, see also RCEA, I, no. 5; A. Grohmann, *Arabische Chronologie* (Leiden/Cologne: Brill, 1966), 14.

<sup>49</sup> In particular, we are thinking of the payment orders of Nessana *P. Ness.* III 60-67, dated to the years 674-689, as well as of the bilingual receipt *P. Ness.* III 56, dated to 687, which mentions a year but never specifies that it is using the Hijra era.

<sup>50</sup> Khalīfa b. Khayyāt, *Ta'rīkh*, Akram Ḍiyā' al-'Umarī, ed. (Damascus-Beirut: Mu'assasat al-Risāla-Dār al-Qalam, 1977), 49.

the issue of debts. A debt acknowledgment (*ṣakk*) with an unspecified due date (*maḥill*), mentioning only the month, was brought before ‘Umar b. al-Khaṭṭāb (r. 13-23/634-644), which encouraged him to establish an official calendar.<sup>51</sup> In Egypt as well as in other conquered provinces, the existence of competing calendars was a source of ambiguity. During the Sufyānid period, the Treasury continued to use Greek and the system of indictions, a method of dating based on 15-year cycles. Each year in this cycle was numbered from 1 to 15. The months of the Coptic solar calendar continued to refer to it, even when dealing with Muslims.<sup>52</sup> Since Antiquity, the local Egyptian calendar had always been duplicated by successive conquering powers. For example, the Ptolemaic dynasty used Macedonian months alongside the Egyptian months, while also still using the traditional regnal years of the new pharaohs of Egypt as a reference for the years.<sup>53</sup> In order to resolve any ambiguity about maturity dates and to make it impossible to question debt acknowledgments, as prescribed in the Qur’ān, it may therefore have seemed essential to specify which calendar Muslims were referring to. In that case, *sanat qaḍā’ al-mu’minīn* may not by itself correspond to an era, but specify the timetable used in the document: the scribe could have made it clear that the mentioned year followed the calendar used by Muslims when paying back their debts, that is, the unnamed—and perhaps not yet associated with the Hijra—calendar adopted by their community.

#### *Qaḍā’ = power/decrees?*

The sense of “fulfilment” expressed by the term *qaḍā’* may have a more general scope, and could refer to the work that the believers felt they had accomplished. This abstract meaning could then allude to the seizure of power by followers of the new religion. It should be noticed that medieval lexicographers often considered *qaḍā’* to be a synonym of *ḥukm*; *ḥukm* itself is a polysemous term designating a “judgement,” a “rule” and in a wider sense, “power.”<sup>54</sup> The expression may then be compared with the more concrete expression used by seventh-century Syriac authors when dating events according to the era of “the rule/power of the Arabs/Muslims” (*d-shūltōnō d-Ṭayōyē*).<sup>55</sup> This explanation has the advantage of bringing the Syriac name for the Muslim calendar in line with the name used by the Muslims themselves: Syriac authors might merely have translated the phrase *sanat qaḍā’ al-mu’minīn*. However, the term *qaḍā’* has a greater ideological connotation than *shūltōnō*: in its original Qur’ānic meaning, it is above all the divine decree, referring to the notion of fulfilment of God’s will.<sup>56</sup> In

<sup>51</sup> Al-Ṭabarī, *Ta’rīkh al-rusul wa-l-mulūk*, M.J. de Goeje, ed. (Leiden: E.J. Brill, 2010) (1st ed. 1885-1889), I.3, 1251.

<sup>52</sup> On the use of Coptic months in Arabic documents, see A. Grohmann, *Einführung und Chrestomathie zur arabischen Papyruskunde. I. Einführung*, 225-32 and Id., *I. Arabische Chronologie. II. Arabische Papyruskunde* (Leiden/Cologne: Brill, 1966), 26-30.

<sup>53</sup> On the Macedonian calendar, cf. C. Bennett, *Alexandria and the Moon. An Investigation into the Lunar Macedonian Calendar of Ptolemaic Egypt* (Leuven: Peeters, 2011).

<sup>54</sup> Al-Khalīl b. Ahmad, *Kitāb al-‘ayn*, Maḥdī al-Makhzūmī and Ibrāhīm al-Sāmarrā’ī, ed. (Qumm: Dār al-Hijra, 1984), V, 185; al-Azharī, *Tahdhīb al-lughā*, IX, 211; Ibn Manẓūr, *Lisān al-‘arab* (Beirut: Dār Ṣādir, 1997), V, 278.

<sup>55</sup> See Y. Rāḡib, “Une ère inconnue,” 189.

<sup>56</sup> In one of the oldest attestations of the “legal” use of the term, in the late Umayyad era, *qaḍā’* still refers to the enforcement of divine decrees by the judge. M. Tillier, *Les cadis d’Iraq*, 80-81, 88, 91.

addition to its meaning of “reign,” *qaḍāʾ* therefore conveys the idea that it corresponds to the fulfilment of a divine design by the believers, which includes, in particular, the enforcement of Divine Law.<sup>57</sup>

By extension, *qaḍāʾ* designates an “order” or “decree,” in particular from God in the Qurʾān, which by definition is fulfilled. This is its usual meaning in the Qurʾān.<sup>58</sup> This could be reconciled with what is reported in the Islamic tradition concerning the establishment of the Muslim calendar. This establishment supposedly dates back to the reign of ʿUmar (r. 12-23/634-644), which seems plausible in light of the oldest dates mentioned in surviving documents—the year 20/640-641<sup>59</sup> and the year 22/642-643.<sup>60</sup> However, according to the historians Khalīfa b. Khayyāṭ and al-Ṭabarī, the second caliph was not the only one responsible for this decision: he consulted the Companions around him and, after discussing different starting dates for the calendar, they all agreed on the Hijra as a starting point.<sup>61</sup> The *qaḍāʾ al-muʾminīn* could thus correspond to the “decree of the believers,” that is, the calendar they promulgated.

It therefore makes perfect sense to read *qaḍāʾ* as “decree” or “power” in the expression *sanat qaḍāʾ al-muʾminīn*. Furthermore, this interpretation would help us understand one occurrence where the expression *qaḍāʾ al-muʾminīn* is not preceded by *s.n.t.* P. Vindob. Inv. A.P. 11191 (doc. 2) reads, l. 6, *danānīr qaḍāʾ al-muʾminīn*. As Shaddel notes, these words are particularly difficult to interpret, as they are found in the context of a lacuna.<sup>62</sup> Unless *s.n.t.* was omitted, it seems that there is no reference here to a *sunna* or to a year. Rāḡib, who reads *danānīr qaḍāʾ al-muʾminīn*, translates the expression as “dinars of the jurisdiction of the believers.” As we have seen, the term “jurisdiction” is surely anachronistic in this period. Nevertheless, *danānīr qaḍāʾ al-muʾminīn* might refer to a type of money associated with the “decree/power of the believers,” that is, gold coinage distinct from other money. The *qaḍāʾ al-muʾminīn* may therefore designate the authority of the conquerors, of Muslim rule.

One final hypothesis is that *qaḍāʾ* is the translation of a foreign term. When they arrived in Syria and Egypt, the conquerors found institutions that were accustomed to use a dating cycle based on indictional years. One could thus imagine that the originally Latin term *indictio* (“proclamation, declaration”), which originally refers to the announcement made each year by Roman authorities to collect wheat in order to feed the Empire’s army and population,<sup>63</sup> was translated by the Arabs by the word *qaḍāʾ*, understood in this case in the sense of “decree.” The addition of the term *al-muʾminīn* may have then helped distinguish between the indiction used by the Muslims and the one used by the Roman-Byzantine Empire. However, this interpretation would make it more difficult to understand the occurrence of the phrase *danānīr qaḍāʾ al-muʾminīn*, which, as we saw, probably does not refer to a

<sup>57</sup> One of us has already discussed these possibilities in M. Tillier, *L’invention du cadi*, 142-3. See also the conclusions of M. Shaddel, who refers instead to the name of the Muslim calendar in the Greek stele at Hammat Gader (*kat’ Arabas etous*), in “The Year According to the Reckoning of the Believers,” 298.

<sup>58</sup> Al-Azharī, *Tahdhīb al-lughā*, IX, 211-2; E.W. Lane, *Arabic-English Lexicon* (London: Williams and Norgate, 1893), VIII, 2989; E.M. Badawi and M. Abdel Haleem, *Arabic-English Dictionary of Qurʾānic Usage* (Leiden/Boston: Brill, 2008), 763; A.A. Nadwi, *Vocabulary of the Holy Quran* (Chicago: Muʾassasat Iqrāʾ al-thaqāfiyya al-ʾālamīyya, 1986), 526.

<sup>59</sup> The document can be read in text number 1, reedited here.

<sup>60</sup> P. Ragheb An 22.

<sup>61</sup> Khalīfa b. Khayyāṭ, *Taʾrīkh*, 51; al-Ṭabarī, *Taʾrīkh al-rusul wa-l-mulūk*, I.3, 1251.

<sup>62</sup> M. Shaddel, “The Year According to the Reckoning of the Believers,” 301.

<sup>63</sup> For the indiction system, see Y.E. Meimarīs, *Chronological Systems in Roman-Byzantine Palestine and Arabia* (Athens: Research Center for Greek and Roman Antiquity, 1992), 32-34.

calendar. The only possibility would then be that it refers to dinars with a minting date using the calendar of the believers, which is unlikely since coins minted by Muslims in the western part of the empire did not mention a date at that time.<sup>64</sup>

### *The Hijra calendar? Some speculations*

At this point, the following two hypotheses are dominant:

1. The phrase *qaḏā' al-mu'minīn* might refer to the debt repayment customs used by the young Muslim community. This interpretation allows for reading either “*sanat*” or “*sunnat*” *qaḏā' al-mu'minīn*, an expression that would evoke either a norm or a deadline corresponding to Hijra years. Nevertheless, under this hypothesis, we are still not able to understand the incomplete expression *danānīr qaḏā' al-mu'minīn*. For this reason, this is not the hypothesis that we prefer.
2. The phrase *qaḏā' al-mu'minīn* corresponds to the power/fulfilment/decreed of the Muslims. Under this interpretation, all of the known occurrences of the expression are meaningful. The *rasm s.n.t.* cannot be read “*sunnat*,” but only “*sanat*,” a reading that seems to be confirmed by a palaeographical detail that has so far gone unnoticed. The expression *sanat qaḏā' al-mu'minīn* appears to be the name of a calendar.

In the last part of this chapter, we will focus on this second hypothesis, which seems more likely. If we consider that *sanat qaḏā' al-mu'minīn* corresponds to a calendar, we should also question when it started, taking into account the fact that up to this point it is attested in this form only in Egypt and Palestine, and that it might therefore very well be a regional calendar as much as an imperial one.

The Islamic tradition is almost unequivocal: the arrival (*maqdam*) of Muḥammad in Yathrib/Medina, otherwise known as the Hijra, was considered the starting point of the calendar at an imperial level. Yet the historical existence of a Hijra-based calendar as early as the first/seventh century is problematic: not only is this reference point never explicitly mentioned in this period, but if the interpretation of *sanat qaḏā' al-mu'minīn* as the denomination of a calendar is accurate, this Muslim calendar was not a “Hijra” calendar properly speaking. Therefore, the assimilation of this calendar into the Hijra calendar cannot be taken for granted.

We should note, first of all, that according to Khalīfa b. Khayyāt and al-Ṭabarī, the arrival of the Prophet in Medina was not an obvious starting point for the calendar. In ‘Umar’s circle, opinions differed. Initially some might have suggested adopting the Seleucid or Persian calendar. Some suggested using Muḥammad’s birth as year 1, others suggested using the year of his death, and still others suggested the year he started preaching. The Hijra date was adopted only at the end of these discussions.<sup>65</sup> However, the consensus in these stories is somewhat mitigated by a short *khabar*:

‘Abd Allāh b. Maslama b. Qa‘nab and Ishāq b. Idrīs reported from ‘Abd al-‘Azīz b. Abī Ḥāzim, from his father, from Sahl b. Sa‘d al-Sā‘idī:

<sup>64</sup> See C. Foss, “A Syrian Coinage of Mu‘awiya?,” *Revue numismatique*, 6<sup>e</sup> série, 158 (2002), 361.

<sup>65</sup> Khalīfa b. Khayyāt, *Ta‘rīkh*, 51; al-Ṭabarī, *Ta‘rīkh al-rusul wa-l-mulūk*, I.3, 1251.

The people were mistaken in their calculations. They did not count from the time that God sent the Prophet, may the prayer and blessings of God be upon him, nor from the time of his death. They counted only from his arrival in Medina.<sup>66</sup>

These words, attributed to Sahl b. Sa'd al-Khazrajī al-Anṣārī (d. 91/110?), a Medinan Companion who supposedly lived for a hundred years,<sup>67</sup> reflect a controversy regarding the starting point of the calendar.<sup>68</sup> Several centuries later, Ibn Ḥajar al-ʿAsqalānī (d. 852/1449) offers two versions of these sentences, which he traces back to ʿAbd al-ʿAzīz b. Abī Ḥāzim, and tries to clarify them. According to his interpretation, Ibn Abī Ḥāzim signified his disagreement with the adoption of the Hijra as the starting point of the calendar: it would have been preferable, in his opinion, to start from the beginning of Muḥammad's prophetic mission or from his death. The idea that one could have made a mistake in the calculation of dates, by taking different starting points, was however disturbing enough for Ibn Ḥajar to try and minimize its consequences by explaining that Muslims simply forgot certain dates, before finding them again.<sup>69</sup>

Even such a minor trace of this controversy leads us to wonder whether it is historically likely that Muḥammad's arrival in Medina was adopted as a starting point for the calendar under ʿUmar. Let us return to the events that tradition places in 622. In the Islamic imagination, the emigration of Muḥammad and his Companions to Medina corresponds to an essential cutoff point: the Prophet left the land of paganism to establish a new monotheist community. However, Jacqueline Chabbi notes that in the Qurʾān, the term *hijra* “does not appear to apply to Muḥammad himself,” but to those who joined him in Medina and abandoned their properties.<sup>70</sup> Muḥammad's departure from Mecca appears there in a much different light: the apostle of the new religion was banished (*ikhrāj*), and his forced exile from his tribe appears as a “major setback,” equivalent to a “symbolic death.” Muḥammad left for Medina “against his will.”<sup>71</sup> Therefore it is doubtful that his arrival in Medina was initially cause for celebration. Furthermore, Patricia Crone suggests that in Muḥammad's time, the *hijra* did not refer to a specific emigration to a specific place (Medina), but the general movement of arms-bearing Arabs to join the military expansion.<sup>72</sup> The concept of *hijra*, in the sense of the Prophet's emigration to Medina, thus corresponds to a dogmatic vision that took time to take hold. The idealization of the departure to Medina can have developed only in a period when the great *hijra*—the mass emigration

<sup>66</sup> Khalifa b. Khayyāt, *Taʾrīkh*, 51. Cf. the slightly different version reported by al-Ṭabarī, *Taʾrīkh al-rusul wa-l-mulūk*, I.3, 1252. In place of *akhṭaʿa* (to be mistaken), al-Ṭabarī writes *mā aṣāba* (not to be right), wrongly translated as “Whenever people calculated the date” in the English translated by W. Montgomery Watt and M. McDonald, *The History of al-Ṭabarī* (Albany: State University of New York Press, 1988), VI, 158.

<sup>67</sup> Kh.-D. al-Ziriklī, *al-Aʿlām. Qāmūs tarājim li-ashhar al-rijāl wa-l-nisāʾ min al-ʿArab wa-l-mustaʿribīn wa-l-mustashriqīn*, 12th ed. (Beirut: Dār al-ʿilm li-l-malāyīn, 1997), III, 143.

<sup>68</sup> Cf. P. Crone and M. Cook, *Hagarism. The Making of the Islamic World* (Cambridge: Cambridge University Press, 1977), 157, n. 39; S.J. Shoemaker, *The Death of a Prophet. The End of Muhammad's Life and the Beginnings of Islam* (Philadelphia: University of Pennsylvania Press, 2012), 102.

<sup>69</sup> Ibn Ḥajar al-ʿAsqalānī, *Fath al-bārī bi-sharḥ Ṣaḥīḥ al-Bukhārī*, ʿAbd al-ʿAzīz b. ʿAbd Allāh al-Bāz, ed. (s.l.: al-Maktabat al-salafiyya, s.d.) (reprint of Cairo: Mustafā al-Bābī al-Ḥalabī, 1959-1970), VII, 268.

<sup>70</sup> J. Chabbi, *Le Seigneur des tribus. L'islam de Mahomet* (Paris: CNRS Éditions [coll. Biblis], 2013), 257.

<sup>71</sup> J. Chabbi, *Le Seigneur des tribus*, 257-60. See also U. Rubin, “The Life of Muḥammad and the Qurʾān: The Case of Muḥammad's Hijra,” *Jerusalem Studies in Arabic and Islam* 28 (2003): 44, 57.

<sup>72</sup> P. Crone, “The First-Century Concept of Hijra,” *Arabica* 41 (1994): 366-67.



into conquered territories—prompted research into a precedent,<sup>73</sup> in other words, only in an era when Muḥammad had taken a central place in Islamic dogma, which did not occur perhaps before the 680s.<sup>74</sup> The departure from Mecca is surely an historical event; but even if we do not follow Patricia Crone and Michael Cook’s arguments,<sup>75</sup> we agree that the dogmatic construction of an “exodus” is very likely to be rather late.

Mehdy Shaddel is well aware of this problem.<sup>76</sup> This does not prevent him from suggesting that the Muslim calendar designated by the term *sanat qaḍā’ al-mu’minīn* corresponds to the same event, that is, the arrival of Muḥammad in Medina and the foundation of a new community and a new state.<sup>77</sup> He therefore takes it for granted that the emergence of the *umma*, based on what historiography generally refers to as the “Constitution of Medina” or the “Pact of Yathrib,” should correspond to the cutoff event that the earliest Muslims considered to be the most meaningful in distinguishing the ancient world from the new era. However, once again this pattern represents an ideological reading applied in hindsight. Not only is the “Muslim” nature of the *umma* in Medina far from being proven,<sup>78</sup> but Muḥammad’s role in its early years is also rather unlike that of a head of state. The “Constitution of Medina” is nothing more than a pact confirming an alliance between tribes, equivalent to what the ancient Arabs called *ḥilf*.<sup>79</sup> Far from being equivalent to a monarch, Muḥammad was simply recognized as a preferred arbiter. His authority was far from being accepted by all the inhabitants of Medina, as evidenced by the attitude of those whom Muslim tradition qualifies as *munāfiqūn* (hypocrites). As Andrew Marsham states in a summary fashion, Muḥammad did not enjoy any status superior to that of a sheikh or a tribal *sayyid*.<sup>80</sup>

If the arrival of Muḥammad in Medina is not in fact a significant historical rupture that provides a plausible starting date for a calendar, are there alternatives? There may be several other suggestions, depending on whether *sanat qaḍā’ al-mu’minīn* is taken to refer to a strictly Egyptian calendar or a unified and transregional Islamic calendar.

1. Questioning the fragmentary date in the Greek papyrus *P. Paramone* 18, which mentions “year 1 of the *dioikesis* of ...” and in all likelihood refers to 641, Federico Morelli proposes that the *qaḍā’ al-mu’minīn* era could have started at the same time, that is, it could have used the conquest of Egypt as a start date.<sup>81</sup> His suggestion could be supported by the fact that this same year, 641, seems to have been taken as a reference point by some monks who lived in the *Kellia*

<sup>73</sup> On the possible reasons for this reinterpretation, see P. Crone, “The First-Century Concept of Hijra,” 383 ff.

<sup>74</sup> See M. Tillier, “Abd al-Malik, Muḥammad et le Jugement dernier: le dôme du Rocher comme expression d’une orthodoxie islamique,” in *Les vivants et les morts dans les sociétés médiévales. Actes du XLVIIIe Congrès de la SHMESP (Jérusalem, 2017)* (Paris: Éditions de la Sorbonne, 2018), 341-365.

<sup>75</sup> P. Crone and M. Cook, *Hagarism. The Making of the Islamic World* (New York: Cambridge University Press, 1977), 9. See also U. Rubin, “The Life of Muḥammad,” 58.

<sup>76</sup> M. Shaddel, “The Year According to the Reckoning of the Believers,” 302.

<sup>77</sup> M. Shaddel, “The Year According to the Reckoning of the Believers,” 305.

<sup>78</sup> See especially F.M. Donner, *Muhammad and the Believers*.

<sup>79</sup> A. Marsham, *Rituals of Islamic Monarchy. Accession and Succession in the First Muslim Empire* (Edinburgh: Edinburgh University Press, 2009), 43.

<sup>80</sup> A. Marsham, *Rituals of Islamic Monarchy*, 55.

<sup>81</sup> F. Morelli, “Amr e Martina: la reggenza di un’imperatrice o l’amministrazione araba d’Egitto,” *Zeitschrift für Papyrologie und Epigraphik* 173 (2010): 136-57, in part. p. 143. For the dating of the papyrus in question, see also N. Gonis, “P. Paramone 18: Emperors, Conquerors and Vassals,” *Zeitschrift für Papyrologie und Epigraphik* 173 (2010): 133-35.

(al-Mūna in Arabic, from the Greek μωνή) when dating some of their inscriptions.<sup>82</sup> These texts include two dates, one with an Egyptian month and an indiction, the other with the year and the month of the “La(h)mi,” a Coptic word referring to the conquerors.<sup>83</sup> Converting these dates shows that the starting point for this era must be the year 641.<sup>84</sup> As we saw above, the *qaḍāʾ* of the believers could then correspond to their “victory decreed” by God, and would therefore be an expression of their dominion over this province. Under this hypothesis, one would have to add 20 lunar years to the dates mentioned in our documents, and redate them as follows:

- P. Vindob. Inv. 519 = Chrest. Khoury I 48 (20/641) > 40/660-661
- P. Louvre Inv. J. David-Weill 20 (42/662-663) > 62/681-682
- P. Louvre inv. E 7106 (44/664) > 64/683-684
- P. Camb. UL Inv. Michael. Pap. 893 (47/667-668) > 67/686-687
- P. Vindob A. 11191 (57/676-677) > 77/696-697
- P. Vindob. Inv. 11074 (57/676-677) > 77/696-697
- P. Vindob. Inv. 11076 (57/676-677) > 77/696-697
- P. Utah 520 (Monday 14 or 15 *rabiʿ* I 57/677) > Monday 12 *rabiʿ* I 77/Monday 19 June 696
- P. Ness. III 56 (*rajab* 67/18 January 687) > *rajab* 87/June-July 706

If we accept this hypothesis, the dates must be moved forward, for the most part, to the end of the Sufyānid era or the beginning of the Marwānid period. However, the most specific date, found in *P. Ness. III 56*, where the dating system could have been influenced by the Egyptian system due to geographic proximity,<sup>85</sup> is incompatible with this scenario: the bilingual document is dated in Greek both to the fifteenth year of an indiction cycle that could never fall

---

<sup>82</sup> On these inscriptions, cf. Ph. Bridel (ed.), with the assistance of N. Bosson, *Explorations aux Qouçoûr er-Roubâʿiyât. Rapport des campagnes 1982 et 1983* (Leuven : Peeters, 1994) (= *MSAC* 1994) and Ph. Bridel (ed.), with the assistance of N. Bosson and D. Sierro, *Explorations aux Qouçoûr al-Izeila lors des campagnes 1981, 1982, 1984, 1985, 1986, 1989 et 1990* (Leuven: Peeters, 1999) (= *MSAC*, 1999). We would like to thank Jean-Luc Fournet for drawing our attention to this system of dating as well as for the references that he kindly provided us. We also refer to the lecture that he gave on this subject at the Collège de France on 9 March 2016, <https://www.college-de-france.fr/site/jean-luc-fournet/course-2016-03-09-11h00.htm>.

<sup>83</sup> The equivalency is based on the Coptic-Arabic *scala magna* by the encyclopaedist Abū l-Barakāt Ibn Kabar (d. 724/1324), where the term ΟΥΛΑΜΙΤΗΣ is translated into Arabic as *Muslim* (cf. J.-L. Fournet’s course, mentioned above). The origin of the term has been debated: some have considered it a deformation of the word Ἰσλαμίτης (*Muslim*), but as J.-L. Fournet has mentioned to us, this word is not attested in Greek (cf. *MSAC* 1994, p. 429). Others have argued that it is derived from the name of the Lakhmids, a tribe allied with the Sassanids and living around Ḥīra in the pre-Islamic age (cf. *MSAC* 1999, 15 n. 20; H. Lammens and I. Shahid, “Lakhm,” *EP*, V, p. 636). It should be noted that the tribe of Lakhm played an important part in the conquest of Egypt alongside ‘Amr b. al-‘Āṣ. See H. Kennedy, “Egypt as a Province of the Islamic Caliphate,” in C.F. Petry, *The Cambridge History of Egypt* (Cambridge: Cambridge University Press, 1998), 64; P.M. Sijpesteijn, *Shaping a Muslim State. The World of a Mid-Eighth-Century Egyptian Official* (Oxford: Oxford University Press, 2013), 54.

<sup>84</sup> We find the following mentions in *MSAC* 1999, 302 n 131: “381 of Diocletian, indiction 8, [2]4th year and [3rd] month of the Lami” for the year 664/665; *MSAC* 1999, 304 n 132 bis: “24th year and 3rd month of the Lami, indiction 8, 19 Tōbi” for 14 January 665; and *MSAC* 1999, 308 n. 140, : “417 of Diocletian, indiction 8, during the reign of the Lami, 21 Tōbi” for 16 January 701. Ph. Luisier suggests that the start date of this year could be the Treaty of Babylon signed by the Chalcedonian patriarch Cyrus and ‘Amr b. al-‘Āṣ, 8 November 641; cf. Ph. Luisier, “Les années de l’indiction dans les inscriptions des Kellia,” *Zeitschrift für Papyrologie und Epigraphik*, 159 (2007): 217-22, in part. p. 222.

<sup>85</sup> The use of the Egyptian dating system in the Negev is well attested in the Nessana papyri; on this question, see C.J. Kraemer, *Excavations at Nessana*. III (Princeton, NJ: Princeton University Press, 1958), 35-37.

in the year 706, and to the year 581 of the Bostra era or the era of the province of Arabia, that is, 687 CE.<sup>86</sup> In Nessana, at least, the calendar therefore did not start with the conquest of Egypt, but in 622. If Egypt had adopted a different start date, based on the conquest of the province, its calendar was not in use in Palestine. Even in Egypt, it is unlikely that the calendar started from the year of the conquest. Indeed, the date given in P. Utah 520 would become incomprehensible: the day mentioned (14 or 15 *rabī' I* in a year ending in the number 7) must be a Monday. However, such a Monday could fall only in the year 57 or 67 of the Islamic era; otherwise the scribe is either mistaken about the day of the week or about several digits in the days of the month. It seems unlikely that such a serious scribal error would occur. Therefore, Morelli's hypothesis must be abandoned, and we should conclude that the dating uses numbering that follows the common Islamic era.

2. The ancient Arabs had customs to refer to significant positive events—such as the Year of the Elephant marking the victory of the Meccans over Abraha. Certain Near Eastern rulers, such as the Sassanids, counted the years starting from the beginning of a reign.<sup>87</sup> Furthermore, this chronological form of regnal years was used by Syriac chronographies in the eighth century to put the history of Islam in order, starting with the beginning of Muḥammad's "kingship." Would Islamic tradition conceal any such positive event that, in the eyes of all of the earliest Muslims, was considered more significant than the expulsion of Muḥammad from his native town? Is it possible to find a sufficiently important episode that might have been used as the start date of Muḥammad's "reign?"

As Jacqueline Chabbi states, *sūra* 9 of the Qur'ān, verse 40, contrasts the negative period of Muḥammad's banishment from Mecca with the "peace" (*sākina*) that God sent down to Muḥammad sometime later.<sup>88</sup> However, this "peace" is not associated with his arrival in Medina, but instead with the Treaty of al-Ḥudaybiyya, which was concluded in the year 6/628 according to the traditional chronology. The event is celebrated in *sūra* 48, *al-Faṭḥ* (*The Victory*): the treaty concluded with the Meccans on the occasion of an expedition is called a "manifest" victory (48:1) in which God "sent down tranquility into the hearts of the believers, that they may add to their faith" (48:4). In particular, this success is due to the "oath of allegiance" (48:10) that Muḥammad's allies swore to him, and which strengthened his authority considerably.<sup>89</sup> In one of the oldest exegeses of the Qur'ān, Muqātil b. Sulaymān (d. 150/767) glosses the first verse of the *sūra* as follows:

When the prophet—may the prayer and blessing of God be upon him—returned from al-Ḥudaybiyya, God the Most High revealed: *innā fataḥnā laka*—that is, "We have decreed for you"—*fathān mubīnan*—that is "a clear decree" (*qaḍā'an mubīnan*), that is to say, Islam.<sup>90</sup>

<sup>86</sup> On this era, see W.H. Waddington, "Les ères employées en Syrie," *Comptes rendus de l'Académie des Inscriptions et Belles Lettres* 9 (1865), 35-42. The start of this era was 22 March 106 CE.

<sup>87</sup> On pre-Islamic dating systems, see most recently C. Robin, "Der Kalender der Araber vor dem Islam," in *Denkraum Spätantike. Reflexionen von Antiken im Umfeld des Koran*, N. Schmidt, K. Schmid and A. Neuwirth, eds. (Wiesbaden: Harrassowitz, 2016), 299-386.

<sup>88</sup> J. Chabbi, *Le Seigneur des tribus*, 262-63.

<sup>89</sup> See W. Montgomery Watt, "al-Ḥudaybiyya," *EF*, III, 557-58.

<sup>90</sup> Muqātil b. Sulaymān, *Tafsīr Muqātil b. Sulaymān*, Aḥmad Farīd, ed. (Beirut: Dār al-kutub al-ʿilmiyya, 2003), III, 244.

The commentator thus formulates the following equation in relation to al-Ḥudaybiyya: *fath* = *qaḍā* = *islām*. In other words, this report seems to preserve a trace of an ancient interpretation of this event by the Muslims, who considered that the victory achieved through this agreement had been decreed by God, and that it symbolized therefore the proclamation of Islam. This explanation was taken up again (omitting the term *islām*, however) by another exegete a few decades later, ‘Abd al-Razzāq al-Ṣan‘ānī (d. 211/827), who quotes the Baṣran Successor Qatāda b. Di‘āma (d. 117/735).<sup>91</sup> The commentator continues, quoting al-Sha‘bī (d. between 103 and 110/721 and 728), in saying that al-Ḥudaybiyya also corresponds to the moment when “the Byzantines stood against/conquered (*ḡaharat* ‘*alā*) Persia; the believers rejoiced in seeing [the prophecy] of the Book of God come to fruition (*taṣḍīq*), and the People of the Book rose up against/conquered (*ḡahara*) the Zoroastrians.”<sup>92</sup> Shortly afterwards, the historian al-Balādhurī (d. 302/892?) cites the Treaty of al-Ḥudaybiyya, referring to it as *al-qaḍiyya*.<sup>93</sup> A few pages later, he mentions the treaty as follows: “The year of al-Ḥudaybiyya, the Messenger of God made with Quraysh the agreement that he made with them” (*qaḍā Qurayshan ‘ām al-Ḥudaybiyya ‘alā mā qaḍā-hum ‘alay-hi*), once again using the root *q.d.y*.<sup>94</sup>

Al-Ḥudaybiyya marked two events. At the local level, the pact validated Muḥammad’s symbolic victory over his opponents and, with oaths of allegiance being sworn to him, made him a true sovereign to whom his companions and allies were now subject. This *bay‘a*, which according to Khalīfa b. Khayyāt brought together 1400 or 1500 men,<sup>95</sup> was the true start to Muḥammad’s reign. At the same time, Muḥammad and his partisans learned that other believers, the Byzantine Christians, were in the process of recovering territory lost to the Sassanid pagans two decades earlier. They surely saw this as a sign of divine favor towards the believers. Furthermore, al-Ḥudaybiyya seems to have been a turning point in the affirmation of Islam—or, as Aziz Al-Azmeh suggests, “paleo-Islam”—as a monotheist faith: it was around this event that the religion preached by Muḥammad probably passed from a monolatric cult to exclusive monotheism, while the *qibla* was reoriented toward Mecca.<sup>96</sup> Al-Ḥudaybiyya was such a significant event for the early community that the toponym lent its name to a year: *‘ām al-Ḥudaybiyya* (the Year of al-Ḥudaybiyya).<sup>97</sup> The following year, in Mecca, the Prophet and his supporters carried out a *‘umra* under the terms of the Treaty of al-Ḥudaybiyya. Because of this, the pilgrimage was called *‘umrat al-qaḍā* or *‘umrat al-qaḍiyya* (the pilgrimage of the decree) in reference to the treaty.<sup>98</sup>

However, is it possible to go beyond pure speculation? If we consider that the beginning of the Islamic calendar corresponds to a significant event, we may suppose that this event was not only an essential temporal reference point for the community, but also a social marker. In other words,

<sup>91</sup> ‘Abd al-Razzāq al-Ṣan‘ānī, *Tafsīr ‘Abd al-Razzāq*, Maḥmūd Muḥammad ‘Abduh, ed. (Beirut: Dār al-kutub al-‘ilmiyya, 1999), III, 210. See also al-Ṭabarī, *Jāmi‘ al-bayān fī ta’wīl al-Qur’ān*, Maḥmūd Muḥammad Shākīr, ed. (Beirut: Mu’assasat al-risāla, 2000), XXI, 238.

<sup>92</sup> ‘Abd al-Razzāq al-Ṣan‘ānī, *Tafsīr*, III, 210. On this passage in *sūra* 48, see also F.M. Donner, “Arabic *Fath* as ‘Conquest’ and Its Origin in Islamic Tradition,” *al-‘Uṣūr al-Wuṣṭā* 24 (2016): 6-8.

<sup>93</sup> Al-Balādhurī, *Ansāb al-ashraf*, Orient-Institut Beirut, ed. (Beirut: Mu’assasat al-Bayān, 2008-), I.b., 872.

<sup>94</sup> Al-Balādhurī, *Ansāb al-ashraf*, I.b., 882.

<sup>95</sup> Khalīfa b. Khayyāt, *Ta’rikh*, 81.

<sup>96</sup> A. Al-Azmeh, *The Emergence of Islam in Late Antiquity. Allāh and His People* (Cambridge: Cambridge University Press, 2014), 329.

<sup>97</sup> Khalīfa b. Khayyāt, *Ta’rikh*, 81.

<sup>98</sup> Khalīfa b. Khayyāt, *Ta’rikh*, 86; al-Balādhurī, *Ansāb al-ashraf*, I.b., 88-89.

participation in this event must have been a badge of honor for individuals, which should have left traces in the sources. Let us now see what texts concerning Egypt have to say about this.

A systematic search for the terms *hijra*, *hājara* and *muhājir(ūn/īn)* in three of the earliest literary sources concerning the history of Egypt—the *Futūḥ Miṣr* of Ibn ‘Abd al-Ḥakam, the *Kitāb al-wulāt wa-kitāb al-quḍāt* of al-Kindī and the *Ta’rīkh* of Ibn Yūnus—shows that the concept of *hijra* is used mainly in the following two cases:

1. As part of hadiths discussing when the *hijra* should come to an end<sup>99</sup>
2. To describe the *hijra* of those who joined the Muslim army after the death of Muḥammad, during the caliphate of Abū Bakr<sup>100</sup> and especially during the reign of ‘Umar<sup>101</sup>

It is rare to find the *hijra* of Egyptian figures mentioned as a prestigious event. Key figures in this matter are the governor ‘Uqba b. ‘Āmir al-Juhanī (d. 58/677-8), who joined the Prophet in Medina,<sup>102</sup> and ‘Abd Allāh b. Ḥudhāfa, who was among the exiles in Abyssinia.<sup>103</sup> Certainly, the “emigrants” who accompanied Muḥammad to Medina at the time of the Hijra were quite few in number and perhaps none of them settled for any length of time in Fustāt; the small number of individuals associated with the *hijra*, in its fullest sense, is nevertheless striking.

The scarcity of references to the founding concept of Islam is all the more stunning when we consider another recurring expression referring to the Companions who took up residence in Fustāt: *taḥt al-shajara* (“under the tree”). A nonnegligible number of Egyptian Muslims in the first generation emphasized their participation in swearing the oath (*bay‘a*) to the Prophet “under the tree,” also known as *bay‘at al-riḍwān*, that is, the oath that was sworn at al-Ḥudaybiyya.<sup>104</sup> Clearly, this was the key element in distinguishing the most worthy Egyptians who had followed the new religion the longest. According to Ibn ‘Abd al-Ḥakam, the caliph ‘Umar ordered the governor ‘Amr b. al-‘Āṣ to take a census of the men of Fustāt who had “taken the oath under the tree” and to grant them an annual pension (*‘aṭā*) of 200 dinars, which corresponded to the *sharaf al-‘aṭā*, the highest pension an Egyptian could receive.<sup>105</sup> In Egypt, al-Ḥudaybiyya was thus the cutoff point between an elite that had joined Muḥammad on this occasion, collectively referred to as *aṣḥāb al-shajara* (the people of the tree),<sup>106</sup> and those who had joined the conquerors later.

The Year of al-Ḥudaybiyya therefore appears to be a good candidate for a starting point of the new calendar, at least the one that seems to have been used in Egypt: according to the terminology in the Qur’ān itself, it symbolized the beginning of the fulfillment of the divine decree after years of preaching and struggle. It is of course impossible to state that the first Muslims understood al-

<sup>99</sup> Ibn ‘Abd al-Ḥakam, *Futūḥ Miṣr wa-akhbāru-hā*, Ch. C. Torrey, ed. (New Haven: Yale University Press, 1922), 251, 253.

<sup>100</sup> Ibn ‘Abd al-Ḥakam, *Futūḥ Miṣr*, 95; Ibn Yūnus, *Ta’rīkh Ibn Yūnus al-Miṣrī*, ‘Abd al-Fattāḥ Fathī ‘Abd al-Fattāḥ, ed. (Beirut: Dār al-kutub al-‘ilmiyya, 2000), I, 345.

<sup>101</sup> Ibn ‘Abd al-Ḥakam, *Futūḥ Miṣr*, 113; Ibn Yūnus, *Ta’rīkh*, I, 45, 117, 218, 283, 314.

<sup>102</sup> Ibn Yūnus, *Ta’rīkh*, I, 347.

<sup>103</sup> Ibn Yūnus, *Ta’rīkh*, I, 264.

<sup>104</sup> Ibn ‘Abd al-Ḥakam, *Futūḥ Miṣr*, 107, 173; al-Kindī, *Ta’rīkh Miṣr wa-wulāti-hā*, in *Kitāb al-wulāt wa-kitāb al-quḍāt*, R. Guest, ed. (Leiden: Brill, 1912), 19-20; Ibn Yūnus, *Ta’rīkh*, I, 41, 87, 90, 229, 275, 308, 352, 353, 381, 382, 520, 521. See W. Montgomery Watt, “Bay‘at al-Riḍwān,” *EP*, XII, 130.

<sup>105</sup> Ibn ‘Abd al-Ḥakam, *Futūḥ Miṣr*, 145, 231. See also Ibn Ḥajar, *Raf‘ al-iṣr ‘an quḍāt Miṣr*, ‘Alī Muḥammad ‘Umar, ed. (Cairo: Maktabat al-Khānjī, 1998), 266.

<sup>106</sup> Ibn Yūnus, *Ta’rīkh*, I, 520, 521.

Ḥudaybiyya, rather than the arrival of Muḥammad in Medina, as the actual beginning of the new era. If the event really dates to the year 628, all the chronologies established from the late seventh century onwards would be false, which is unlikely. It should be noted that Jacob of Edessa places the start of Muḥammad's reign in 932 of the Seleucid era (AG), that is, in 620-621. However, according to the same author, he ruled for seven years, which puts his death in the year 627-628. Furthermore, the *Chronicle of Zuqnīn* places the start of the conquest of Palestine in 932 AG/620-621, the death of Muḥammad in 938 AG/626-627, and considers Abū Bakr to have ruled for five years, until 943 AG/631-632.<sup>107</sup> The only solution would thus be to revise the chronology of Muḥammad's mission by pushing the Hijra back to 616 in order to place al-Ḥudaybiyya in 622.<sup>108</sup>

In fact, as noted by Robert Kerr, the year 622 is almost as significant in the political scene of the Near East as the year 628.<sup>109</sup> That year, Byzantine emperor Heraclius renewed the offensive against the Sassanids and won his first victory in the autumn, that is, at the same time that Muḥammad and his Meccan supporters are supposed to have settled in Yathrib. These Byzantine victories were limited in military scope, but had a strong impact on the morale of the Byzantines, who incorporated Arab troops into their campaign who had previously been in Sassanid service.<sup>110</sup> The verb *zahara*, used by al-Shā'ibī to describe the confrontation between the Byzantines and the Sassanids in the Year of al-Ḥudaybiyya, is ambiguous: it may be understood as an allusion either to an uprising or to a victory. The victory would be that of 628; however, the uprising could correspond to the 622 wars. If we hypothetically date the events of al-Ḥudaybiyya to 622, that year would mark both the accession of Muḥammad to a kind of sovereignty and the return of Byzantine Christians to the military stage, which may have appeared to Muḥammad and his supporters as a sign of divine favor. Several decades later, when in hindsight the Hijra seemed to be a more dogmatically significant “exodus” in the eyes of the Muslims, the chronology may have been reworked to make it correspond with the beginning of the calendar, that is, 622.

It is finally possible that as early as the reign of 'Umar, the doctrine of *hijra* started to develop in relation to the conquests, presenting Muḥammad's emigration to Medina in a positive light. The start date of the calendar was then attached to this event, but by applying the rhetoric associated with al-Ḥudaybiyya. In the expression *sanat qaḍā' al-mu'minīn, qaḍā'* could then be understood to mean “decreed victory.” Thus, the calendar would start from “the victory of the believers, which was decreed [by God].” The Syriac version of this calendar, *d-shultōnō d-Tayōye*, would be an approximate translation of this expression, devoid of its ideological background.

## EDITIONS

### (1) Individual debt receipt

<sup>107</sup> A. Palmer, *The Seventh Century in the West-Syrian Chronicles* (Liverpool: Liverpool University Press, 1993), 37, 56-57.

<sup>108</sup> Cf. S.J. Shoemaker, *The Death of a Prophet*, Chap. 1, in which the author attempts instead to shift the chronology of early Islamic times in the opposite direction, arguing that Muḥammad could have died after 632 CE.

<sup>109</sup> R. Kerr, “Der Islam, die Araber und die Hīgra,” *Die Entstehung einer Weltreligion, III. Die heilige Stadt Mekka—eine literarische Fiktion*, in K.-H. Ohlig and M. Gross, eds. (Berlin/Tübingen: Schiler Verlag, 2014), 50-51.

<sup>110</sup> W.E. Kaegi, *Heraclius, Emperor of Byzantium* (Cambridge: Cambridge University Press, 2003), 112-16.

Light brown papyrus fragment. The upper and right margins are preserved. If our reconstruction at l. 2 is correct, the lacuna on the left is minimal; however, we do not know the size of the lacuna at the bottom. The document was written with a fine reed pen in an archaic hand typical of the second half of the seventh century. The letters are written with diacritical marks in two places. The reverse is blank.

The text was described for the first time by J. von Karabacek as a document dating from the seventh century that records the reimbursement of a debt to a certain Isidore and his wife through ‘Abd Allāh b. ‘Umays.<sup>111</sup> A. Grohmann dedicated a few lines to this document in passing, first to note the presence of an otherwise unknown *kūra*, the *kūra* of Qahqawa,<sup>112</sup> and then to note the early use of diacritical marks in a seventh-century document.<sup>113</sup> The text was finally included in the *Chrestomathie de papyrologie arabe* prepared by A. Grohmann and continued by R.G. Khoury.<sup>114</sup> The text has never been dated precisely by those who described it or edited it. J. von Karabacek concluded that it was written in the seventh century, while A. Grohmann suggested dating it around 50 in the Hijra calendar (around 670). There is however a date at l.5, and it is quite significant, since where the editor read the words *[thalātha wa-] ‘ishrīn situl*, the papyrus actually mentions year 20 of the Hijra. Therefore, our document dates to year 20 of the Hijra at the earliest, which would make it almost contemporary with the conquest of Egypt, and one of the oldest dated Arabic documents, if not the oldest.<sup>115</sup> It comes from the region of Qahqawe, south of the modern Abū Tīj.

‘Abd Allāh b. ‘Umays pays to Isidoros, son of Taurina, and his wife, who live in the village of Abū Maqrūf, the sum of three dinars.

P. Vindob. Inv. A.P. 519  
10.9 × 19.7 cm (Figure 8.2)

Qahqawe region  
around 20/641

+ Ἰσίδ(ωρος) Ταύρινε νο(μίσματα) γ

بسم الله الرحمن الرحيم ↓

هذا ما قضا عبد الله بن عميس لاسدرة [بن تورنة]

وامرته من اهل ابو مقروف من كورة قهتو[ة]

م . لك في مدي[نته سنة] [عشرين سن[ة] ] [ . . . . ] . . . . [ - - - ] 5

[ثلثة دنير [ . ] . [ - - - ]]

<sup>111</sup> Cf. *PERF*, p. 144, no. 575: “Schuldtilgung des Isidorus und seines Weibes, Bewohner von Onnu im Bezirke Kahkawa, durch Vermittlung des Abdallāh ibn ‘Omeis.”

<sup>112</sup> A. Grohmann, “Probleme der arabischen Papyrusforschung,” *Archiv Orientalní* 3 (1931), 381-94, in part. pp. 390-91 and *Id.*, *Studien zur historischen Geographie und Verwaltung des mittelalterlichen Ägypten* (Vienna, 1959), 47.

<sup>113</sup> *P. World*, 82 and 230 n. 286.

<sup>114</sup> *Chrest. Khoury* I 48.

<sup>115</sup> The oldest Arabic document is the bilingual Greek-Arabic P. Vindob. Inv. G 39726 (= *SB* VI 9576 = *P. World*, p. 113-5), dated 25 April 643 (*jumādā* I 22). It is a receipt that a certain ‘Abd Allāh b. Jābir wrote after receiving sheep to supply the troops stationed in Heracleopolis. The second is the debt acknowledgement P. Berol. Inv. 15002 (= *P. Ragib An* 22), which was discussed above (see p. xxx).

1 Ἰσιδῶ v<sup>o</sup> pap., νο(μίσματα) γ: κγ ed. pr. 2 الرحيم pap., li-Isidura [b. Tawrina]: li-Isidura [...] ed. pr. 3 عميس pap. 4 Abū Maqrūf: Abū Ma'rūf ed. pr. 5 [sanat] 'ishrīn sana[t] a[. . .]: [thalātha wa-] 'ishrīn situ[l] a [ ed. pr. 6 [thalā]that danānīr [:]. a danānīr [ ed. pr.

(in Greek) <sup>1</sup>| Isidoros, son of Taurina, 3 *nomismata*. (in Arabic) <sup>2</sup>| In the name of God, the Compassionate, the Merciful. <sup>3</sup>| Here is what 'Abd Allāh b. 'Umays paid to Isidura, [son of Tawrina,] <sup>4</sup>| and his wife, who live in Abū Maqrūf in the district of Qahqawa ... <sup>5</sup>| ... in his town for year twenty of the year ... <sup>6</sup>| ... three dinars ...

1. + Ἰσιδ(ωρος) Ταύρινε νο(μίσματα) γ. In the Greek summary, R.G. Khoury read an amount of 23 elements of an unknown nature. However, what he thought was a *kappa* is actually an abbreviation of the Greek work νόμισμα. The Greek is therefore referring to three dinars, as mentioned further in the Arabic text (l. 6).
3. *hādhā mā qaḏā*. The *incipit* is known from only one other, much later document: P. Louvre Inv. JDW 26, 2 [*hādhā mā qa*]ḏā Kināna b. Ḥimyar min māl Yazīd b. 'Ulayya al-Muqammis. The root *q.ḏ.y.* is polysemous (see *supra*), but in light of the parallel mentions, it must mean “here is what has been paid,” as implied by the *incipit*.  
*li-Isidura [b. Tawrina]*. We cannot see how this lacuna could be anything but Isidoros' patronym. As the Greek summary of the text indicates that Isidoros was the son of a certain Ταύρινε, which is transcribed into Arabic as *Tawrina* (P. Heid. Arab. I app. F), we suggest filling the lacuna with the words [*b. Tawrina*].
4. *min ahl Abū Maqrūf min kūrat Qahqawa*. The editor read the name of the creditors' village as Abū Ma'rūf, a toponym that is otherwise unknown. It should actually be read Abū Maqrūf, which can be identified as the village of Abū Maqrūfa mentioned in al-Maqrīzī, *al-Mawā'iz wa-l-i'tibār fī dhikr al-khiṭaṭ wa-l-āthār*, A. Fu'ād Sayyid, ed. (London: al-Furqān Islamic Heritage Foundation), IV/2, 1045-46 as the site of an eponymous monastery. The village in question is located about 12 kilometers from the town of Abū Tīj in the governorate of Asyūt and is the site of Dayr al-Janādila, dedicated to the Virgin. As for the toponym Qahqawa, this form is transcribed in Coptic as ⲕⲁⲗ ⲕⲱⲟϥ, another name for the town of Ⲙⲉⲛⲧⲣⲏⲛ or *Apollōnopolis parva*, today known as Kôm Esfaht; on this town and the district that was attached to it, see J. Maspéro and G. Wiet, *Matériaux pour servir à la géographie de l'Égypte* (Cairo: Ifao, 1919), 154-55 as well as A. Grohmann, *Studien zur historischen Geographie und Verwaltung des mittelalterlichen Ägypten* (Vienna: Rudolf M. Rohrer, 1959), 41a and 47b. In the papyrus material, it is attested with the form قهقوة or قهقاوة in P. Cair. Arab. III 130, 2; P. Grohmann Wirtsch. 16 verso, 1; P. Grohmann Probleme 4, 1; P. Ryl. Arab. I VI 12, 7.
5. It is not easy to read the beginning of the line. The editor read *min dhālik*, but in his review of R.G. Khoury's *Chrestomathie*, S. Hopkins reported that this reading was difficult to support palaeographically (cf. S. Hopkins, “Two New Publications of Arabic Papyri,” *Jerusalem Studies in Arabic and Islam* 21 (1997): 187-222, in part. p. 206). Where the editor saw a *dhāl*, we can clearly see a round letter, therefore a *fā'* or even a *qāf*. We might reconstruct it as *mi[n qiba]li-ka* (on your behalf), an expression often found in receipts (cf., for example, M. Tillier and N. Vanthieghem, “Deux quittances de loyer pour un four,” *BASP* 54 (2017): 154-65).



However, with a similar idea in mind, we might wonder what the suffix *-ka* refers to. We could thus suggest the reading *mumallak fī madī[nati-hi]* (taken possession of in his town), which might mean that the debt was contracted in the town of Qahqawe.

*fī madī[nati-hi]*. One could also reconstruct it as *fī madī[nati-himā]*, if the word is referring to Isidoros and his wife. Another solution would be to read *fī madī[nati-hā]*, where the pronoun suffix would refer to the *kūra* mentioned in the preceding line.

[*sanat*] *‘ishrīn sana[t] a[... .]*. Based on the Greek summary that he had poorly deciphered, R.G. Khoury read [*thalātha wa-*] *‘ishrīn situ[l]*. He considered the Arabic term *situ[l]* to be a transcription of the Latin *situla*, but to our knowledge this type of measure unit is not attested in Arabic documents. One should actually read [*sanat*] *‘ishrīn sana[t]*, where the dating system is identical to the one used in *P. Bruning Sunna*, 5, *P. Ness*. III 56, 6 and *P. Ragib An* 22, 2 as well as in document 4.

6. [*thalā*] *tha danānīr* [.]. The editor wavered between reading [*thalā*] *tha danānīr* (three dinars) and [*si*] *tta danānīr* (six dinars). The mention of three νομίσματα, that is, three dinars, in the Greek summary leaves no doubt about the correct reading. After the plural of the word *dīnār*, we can see the top of a letter that rises sharply; it could be the summit of an *alif* or a *lām*.

## (2) Register of debt acknowledgements

Papyrus fragment, light brown in color; only the left margin seems to be intact. Judging from the reconstruction that we believe we can make, l. 2, a small third of the document is missing on the right; the size of the lacunae at the top and bottom are difficult to estimate. The document is written in an archaic hand typical of the second half of the seventh century. At least three hands seem to have been used to write the text, the first two of which seem to be more expert than the third. The document was published for the first time by Y. Rāgīb, but he was able to work with only a poorly restored papyrus. We have been able to make some progress with the reading after a virtual restoration of the document, which leads us to offer a new edition.

The papyrus is a register of debt acknowledgments, apparently three in number, concluded exclusively between Arabs. As is the case with other registers of this kind, we note that the name of a witness was deliberately erased (l. 3). The text is interesting in that it mentions a legal clause, unknown up to this point, which was meant to govern loan contracts in the early Islamic period. In two places (l. 2 and 6-7), we read the formula *‘arīfu-hu ghayr lāwin wa-lā maḥdhūr bi-dayn | ustuḥilla* (his *‘arīf*, who neither is late in repaying any debt nor has been given formal notice to repay any debt, is authorized), in which the debtor’s *‘arīf* was probably authorized to serve as a guarantor for reimbursing the loan.

P. Vindob. Inv. A.P. 11191  
14 × 13.5 cm (Figure 8.3)

Fustāt (?)  
57/676-677

-----  
 (1st hand)] - - - الى مل سب[ع وخمسين ↓

وعريفه غير لو [ ولا محذور بدين استحل

[- - -] اقر شهد [علي... - - -]

(2nd hand) [- - -] قضا المو[منين الى مل سبع وخمسين وثلاثها الحول

5 [- - -] ... ي وكتب

(3rd hand) [- - -] اة دنير قضا المومنين الى مل سبع و

[خمسين - - -] وعريفه غير لوي ولا محذور بدين

[استحل - - -] مج[دعة بن عبيد من بني زحين

[- - -] فهو على شريح بن معلوم

-----  
**1** *ilā mil' sab* [ *wa-khamsīn: ilā mil' sab* ] *wa-khamsīn ed. pr. 2* [ *'arīfu-hu ghayr lāwin* ] *wa-lā maḥdhūr bi-dayn ustuhilla: wa-li-amjad wa-zayd b. 's-b-ḥ-l ed. pr. 4 qadā' al-mu' minīna* Bruning: *wa-mītayn ed. pr., wa-thultu-humā al-ḥawāl: wa-thulthu-humā ḡ li-ḥawl ed. pr. 6-7* [ *'arīfu-hu ghayr lāwin wa-lā maḥdhūr bi-dayn | [ustuhilla]: khamsīn 'r-b-f-h 'b-r l-w-y wa-li-'amjada wa-zaydi b. ed. pr. 8 [maj]da 'a b. 'ubayd: ] d-gh-h b. 'ubayd ed. pr. 9 fa-huwa 'alā Shurayḥ: fa-huwa 'alā Sharā'ih ed. pr.*

<sup>1</sup> [ ... up to the end of the year ] fifty-seven ... <sup>2</sup> [ and his 'arīf, who neither is late in repaying any debt, ] nor has been given formal notice to repay any debt, is authorized ... <sup>3</sup> he confessed. Witnessed by ... <sup>4</sup> of the decree of the believers up to the end of the year fifty-seven and one-third of the two [ i.e. of the two dinars ] is transferred <sup>5</sup> to ... <sup>6</sup> . Written. <sup>6</sup> ... dinars of the decree of the believers up to the end of the year <sup>7</sup> fifty-seven and his 'arīf who neither is late in repaying any debt, nor has been given formal notice to repay any debt, <sup>8</sup> [ is authorized ... Maj ] da 'a b. 'Ubayd from Banū Zuḥayn ... <sup>9</sup> ... and it is incumbent upon Shurayḥ b. Ma' lūm ...

2. [ *'arīfu-hu ghayr lāwin* ] *wa-lā maḥdhūr bi-dayn ustuhilla*. The reconstruction is based on l. 7-8. However, it may be that the person who was not late in repaying a debt here was not a 'arīf. This formula is also probably used in the unedited fragment P. Vindob. Inv. A.P. 11086, 7, where the sequence *bi-l-dayn (sic) ustuhilla* is easily recognizable.
- 4-5. *wa-thultu-humā al-ḥawāl* | [- - -] ... <sup>7</sup> . Y. Rāḡib edited *wa-thulthu-humā ḡ li-ḥawl*, but the gamma that he saw is actually the descending part of a letter on the preceding line. The possessive *-humā* in the sequence *wa-thultu-humā* can only refer to the loaned sum, which must therefore be two dinars. We interpret the *rasm* الحول not as an anthroponym—the solution adopted by Y. Rāḡib—but as the word *al-ḥawāl*, which, along with the more usual form *al-ḥawāla*, designated the transfer of a debt from one creditor to another; on this issue, see R. Dozy, *Supplément aux dictionnaires arabes* (Leiden: Brill, 1881), I, 341 b as well as M. Thung, “Written Obligations from the 2nd/8th to the 4th/10th Century,” *Islamic Law and Society* 3

(1996), 1-12, 4-5. However, there is a grammatical problem with our interpretation: one would actually expect *wa-thultu-humā ḥawāl*. If our reading is correct, the name of the creditor to whom part of the debt was transferred must have been on the following line.

- 6-7. *‘arīfu-hu ghayr lāwin wa-lā maḥdhūr bi-dayn | [ustuḥilla]*. The *‘arīf* was an Umayyad state official who had financial powers that are still poorly known. To a lesser extent, he probably also had civil and political powers. One of this official’s well-attested responsibilities was to pay the *‘aṭā* to those who were eligible to receive it. It seems that the *‘arīf* was responsible for one or more tribes. This official is not mentioned often in papyri: outside of this papyrus, we found only one mention, in the unedited papyrus P. Vindob. Inv. A.P. 11160 A. The verb *lawā* means “to turn away someone regarding the payment of a debt” and the word *liyyun*, which derives from the same root, means a “delay in paying a debt”; see A. de B. Kazimirski, *Dictionnaire arabe-français* (Paris: Maisonneuve, 1860), II, 1045. The participle *lāwin*, written here with a defective *alif*, and with a final *yā*’ to mark the *tanwīn*, must apply to a person who is late in paying his debts. We have not been able to find a technical meaning for the verb *ḥadhara*—at least for form I, for Dozy mentions the existence of a form II meaning “admonish, legally reprimand” (R. Dozy, *Suppléments aux dictionnaires arabes*, I, 261a)—but since its primary meaning is “to caution,” here we understand it in the sense of “giving formal notice.” If the register specifies at this point that the debtor’s *‘arīf* is not late in paying a debt nor has been given formal notice to repay any debt, it is probably because he is acting as guarantor in favor of the debtor.

8. *[Maj]da ‘a b. ‘Ubayd*. The name *Majda ‘a* is attested in *P. Petra* 19, 5, among others.

### (3) Register of debt acknowledgments

Papyrus fragment, light brown in color. The full height of the document seems to be present, and the left margin is intact. On the right, judging from the text that we believe we can reconstruct, about half the document is lost. The document is written in the typical *ḥijāzī* script that we find in numerous documents from the second half of the seventh century; the letters are drawn rather inexpertly. The text seems to have been written by three different hands. The reverse of the papyrus is blank.

The papyrus is a register of debt acknowledgments, apparently three, concluded exclusively between individuals, one of whom is assuredly a Christian, which is evidence of the early integration of Christians into the tribal neighborhoods of Fustāt. As it is the case with the other registers of this kind, we note that the name of the debtor has been deliberately erased (l. 1).

P. Cambr. UL Inv. Michael. 893

Fustāt (?)

16.8 × 17 cm (Figure 8.4)

48/667-668

[[ - - ابن - - ] [ث]يدر على [1st hand] بسم الله الرحمن الرحيم ذكر] حق يحنس ابن [ث]يدر على

[[ - - الى ] مل ثمن واربعين سنة قضا المومنين

[شهد قرة ابن - - - على ن]فسه وجميل ابن الحر [ث]ث وكتب

(2nd hand) ذكر حق [ - - - ] [ - - - ] الى مل سبع واربعين سنة

5 [شهد - - - على نفسه]ه وكتب

(3rd hand) ذكر حق [ - - - ] الى مل ثمن واربعين سنة قضا ا

[لمومنين شهد - - - على نفسه وكتب

<sup>1</sup> [In the name of God, the Compassionate, the Merciful. Act establishing] the claim of Yuḥannis b. Thiyudur upon [[Qurra b. ...]] <sup>2</sup> [... up to] the end of 48, year of the decree of the believers. <sup>3</sup> [Qurra b. ... testified against] himself, as well as Jamīl b. al-Ḥārith. Written. <sup>4</sup> [Act establishing the claim of ... upon] ... up to the end of 47, year of the decree of the believers. <sup>5</sup> [...has testified against himself]f and has written. <sup>6</sup> [Act establishing the claim of ... upon ...] up to the end of 48, year of the decree <sup>7</sup>[of the believers ... has testified] against himself. Written.

3. [*shahida Qurra b. - - - 'alā na]fsi-hi*. This formula can also be seen at l. 5 and 7. This is the only instance of a register where we see debtors testifying against themselves. On this issue, see *supra*.

*Jamīl b. al-Ḥārith*. The scribe seems to have accidentally written the *thā'* twice.

#### (4) Fragment of a debt acknowledgment

Light brown papyrus fragment. Only the left margin is preserved; on the right, if our reconstruction is correct, four or five letters are missing at the most. The text is written in a careful *ḥijāzī* script and some letters include diacritical marks. The reverse of the papyrus is blank.

Since we have only the lower left part, the nature of the document is difficult to specify. Given the unique dating system that it uses, similar to the one used in two individual debt acknowledgments, it is very likely that this text is of the same nature. It includes the names of four people who are probably the debtors.

P. Utah Inv. 520  
9.7 × 13 cm (Figure 8.5)

Fustāt (?)  
57/676-677

traces

[ - - - ]بير وعبد الله بن كسيب

[ - - - ] بن حنظلة وسيف بن ربيعة

[وكتب] يوم الاثنين لنصف

5 [ربيع] الاول في سنة سبع و

[خمس] من سنة

*traces*

3 pap. الاتتنس 4 سيف 3

<sup>1</sup>...<sup>2</sup> | ...bayr and ‘Abd Allāh b. Kusayb <sup>3</sup> | ... b. Ḥanzala and Sayf b. Rabī‘a. <sup>4</sup> | Written on Monday in the middle of <sup>5</sup> | [*rabī‘*] I in the year <sup>6</sup> | [fifty-]seven of the calendar. <sup>7</sup> |...

2. [- - -]bayr. This sequence surely corresponds to the end of an anthroponym; we could reconstruct [*b. Zu*]bayr, for example.
- 5-6. *sanat sab‘ wa-/[khamṣīn] sana*. According to the calendar conversions that we have been able to consult, the only Monday that fell on a 15 *rabī‘* I in the first century of the Hijra is Monday, 15 *rabī‘* I 57, or Monday 26 January 677. The dating system is similar to the one used in papyri *P. Bruning Sunna*, 5 and *P. Ragib An 22*, 2 as well as in document 1.
7. We can see several traces of ink that may be the rest of the name of one of the two witnesses that we would expect in this kind of document (see *supra*).

## CONCLUSION

The oldest Arabic documents that have come down to us include a significant number of texts related to debts, whether debt acknowledgments, receipts or lists of loans. These papyri, some of which were very likely discovered in Fustāt, are evidence of the extreme care taken in managing personal financial relationships, not only between the conquerors, but also with the conquered, as shown in document 1. The importance assigned to recording debts in writing seems to echo the Qur’ānic injunctions calling upon believers to write down their debts to avoid any misunderstandings (2:282). However, our documents show that the administration of debts went beyond the level of interactions between individuals to reach that of institutions. At least two of them are not individual acknowledgments or receipts, but fragments kept in all likelihood by an urban institution—whether the judicial system, the central financial office of Fustāt or the office of a tribal unit.

These debt-related documents are particularly notable for their use of the recurring expression *s.n.t. qaḍā’ al-mu’minīn*, a formula that is poorly understood and subject to debate. Jelle Bruning’s suggestion, previously refuted by Mehdy Shaddel, that it should be read *sunnat qaḍā’ al-mu’minīn* seems to be the least supportable: it is not syntactically satisfying and it contradicts what we know about the use of the terms *sunna* and *qaḍā’* in the second half of the seventh century. The new documents that we are editing here, as well as paleographical clues, suggest that the reading *sanat qaḍā’ al-mu’minīn*, initially proposed by Yūsuf Rāgīb, is the most convincing, and that it refers to a calendar.

The expression *qaḍā' al-mu'minīn* is no less obscure. The term *qaḍā'*, which in the context of debts means “reimbursement,” could be used in this sense in our documents. Under this hypothesis, the “year of the reimbursement of the believers” would refer to the calendar adopted by the parties to set the maturity date of the debt. This would be the calendar known as *hijrī*, which was generally not specified and in all likelihood did not yet bear this name. However, this interpretation cannot explain the expression *dīnār qaḍā' al-mu'minīn* found in one papyrus.

This is why we prefer another hypothesis, according to which *qaḍā'* means “decree,” and refers to the sovereignty of the “believers,” semantically associated with God’s decree. The phrase *sanat qaḍā' al-mu'minīn* would thus translate to “the year of the decree of the believers,” which would mark the start of the calendar to which it refers. This specification may have been particularly important in debt acknowledgments in order to apply the Qur’ānic injunction to put debts in writing and to give a precise date for paying back the debt (*ajal musammā*, lit. “a named due date”).

The rare attestations of *sanat qaḍā' al-mu'minīn* are Egyptian, and in one case Palestinian, which makes us wonder whether the calendar bearing this name was a regional way of recording time or one used throughout the freshly born empire. The traces of local Egyptian calendars that have come down to us indicate that their starting point was the conquest of Egypt in 641. However, the calendar starting at *sanat qaḍā' al-mu'minīn* cannot have the same starting point, and most likely dates back to 622. For this reason, even though there are few surviving contemporary documents from elsewhere to which one might compare these early papyri, it is more likely that this was the name of an official imperial calendar, which was later rebaptized as the Hijra calendar.

However, the reference event for this calendar remains uncertain. Although year 1 seems to correspond to year 622 CE, the term *qaḍā'* suggests that the original reference point cannot be the Hijra of Muḥammad to Medina, but rather a later event that held more significance for the establishment of his reign and sovereignty. The Treaty of al-Ḥudaybiyya, to which sources often refer through the term *qaḍā'* or words derived from the same root, and in which for the first time a large number of believers swore allegiance to Muḥammad in the context of the return of Byzantine “believers” to the military stage in the Near East, seems to be the best candidate for this founding event. This hypothesis, which is still speculative, would require that we revise the chronology of Muḥammad’s life.