



Between Christ and Caliph: Law, Marriage, and Christian Community in Early Islam

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BOOK REVIEW

Between Christ and Caliph: Law, Marriage, and Christian Community in Early Islam, by Lev E. Weitz, Philadelphia, University of Pennsylvania Press, 2018, 352 pp., \$65.00/£52.00 (hardback), ISBN 9780812250275

In his book *Between Christ and Caliph*, Lev Weitz considers what the history of the medieval Middle East might look like if historians placed non-Muslim households in the foreground as integral participants in the making of a new multi-religious society that followed the Islamic conquests (2). Doing so would mark a shift in a historiography that often favours Muslim narratives. This consideration is significant, not least because Muslim communities did not form majority populations in the regions they conquered for quite some time after they settled. Weitz's approach is also innovative because it involves a unique focus on common familial practices like marriage, and on how Syriac bishops promulgated Christian civil law directed at such practices as means for forming their communities vis-à-vis their new Islamic milieus. The result of Weitz's approach is a creative study that provides fresh insight into the study of medieval Middle Eastern history and the communities that shaped the region's societies.

Weitz begins the first part of the book (Chapters 1–3) by examining marriage and family law in late antiquity. What were ecclesial and communal norms prior to the emergence of Islam? Weitz ably and succinctly demonstrates that the attitudes toward sex and marriage that Muslims brought with them were in large part entirely new to the societies they conquered. As a result, Christian (as well as Jewish and Zoroastrian) societies were forced to develop their posture towards social and family laws.

In Chapter 2, Weitz begins to examine the development of Christian household law under early Islam. One of the earliest strategic responses to the Arab conquests came, intriguingly, from Christian bishops who sought to lay claim over households by re-structuring marriage and family law (42). This came in the form of new ways of considering the authority of ecclesiastical law over laypeople. In regions where religious diversity was already present, and at times when social and political structures took on new shape, the press of ecclesiastical law had the power to use things like the sacrament of marriage as a means for distinguishing Christians as communities with distinct social practices (ibid.). In short, 'Arab conquerors were not orthodox believers, and as such marriage with them was to be avoided' (52). When it came to marriage, by making it subject to religious law – a new development after the arrival of Islam – Christian bishops 'promoted a specific vision of ... distinct social collectivity within the caliphate' (56).

Chapter 3 continues this line of examination into the Abbasid era and looks at the changes that developed with the transition from Umayyad era rule. As Weitz summarizes,

Where bishops under the Umayyads had made new efforts to regulate marriage or inheritance, under the Abbasids they brought under their authority the full range of material practices by which households were formed and reproduced: marriage contracts, property exchanges and marital gift-giving, the disbursement of inheritances at a spouse's death. (65)

The bishops' effort to articulate their authority over these practices and regulate law concerning them had, as a result, the effect of protecting and ensuring a distinctly Christian identity among households that remained a sizeable population even under Abbasid rule.

Weitz's second part (Chapters 4–6) forms the heart of the book and looks at a number of provocative issues that, far from representing mere intrigue, demonstrate how family law was integral to community and society formation. For example, Chapter 6 addresses 'cousin marriage' and concludes that the practice's permissibility 'cut to the heart of communal belonging and the intellectual makeup of religious traditions in the Abbasid Caliphate' (170). This was because the notion of cousin marriage touched upon 'deeply embedded social' practices with respect to Christian views of kinship and with respect to normative practices across most religious communities in the medieval Middle East. Proscribing such arrangements, then, had the potential to distinguish Christian communities from non-Christian ones. But disputes about their validity also touched upon the ways in which East Syrian Christian communities in particular engaged their intellectual traditions with respect to Islamic law and 'the epistemological power of reason'. As Weitz shows, considering the question of cousin marriage reveals that East Syrian Christians, though influenced by Islamic law, did their own work to 'stak[e] a position on the reason/tradition question' and present themselves as a valid intellectual tradition in the medieval Middle East (171).

Chapter 7 is another intriguing examination of a unique marriage practice. Polygamy – the term Weitz uses to refer to polygyny and concubinage in particular – was, in fact, quite prevalent among the elite portions of caliphal society. It also existed among Christian communities (170), though to lesser degrees than among non-Christian ones (198). We know this because jurist-bishops legislated against it, indicating that the practice existed to a sufficient degree that something had to be said about it. Perhaps more importantly, jurist-bishops used their legislation against polygamy as yet another means by which to distinguish their Christian communities from those around them. Working against this legislation, however, were caliphal and extra-communal institutions that provided legal opportunities for Christians to challenge ecclesial norms by exchanging them for what might be acceptable among certain segments of wider society (173). Once again, then, social practice became a locus for shaping religious identity, particularly when bishops applied anathemas to those who violated their norms.

Weitz's look at polygamy leads to Chapter 8 and a look at interreligious marriage in multi-confessional societies. Interreligious marriage would be an obvious point of concern for ecclesiastical law and the maintenance of religious communities. Weitz considers this but, more importantly, demonstrates that the kind of contact between religious traditions that is based upon practices like marriage (and the reasonable prospects for adherents of different religions marrying one another) forms one of the core bases by which historians can gauge wider intellectual developments (217). Ecclesiastical law in this context, for example, did not emerge in a vacuum, but was fashioned in light of Islamic law and pre-Islamic practices. Acknowledging this, in turn, provides further reason to consider the non-Islamic religious traditions as part of the centre of the Middle East's intellectual history. Similarly, it prevents a siloed historiography in which religious communities are studied autonomously instead of in relation to those with which they had contact.

In the third part of the book, Weitz closes with a final chapter on 'Christian Shari'a' in the later medieval period after Abbasid fragmentation, and a look at the Arabization of Christian family law. Then, in his Conclusion, Weitz summarizes how the Syriac communities on which his book focuses borrowed from their Islamic milieu in order to distinguish themselves from it. 'In these moments of dissonance', he writes, 'we can see a characteristically medieval Middle Eastern conception of the religious community taking shape' (99). In other words, the medieval Middle East took its shape, in large part, under the influence of subjugated communities who were using common social practices in order to navigate multi-confessional life.

Between Christ and Caliph has a narrow focus, but Weitz's dogged attention to the sources and their milieus is very productive. It helps to reshape the historiography of the medieval

Middle East by reincorporating the region's largest communities, and the ways in which their social practices forced them to encounter their Muslim rulers, into the centre. Together with other recent studies such as Christian Sahner's *Christian Martyrs under Islam* (2018) and Jack Tannous's *The Making of the Medieval Middle East* (2018), Weitz's book is important for historians of Eastern Christian communities and for those interested in the important nuances that attend historic interreligious relations.

References

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