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THE ARABIC NICAEA CORPUS OF THE COPTIC CHURCH IN THE MACARIUS COLLECTION

An Introduction to the Corpus with reference to its Islamic milieux

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THE ARABIC NICAEA CORPUS OF THE COPTIC CHURCH IN THE MACARIUS COLLECTION

An Introduction to the Corpus with reference to its Islamic milieux

ROCIO DAGA PORTILLO

Abstract: This study examines the Corpus of Nicaea within the Macarius collection as a testimony to the circulation and adaptation of canons and doctrinal texts across confessional boundaries. The compilation incorporates Syriac, Melkite, and Coptic materials, reflecting the exchange of canonical and theological traditions among Oriental Churches; notably, even the *filio-que*, absent from Coptic doctrine, appears in the Coptic recension. The enduring significance of the canons of Nicaea and the Creed is highlighted by their preservation in multiple versions within the Macarius collection and the emphasis on ecclesiastical unity in the introduction to the Coptic version of the Creed. Additional texts, including the eighty-four Pseudo-Nicaea canons and the four Books of Kings, were attributed to Nicaea to confer a sacred origin on civil law within the Islamic milieu. Despite layers of textual rewriting and expansion, Syriac, Melkite, and Coptic elements remain discernible, alongside clear Islamic influences in vocabulary and legal formulation, underscoring the dynamic interplay of religious and cultural factors in the transmission and adaptation of canonical texts.

Zusammenfassung: Diese Studie untersucht das Corpus von Nicäa innerhalb der Macarius-Sammlung als Zeugnis für die Verbreitung und Adaption von Kanones und lehramtlichen Texten über konfessionelle Grenzen hinweg. Die Kompilation umfasst syrische, melkitische und koptische Materialien und spiegelt somit den Austausch kanonischer und theologischer Traditionen unter den orientalischen Kirchen wider; bemerkenswerterweise erscheint in der koptischen Rezension sogar das *filioque*, obwohl es in der koptischen Lehre ursprünglich nicht enthalten ist. Die andauernde Bedeutung der Kanones von Nizäa und des Glaubensbekenntnisses zeigt sich in ihrer Überlieferung in mehreren Fassungen innerhalb der Macarius-Sammlung sowie der Betonung der kirchlichen Einheit in der Einleitung zur koptischen Fassung des Glaubensbekenntnisses. Weitere Texte, darunter die 84 pseudonicäanischen Canones und die vier Bücher der Könige, wurden Nicäa zugeschrieben, um dem zivilen Recht im islamischen Umfeld einen sakralen Ursprung zu verleihen. Trotz mehrschichtiger textlicher Überarbeitungen und Erweiterungen bleiben die syrischen, melkitischen und koptischen Elemente deutlich erkennbar; zugleich treten islamische Einflüsse in Wortschatz und rechtlicher Formulierung klar hervor, die das dynamische Zusammenspiel religiöser und kultureller Faktoren bei der Überlieferung und Anpassung kanonischer Texte unterstreichen.

1 Introduction

This article aims to present the Corpus of the Canons of Nicaea transmitted and preserved in Arabic within the Coptic Church. The critical edition of the Arabic text, along with its translation and commentary will be published in a forthcoming volume. The present study is therefore

intended as an introduction to the corpus, drawing attention to its most salient features, which will be examined in detail and extensively in that publication.[1]

The compendium of canons pertaining to Macarius the monk[2] is one of the most extensive canonical compilations within the Coptic Church, yet it has not hitherto been edited. The collection includes among its contents the Corpus of Nicaea, the object of the present study.

The Macarius collection is preserved in numerous manuscripts, the oldest surviving manuscripts dating from 1349 and 1352-3 AD.[3] The collection includes writings of Cyrill III ibn Laqlaq, Patriarch of the Copts from 1235-1243. This suggests that the monk Macarius must have lived at the end of the 13th or the beginning of the 14th century, placing the origin of his canonical collection in the early 14th century. This dating is further supported by the fact that the great encyclopaedist Abu l-Barakat b. Kabar (d. 1324), makes no mention of Macarius – an omission that would otherwise be unthinkable. It is therefore probable that Macarius lived contemporaneously with, or slightly after, Ibn Kabar.[4]

Biographical information on the monk Macarius remains scarce. The only details preserved are those contained in the introductions to two manuscripts, which identify him as a monk of the Monastery of John the Little in Wādī Naṭrūn:[5]

"In the Name of the Father, the Son, and the Holy Spirit, One God. Glory to Him. We begin, with the help of God and His favor, to copy a collection of canons given by the holy Fathers – the Apostles and their successors, the Patriarchs and bishops – from all regions of the world and beyond, the Patriarch Fathers assigned to all the seats, such as those of Rome and Egypt. Among the teachers and leaders of religion, who took care to compile this book is the holy and illustrious priest, a man of asceticism, the teacher Macarius, one of the priests of the Monastery of Saint John the Little in Sketis. He collected these canons from a number of books that he found in the desert, in Cairo, Miṣr, and in other places, with great effort, devoting many years to their compilation. After that, he transcribed and copied by hand as it was found." We ask our Lord Jesus Christ for help to carry out His instructions and commands, and that He may open our eyes and hearts to understand what He said to us, his servants, regarding the canons, through the prayers of all the Fathers mentioned in this holy book. Amen."

The collection encompasses writings on ecclesiastical and civil law, ranging from the 3rd to the 13th century. Significantly, many of these writings are no longer preserved in their original language – most often Greek – which renders this collection particularly valuable.[6]

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1 The edition of the Nicaea Corpus in Arabic, including translation and commentary is forthcoming. My colleague Dr. Daniel Voucher, to whom I am indebted for extensive information regarding the origin of the texts in the collection, is responsible for the commentary accompanying the edited text and is currently working on the origins of the 84 Pseudo-Nicaea canons. This work has been carried out within the framework of the SNF project "Lebendige Tradition. Der pseudoklementinische Oktateuch als historisches Dokument von der Spätantike bis ins arabisch-muslimische Mittelalter," at the Department of Patristic and Church History, Frieburg University, Switzerland, under the direction of Prof. Dr. Franz Mali.

2 *Coquin, René-Georges*, "Macarius the Canonist", The Coptic Encyclopedia, vol. 5, New York 1991, 1490-1491; *Graf, Georg*, Geschichte der christlichen arabischen Literatur (GCAL), vol. 1, Città del Vaticano 1944, 560.

3 Bibl. Barber. VI.33 = Barb. or. 4 (maybe also year 1351) and BnF ar.251.

4 I own this information to my colleage Dr. Daniel Vaucher.

5 P.Vat.ar.149 and BnF 251.

6 The only description of Macarius' collection with a list of contents to date can be found in *Riedel, Wilhelm*, Die Kirchenrechtsquellen des Patriarchats Alexandrien. Zusammengestellt und zum Teil übersetzt, Leipzig 1900,121-129.

The content of the manuscripts includes canonical writings from the early Church such as the canons of the Apostles, Didascalia, the local synods, and the first 4 ecumenical synods; pseudo-patristic writings such as Hippolytus, Basil, Epiphanius, Clement, among others; as well as texts from the Coptic patriarchs such as Ibn Turayk, Michail of Damietta, and Byzantine legal sources, under the name of the Canons of the Kings - Procheiros Nomos, Syro-Roman law, Spiritual canons and Ecloga.

The Nicaea Dossier encompasses a diversity of texts:[7]

I. The history of Constantine and Helena related to the Council of Nicaea, followed by a catalogue of heresies. This text is of Syriac origin.

II. Reasons leading to convene the Council of Nicaea. Text of Greek and Melkite origin.

III. The Creed and the 20 (authentic) canons. Text of Greek and Melkite origin.

IV. The so-called "Arabic canons of Nicaea", or Nicaea of the East, a set of 84 pseudo-Nicene canons. A text of Syriac origin that introduces some material of the book of the Kings and it was translated into Arabic by the Melkites.

V. The 33 canons on monks and monasteries. The same as above, though with some doubts. It belongs to the Corpus of the 84 canons in the Nicaea Dossier.

VI. The Creed belonging to the 33 canons, followed by the *Ekthesis* or a text on the anathemas.

VII. The 20 (authentic) canons, translated from a Coptic source, including the Creed as the first canon.

VIII. The End Creed and Ekthesis of the *Didascalia CCCXVIII Patrum.* A text of Melkite origin probably.

Furthermore, Macarius or most probably his "Vorlage," attributes four books of civil law in this collection to the Council of Nicaea: "(These are) the four books ascribed to the kings written in the presence of the Great Council of the 318 bishops in the seat of King Constantine."

These four books are:[8]

I. Procheiros Nomos.[9]

II. Syro-Roman Lawbook.[10]

III. "Spiritual Canons".[11]

IV. The Eclogue.[12]

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7 The origin of the Vorlage of these texts has been studied by Dr. Daniel Vaucher.
8 *Graf,* GCAL , vol. 1, 614.
9 Der arabische "Procheiros Nomos", *Pahlitzsch, Johannes* (ed.), Frankfurt am Main, 2014.
10 Das syrisch-römische Rechtsbuch, *Selb, Walter / Kaufhold, Hubert* (ed./transl.), 3 vols., Wien 2002.
11 Still unedited. A Latin translation by *Echellensis, Abraham*, printed in *Labbé, Philippe*, Sacrosancta Concilia ad Regiam Editionem Exacta quae nunc quarta parte prodit auctior, vol. 2, Paris 1671, 359-384; *Labbé, Philippe / Cossart, Gabriel / Baluze, Etienne*, Sacrosancta Concilia ad Regiam Editionem Exacta, vol. 2, Venetia 1728, 371-390.
12 *Leder, Stefan* (ed./transl.), Die arabische Ecloga. das vierte Buch der Kanones der Könige aus der Sammlung des Makarios, Frankfurt am Main 1985.

In the *Reasons to convene the Council*, the second historical introduction in the collection, of Melkite origin, it is said:

> "They (the 318 fathers) began by expositing, *sharaḥ*, the holy divine Creed that must be recited in all liturgies, *quddāsāt*, around the world, by all adherents to Christianity and the adherents to the baptismal faith, *dīn*.[13] As mentioned before, they compiled three books containing canons, *qawānīn*, and laws, *aḥkām*, necessary for the believers:
>
> The first and longest book ascribed to the Council encompasses all the canons, *qawānīn*, required by the Christians of the East. (These are the 84 Pseudo-Nicaean canons):
>
> These canons, *ḥudūd,* are concerned with the leaders (of the Church), *ruʾasā*, priests, monasteries, hermits, and inhabitants of the desert. In particular, it also includes the canons related to the monks of the monasteries, besides the canons related to the marriage of priests. It mentions as well the repair and building of churches, and how the believers should behave in them.[14]
>
> The second book, which is this one, contains twenty canons (20 official canons).
>
> The third book, attributed by us to the kings, contains everything the kings, their peers, and others in similar situations need. (Books of Kings)."[15]

The attribution of civil law text to Nicaea appears to have been a means of conferring upon civil legislation a religious origin, in parallel to and because of Islamic law.

Moreover, within the Macarius collection we find a work whose content is largely penal law, entitled *The canons of the Kings (taken) from the Old Testament*,- *Qawānīn al-Mulūk min al-ʿAtīqa*- (Bar.or.4),[16] also called *The laws from the Old Testament*, *Aḥkām al-ʿAtīqaIn* in another manuscript (Vat.ar.149; Mardin 311).

When Christians became a minority in Egypt, about the 12th-13th century, they needed their own collection of civil and penal legislation in order to maintain a legal identity that would ensure recognition of their legal *Ḏimma* status by Muslim rulers, status that presupposed a certain degree of legal autonomy. They were defined by their legal status, rather than by their religious-theological identity.

The civil law texts, however, do not form the focus of the present study; they will be examined in a forthcoming article.

2 Remarks on the 20 canons and the Creeds

2.1 The 20 canons in Macarius

The Macarius"s collection preserves the official 20 canons of Nicaea in three distinct Arabic versions:

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13 Lit: The religion of baptism. The term faith is not much use in our texts. We speak here of a „reification"of faith into religion and (in other occasions) of the „reification" of religion into law.
14 These last canons regarding the building of Churches do not belong to the 84 canons of the East. It can be found in the canons of Coptic Patriarch Christiodoulus, but they may have another origin.
15 The quotations of the text in manuscript is my own translation. Forthcoming in a book.
16 The same book is called the Laws of the Old Testament, *Aḥkām al-Mulūk*, in two other Mss: Vat.ar.149 and Mardin 311.

1.1. The 20 canons in a Melkite version of Greek origin. The Melkites undertook the translation from Greek into Arabic of the 20 canons of Nicaea around the 8th century.[17] Macarius, however, shortens the long paraphrase that the Melkites added to the Greek version of the canons.

1.2. An Arabic version of the 20 canons translated from the Coptic with clear Coptic subtract in Arabic. This version also preserves a closer fidelity to the Greek original.

1.3. An Arabic version with origin in a Syriac Vorlage, included as part of the 84 Pseudo-Nicaean canons of the Church of the East.

2.2 The Creed in Macarius

The Creed appears in the Corpus in four occasions:

2.1. Following the Introductory part recounting the *History of Constantine and Helena* and preceding the 20-official canon of Nicaea, of Melkite-Greek origin.

2.2. Following the 33 canons on the monks together with the *Ekthesis* or anathemas.

2.3. The Creed as canon number 1 within the 20 official canons of Nicaea translated from the Coptic, with a short text on anathema.

2.4. Finally, the Creed and *Ekthesis* of the *Didascalia CCCXVIII Patrum*.

2.3 The wording of the canons reflecting the socio-political context

The three versions of the canons in the collection display significant variations in wording and content that reveal their adaptation to a particular social context, including refinements introduced to meet the requirements of their respective times and places.

Some examples of these variations are the following:

2.3.1 Circumcision or castration

Canon 1 of the Melkite version prohibits ordination to the priesthood for anyone who has been castrated and circumcised. It nonetheless allows an exception for converts from other religions who had been circumcised as part of their former faith, meaning Jews and probably Muslims.

In contrast, converts from other religions are not mentioned in canon 2 of 84 Ps-Nicaea – that corresponds to number 1. As these eighty-four canons are of later origin and were composed within an Islamic milieu, probably, there was no need to mention converts, since conversion from Islam to Christianity was forbidden. Instead, they address circumcision inflicted by masters out of hatred toward Christian slaves, though castration is absent from this version.

In the Coptic version, Canon 1 is replaced by the Creed, but circumcision and castration appear in Canon 18. Although circumcision was practiced among the Copts, or continued from ancient times as a custom under Islam – as Metropolitan Michail of Damietta affirmed – the canon did not become obsolete, although it may have been included here to complete the number of 20 canons. Nonetheless, in this canon the violence by masters against Christian slaves is not

17 *Jarawan, Elias*, La collection canonique arabe des Melkites et sa physionomie propre. D'après documents et textes en comparaison avec le droit byzantin, Rome 1969.

mentioned, but rather the violence of "barbarians," meaning outlawed groups – probably groups conducting raids in search of slaves.

2.3.2 Ordination of bishops

Canon 4 of the Melkite version renders the requirement for the ordination of a bishop common to all three versions of the Nicaea Canons, that at least three bishops must be present at the moment of ordination while the metropolitan ratifies the ordination.

An additional condition is that neither clergy nor laity oppose the ordination, implying that the consent of the people played a role, though the statement is concise in the Melkite version.

However, in Canon 5 of the eighty-four canons – corresponding to Canon 3 in the Melkite version – the consent of the people is made more explicit: ordination must be carried out by the metropolitan, *muṭrān*, of the region with the approval of the community, *shaʿb*.

In contrast, Canon 4 of the Coptic version does not mention the necessity of popular consent.

2.3.3 Jurisdiction of patriarchs

Canon 6 of the Melkite version addresses the jurisdictions of Patriarchs. It first refers to the bishop of Alexandria – without yet using the title "patriarch" –, while assigning to the bishop of Rome the presidency of the councils convened in the Church, besides having the jurisdiction over his own territory. The bishop of Antioch is likewise recognised as authority in his own jurisdiction.

Canon 8 of the eighty-four canons begins with the patriarch of Alexandria – this time the title patriarch appears –, followed by the bishop of Rome, without further title, but described as the successor of Peter, who likewise exercises authority over his own territory. The patriarch of Antioch is similarly acknowledged as having jurisdiction over all his domain.

Canon 6 of the Coptic version emphasises the authority and jurisdiction of the bishop of Alexandria – following established custom – and compares it with the jurisdiction exercised by the bishops of Rome and Antioch over their respective territories.

The Coptic version reflects a slight tendency toward an acephalous form of Church organisation.

2.3.4 Re-baptism

Canon 19 of the Melkite as well as canon 18 of 84 and the Coptic version requires a rebaptism of the followers of Paul of Samosata, whereas the Melkite version further declares their marriages void. In this instance, the three sets of canons agree in content, though their wording is not always identical, and each includes additional details.

2.4 Concern for Unity

A concern for unity is expressed in the introduction to the 20 canons of the Coptic version and in its colophon:

> „There was great opposition to us regarding (the day of the) glorious and Holy Easter.
>
> We found three regions, *aqālīm*, in the world: Rome, Alexandria in Egypt, and Nicomedia, *Al-Qūmīdiyya*, and the whole inhabited world under heaven, *maskūna*, observing Easter the same day (and) in agreement, *ittifāq*.

(But) Syria alone and the regions belonging to it, a small portion of the world, were separated from all the rest.

For this reason, we have commanded that this (Creed) should be written down and released, so that the Syrians, and those people belonging to them, do not oppose the Romans, the Alexandrians, and those from Nicomedia, *Al-Qūmīdiyya*, aligning with all the inhabitants of the world to observe Easter in one day and in agreement.

By this act, we show our agreement, (affirm our unity) and speak with one voice concerning the death and resurrection of our Lord Jesus Christ.

In doing so, we all write one single Creed, enduring forever. Through this endeavour, our Holy foundation will be glorified, and we all will instruct each other by this one act and through this one Creed. "

Colophon:

„We have established these matters so that future generations may stand upon a firm foundation, universally valid for all people. In this way, the chain of Christian (faithful) throughout the whole inhabited world, *maskūna*, may be bound together by this Great and Holy Council.

All the bishops assembled in this place have given their assent to this Creed and to these canons, and together they composed this text. "

2.5 The wording of the Creed and Ekthesis: "Lost in Translations"

The Creeds of the collection are, obviously, faithful to the original text, however, variations in terminology reveal the challenges inherent in translating theological concepts.

In the Relation of Heresies included in the Life of Constantine - a text of Syriac origin-, the term *ʾaqnūm* is used to denote the "person" of the Trinity:

"Another sect is called the Audians, *ʿAwdāniyya,* who claim that the three persons (or hypostases), *aqānīm,* are a composite and that they only come together through composition. " "The Paulinians believe in one God, one substance, and one hypostasis bearing three names."

The common Syriac meaning of *ʾaqnūm* is "hypostasis" or "person," and it subsequently became a technical term in Christian Arabic.

Yet, in the Creed – specifically in the Creed, canon 1 of the Coptic version of the 20 Nicaea canons and in the *Ekthesis* or anathematisation following the End Creed in the collection –, the term is used to signify "substance."

An explanation for this is found in Greek. In Greek, hypostasis and *ousia* were interchangeable prior to the Cappadocian Fathers, as documented in a Creed attributed to Athanasius of Alexandria.[18] A Coptic Creed of the 9th century also reveals the use of hypostasis with the meaning of substance.[19] Thus, we have here an example of linguistic calque from the Greek into Coptic, in a period before Arabic became the written language in Egypt.

18 *Kinzig, Wolfram*, *Faith in Formulae*, vol. 2, Oxford 2017, 2.
19 I own this reference to my college Alexei Morozov.

In the Arabic Creeds – and Ekthesis – of the Nicaea collection, two terms are employed to denote "substance": the common word for substance and standard term in Philosophy, *ǧawhar*, and a loan-word from Syriac that signifies "hypostasis" and „person," *ʾaqnūm,* a technical term in Christian Arabic.

Thus, the use of *ʾaqnūm* in the sense of "substance," as found in our texts, reflects the earlier Greek usage that assigned the meaning of substance to the term hypostasis. This introduced semantic ambiguity in Greek until the Cappadocian Fathers established the distinction in the 4th.century. This ambiguity remained in Coptic - and probably in Syriac- and it was subsequently transferred into the Arabic language, the lingua franca of the Oriental Churches.

Our texts thus document in Arabic the semantic ambiguity originally present in Greek. One of the Creeds, canon 1 of the twenty canons translated from the Coptic, together with the Ekthesis or anathematisation following the End Creed in the collection, employs *ʾaqnūm* with the meaning of "substance." This demonstrates that the oriental Churches writing in Coptic, Arabic – and perhaps in Syriac – retained both meanings for the word *ʿaqnūm*, "hypostasis" and "substance," as had happened in Greek with the term hypostasis. This usage seems to have persisted over an extended period. In Coptic, the example of this is attested in the 9th.century, and Macarius, the author of our collection, still reproduces a text using *ʾaqnūm* with the meaning of substance in the 14th. century.

Thus, this semantic calque of hypostasis from the Greek illustrates the parallel development of Greek, Coptic and Syriac theological vocabulary and its subsequent transfer into Arabic.

However, the translation from Greek generated theological confusion, obscuring the meaning of the term hypostasis, in Christology, and the notion of person in Trinitarian theology, due to the indistinct use of *ʾaqnum* with the meaning of substance and hypostasis.

A further striking example of the challenges in translating the term person into Arabic appears in the *Ekthesis* or anathematization following the Creed after the thirty-three canons on monasteries. This text, supposedly of Syriac origin, does not employ the Syriac term *ʾaqnūm*, with the meaning of substance but instead uses an unusual linguistic calque, rendering in Arabic the term *šaḫṣ,* with the meaning of substance. This calque, a translation of the Syriac loan-word *ʾaqnūm,* introduces even greater confusion because the term *šaḫṣ* is the standard Arabic word for "person" to this day, and carries connotations of materiality, while it had never previously been attested with the meaning of substance.

The only plausible explanation for this use of *šaḫṣ* as substance is that the translator took the decision to translate the word *ʾaqnūm*, that he understood in its common sense of person, into Arabic using the ordinary term for person, unaware of the dual meaning of *ʾaqnūm* and its additional sense of substance. This translation or „adaptation"of the copyist likely occurred at a later stage, when the meaning of *ʾaqnūm* as substance had fallen into oblivion.

However, the use of *šaḫṣ* in this context risks attributing a corporeal aspect to the theological notion of substance, introducing a suspected materiality that could undermine the divine essence of Christ and create confusion regarding His nature.

Indeed, the concepts of "person," "hypostasis," and "substance", *ʾaqnūm,* in one single word, *ʾaqnūm*, and the subsequent calque into Arabic as *šaḫṣ,* – "person" – but used here in the unusual sense of "substance," is a clear instance of being "lost in translation." This being "lost in

translation" had significant theological implications for Christology in the Oriental Churches, as the absence of a precise term for hypostasis or person distinct from substance led to misunderstandings of central theological notions, reflected in later doctrinal debates and dogmatic formulations.

Furthermore, a Greek- Latin controversy also reflected this problem, being a parallel dispute regarding Trinitarian terminology: Rome emphasized the unity of the Godhead, whereas the Greeks spoke of three distinct hypostases within the Trinity. The Latins, however, interpreted this as implying three separated substances - substance being a Latin word in contrast to hypostasis.[20]

These examples illustrate the numerous misunderstandings between East and West arising from the translation of theological terminology. Addressing these linguistic and conceptual divergences constitutes an urgent task, demanding methodological rigor and precision as well as cultural and historical understanding of the context in which the Oriental Churches have developed.

3 The 84 canons of the Church of the East.

The 84 canons, or the Nicaea canons of the Church of the East represent an expanded version of the 73 canons attributed to Marutha of Maipherqat in Syriac,[21] although some of the additional material derives from the *Books of the Kings*, the Roman-Byzantine law-books.

Marutha of Maiphergat, 4th century, was commissioned by Patriarch Isaac[22] to compile the canons of Nicaea. In response, he translated and selected only a portion of the canons, "because not everything was relevant for the Persian Empire."[23]

Our text confirms this:[24]

> "The books, *kutub*, and collected canons, *al-sharāʾiʿ al-mudawwana*,[25] from the fathers – mentioned above –, a total of three hundred and eighteen fathers, were sent to the ends of the earth. These are the canons, *qawānīn*, and laws, *sunna,* which (the fathers) put in writing and rendered in three well-known books, *kutub*.
>
> The Christians of the East translated, *naqala*, what they needed, which is this book (the 84 canons).
>
> The canons, *sunan*, the (318 bishops) established were very numerous, because they were written for kings, priests, leaders, administrators, *mudabbir*, judges, the people of the countries of every region, district, town…

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20 *Brown, Harold,* Heresies. The image of Christ in the mirror of heresy and orthodoxy from the apostles to the present, N.Y. 1984, 109.

21 *Vööbus, Arthur,* (ed./transl.), The Canons Ascribed to Mārūtā of Maipherqaṭ and Related Sources (CSCO 439-440, Scriptores Syri 191-192), 2 vols., Louvain 1982; a German translation by *Braun, Oskar*, De sancta Nicaena Synodo. syrische Texte des Maruta von Maipherkat nach einer Handschrift der Propaganda zu Rom, Münster 1898.

22 *Ibn al-Ṭayyib*, *Fiqh al-Naṣrānīyah* = "Das Recht der Christenheit", eds. W. Hoenerbach and O. Spies, 4 vols, (CSCO 161-162/Arab. 16-17 / CSCO 167-168/Arab. 17-18), Leuven 1956–1957, 27.

23 It does not refer to the 20 canons, but many other canons were attributed to Nicaea, as mentioned before.

24 In the „Reasons to convene the Council. " My own translation.

25 *šarāʾiʿ*, plural of *šarīʿ*. Observe the use of Islamic vocabulary. This use is extensive in our texts. See also *sunna* for canon, law. However, the word *ḥudūd*, used for canons as well is of Greek origin, *oros*, limits.

> There were also canons, *sunan*, concerning monasteries, *diyārāt,* their superiors, the in-dwellers (of the monasteries), the various orders of monks and nuns, the distinct ranks of clergy; as well as military commanders, soldiers, merchants, plebeians, tavern owners, *aṣḥāb al-mawā''id,* sailors, craftsmen. The canons likewise addressed adulterers, fornicators, the impious, harlots, those who keep concubines, and those who enter into multiple marriages, the polygamous.
>
> They omitted no matter, whether great or small, without mentioning it and establishing a canon, *sunna*, for it. This was necessary because the king, his archons, *arākina*, nobles, *ʿuẓamāʾ,* and all his troops were Christians and in need of canons, sunan, and regulations, *qawānīn*, to uphold their religion, *dīn*.
>
> Conversely, the Christian population of the Persian territories did not require such canons as their country stood in opposition to Byzantium. Christians living in Persia and the Eastern territories were compelled, not by choice, to follow the laws of the Persians. Therefore, they translated, *tarğama,* only what the community needed – from the laws of Nicaea – and that is this book. "

These are supposedly the 84 canons of Marutha.

However, the earliest attestations of the 73 canons of Marutha in Syriac date to the 8th-9th century, when the Patriarch Timothy I of the East, quoted some of those canons. Subsequently, the East-Syrian writers of the 11th century, Elias al-Jawharī, and Abū al-Faraj ʿAbd Allāh ibn al-Ṭayyib, reproduced them. Later on, they became well-known and are found in Abdišōʿ bar Bərīḵā work`s in the 14th century.

The first Arabic version of the 73 canons attributed to Marutha of Maipherqat was produced by the East Syrian Abū al-Faraj ʿAbd Allāh ibn aṭ-Ṭayyib, secretary of the Patriarch of the Church of the East, in the early 11th century.[26] These canons were introduced in Egypt either through the text of Ibn al-Ṭayyib or through a Melkite translation done between the 8th-11th century.[27] In one way or another, they are attested in the Coptic Nomocanons by the late 11th-early 12th century.

In Arabic, Abū Ṣulḥ Yūnis b. Nānā (d.1020),[28] is supposedly the first writer of a compendium of canons in Arabic, *Mukhtaṣar al-Qawānīn,* if we do not count the earlier and brief work of Sawīrus b. al-Muqaffaʿ (d.987), *Miṣbāḥ al-ʿAql.*[29] Sawīrus appears to have been unaware of the eighty-four canons, as he does not mention them in his Book of Councils. Abū Ṣulḥ, however, quotes these canons at the conclusion of his work. For stylistic reasons, we are convinced that this citation of the eighty-four canons represents an addendum rather than an integral part of Abū Ṣulḥ ́s original composition.

This evidence situates the introduction of the eighty-four canons into the Coptic Church in the late 11th to early 12th centuries, as documented in the Nomocanons of Gabriel b. Turayk.[30]

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26 *Ibn al-Ṭayyib*, Fiqh al-Naṣrānīyah , Leuven,1956–1957, vol.1, 27-50/30-54.
27 In *Labbé, Cossart, and Baluze*, Concilia, vol. 2, pp. 328–358; *Mansi*, Conciliorum, vol. 2, 982-1030. *Breydy, Michel*, "Abraham Ecchellensis et les canons arabes de Nicée," Par. Or. 10 (1981-1982), 223-256.
28 *Abū Ṣulḥ,* Mukhtaṣar Qawānīn, Athanasius al-Maqārī (ed.), Madinat Naṣr, 2019.
29 *Sāwīrus b. al-Muqaffaʿ*, Miṣbāḥ al-ʿaql, Cairo, 1978.
30 *Ibn Turayk*, Maǧmūʿa al-Qawānīn, Beyrut, 1993, 1- 2 vols.,106-108.

Michail of Damietta[31] in his *Maǧmūʿa al-Qawānīn*, makes extensive use of these canons, quoting them systematically according to subject in his comprehensive work. Ibn al-ʿAssāl quoted the 84 canons as well.[32]

These canons present more concrete and practical cases than the 20 canons of Nicaea. They address issues such as marriage to non-Christians, polygamy, divorce, simonies, and the lending of money. They also legislate the obligation of using Christian names and prescribe procedures for receiving heretics into the Church. Likewise, ecclesiastical administration is included: all the Patriarchates are named, and the Ethiopian Catholicos is explicitly declared to be dependent from the Coptic Church.

Aiming to provide the foundation for the organisation of the Church, these canons describe the entire ecclesiastical hierarchy along with its respective duties and emphasise the necessity of establishing houses for the sick and lodge for the foreigners.

Owing to their practical value, these canons were heavily quoted in Coptic Nomocanons.

It must be noted that the set of 84 canons includes the Nicaea canons. Thus, canon 1 to 32 of the 84 contain a reworking of most of the 20 canons of Nicaea. Exception is Canon 14 of the 20 canons that is not included in the 84 canons.

Canons 33-84 correspond roughly to the first part (can. 1-47) of the canons attributed to Marutha of Maipherqat. Canons 48 to 73 in Marutha correspond to the Arabic canons of the monks, a set of canons following the 84 canons and that supposedly belong to the same corpus of Syriac origin. Furthermore, the canons numbers 41 and 55 in Arabic, have no equivalent in the Syriac Vorlage of the canons of Marutha.

Significant examples of the 84 canons are the following:

Canon 57 of 84. This canon illustrates the significant and inclusive role of women in the Church – probably the canon originated in the East Syrian Church. It records that woman served as deaconesses assisting in the recitation of the Psalms and in the baptism of women. Notably, the canon emphasises the importance of teaching women to read and recite the Psalms and selecting from among the oldest one to help in baptism, thereby incorporating women into the liturgical life and service of the Church.

Canon 71 of the 84 reflects the influence of both Byzantine law and Islamic law, illustrating their fusion in the canon and within a Christian context:

> „If someone claims unduly and falsely accuses his wife of adultery, *qaḏf,* transgressing against her because he wishes to divorce her, ṭalāq, he is forced to live with her,
>
> (…) but if his legal wife, ḥalāl, disapproves, *karaha*, of continuing to live with her husband because of the injustice suffered and the false accusation of which she is innocent, she is free. She can marry another man."

31 *Michail of Damietta*, Maǧmūʿa al-Qawānīn, Athanasius al-Maqārī (ed.), Madinat Naṣr, 2018, 2 vols.
32 *Ibn al-Assāl*, Maǧmūʿ al-Ṣafawī, Cairo: *Muʾasasa Mīnā li-l-Ṭabāʿa*, 1991 (1908 first ed.), 2 vols.

The false accusation of adultery, ɋ*aḏf,* is listed among the five Koranic penalties in Islamic law. The penalty for such a charge is 80 lashes to the husband if the accusation is proven false. After that, the wife is entitled to separate from the husband who wronged her.[33]

This provision echoes Koran 24,4: „Those who accuse chaste wives of infidelity and do not produce four witnesses, then flog them with eighty lashes and never accept testimony from them again. "

However, we find this crime in Pocheironomos as well, which makes difficult to know the origin of it:[34]

> „If a man charges his wife in writing with adultery and fails to convict her, she has the option of divorcing him. She is entitled to take her dower and nuptial gift and 1⁄4 of the husband property, if they do not have children. "

Nonetheless, this canon represents an instance of legal fusion, in which the term from the Koran, *qaḏf,* is employed in a canon that appears to derive from Byzantine law, or even from both Byzantine and Islamic law.

Additionally, this canon prohibits polygamy by incorporating sentences, almost literally quoted from Islamic law – see italics:

> "Any priest or deacon who divorces, *ṭallaqa,* his wife without cause – such as adultery – (...) and seeks to replace her with someone more beautiful, or richer (...),
> if he marries another woman after divorcing her;
> or *marries a second wife before divorcing the first and continues sexual relations with both; or keeps both in separate houses and visits them, having sexual relations with both together*
> *or spending each night (alternately) with one or the other;*
> or he has sexual relations with both in one house, *bayt,*
> or in one bed *or with a free woman and a concubine*,
> he should be expelled, *ʾaḫrağa*, from the order of the priesthood, if he is a priest.
> A layman must be forbidden from associating with the community."

Islamic law requires to treat all women equally, therefore the prescription of providing each one of them with their own dwelling place and visiting both equally and alternatively.

4 The 33 canons of the monks

The thirty-three canons are regarded as belonging to the corpus of the eighty-four Pseudo-Nicaean canons. Yet differences in style, repeated material between the two collections (specially in canons 15-33), and the disproportionate length of the thirty-three – ranging from extensive treatments to brief prescriptions – suggest that the two sets were not originally connected.

Within the thirty-three canons, a further distinction is evident: the first fourteen differ stylistically from canons 15–33, whose Syriac parallels in Marutha are notably shorter.

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33 Schacht, Joseph, Islamic law, Oxford 1964,179.
34 A Manual of Eastern Roman Law—The Procheiros Nomos. Rendered into English by *Freshfield, Edwin Hanson*, Cambridge 1928, 85.

They seem to be composed in the East Syrian context, however, these canons would indicate a later date of composition, since cenobitic monasticism only fully developed in the 5th and 6th centuries, while the canons presuppose already established monastic structures.[35]

An Egyptian origin of these canons therefore seems plausible or at least as original inspirational source. Nonetheless, the demand for monastic regulations, combined with the claim that monasticism stemmed from the Eastern Church, may explain both the composition of these canons and their attribution to Marutha.

5 The History of Constantine and Helena and the Catalogue of Heresies

The history of Constantine and Helena reveals its Syriac origin by portraying Helena as a woman from Edessa, in the region of al-Jazīra.[36] In doing so, the writer of Macarius` Vorlage intended to grant his city a prominent position in the history of Christianity and in the narrative of the Council of Nicaea.

According to the text, Helena's prayers and piety were heard by God and his son was converted to Christianity. Having made a vow on behalf of her son, she travelled to Jerusalem, where she encountered bishop Alexander, a bishop from Egypt who had fled Egypt in the wake of the Persian invasion – here understood as the Arabs.

Several textual substrata seem to be present in this text, likely reflecting the Coptic-Arabic layer. The text makes reference to the "future" invasion of Jerusalem by the sultan of the pagans, following a prophecy that the very churches that Helena had built and lavishly adorned would be used for the prayers of those pagans – in manuscript Mardin 311, it is said "the prayers of the sultans". This reference is an impacting picture of what the Christians lived when Muslim rulers took over their territory and Churches.

Furthermore, the History of Constantine and Helena introduces a catalogue of heresies with Islamic footprints.

Although the catalogue of heresies is preserved as such in the Syriac version of the 73 canons of Marutha,[37] the Arabic version demonstrates a selection of heresies and topics shaped by Islamic milieux.

Thus, the heresies deal with four main issues derived from Muslim-Christian polemics:

- Divinity of Christ and His crucifixion.
- The corruption of the Scriptures, *taḥrīf.*
- Belief in reincarnation, a tenant associated with certain branches of *Ismāʿīlī-Shīʿa* Islam.

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35 *Fiey, Jean-Maurice*, Le cénobitisme féminin ancien dans les Églises syriennes orientale et occidentale, in: L'Orient syrien 10 (1965) 281–306, 283. *Vööbus*, *Arthur*, History of Asceticism in the Syrian Orient, Louvain, 1960, vol. I; *Vööbus, Arthur,* Syriac and Arabic Documents Regarding Legislation Relative to Syrian Asceticism, Stockholm 1960. *Camplani, Alberto*, The Revival of Persian Monasticism (Sixth to Seventh Century). Church Structures, Theological Academy, and Reformed Monks, in: A. Camplani and G. Filoramo (eds.), Foundations of Power and Conflicts of Authority in Late-Antique Monasticism. Proceedings of the International Seminar, Turin, December 2-4, 2004, Leuven, 2007, 277–295. (I own this information to D.Vaucher)

36 A region encompassing the north of today Irak and East of Turkey.

37 We assume that Marutha text concerning heresies may belong to the Islamic period as well. The earliest testimonies for the 73 pseudo-Nicene canons date to the 8th/9th century.

– Anthropomorphism.

By describing the heresies, the Christian leaders subtly denounced the tenets of Islam, while educating the Christian community about doctrines that contradicted the Christian faith. These kinds of texts contributed to the apologetic against Islam, without direct confrontation.

For instance, the catalogue answers to Islam when condemning the Montanists, who claimed that Mary the Virgin was a goddess. Indeed, Koran 5,116 proves the knowledge of this heresy, and criticises that certain Christians worship Jesus and his mother as part of the Trinity.[38]

It should be noted, however, that Islam emerged in a multi-religious environment and many of these heresies had previously merged into Islamic doctrine, often through the mediation of converts.[39] Consequently, Christian leaders, may have readily recognised the "heretical" tenets of the new religion in analogy to those known heresies from the past.

6 Conclusive remarks

The Corpus of Nicaea in the Macarius collection testifies to the circulation of canons and doctrinal texts across confessional boundaries. Syriac, Melkite, and Coptic materials appear within the compilation, reflecting the exchange of doctrinal and canonical traditions among the Oriental Churches. Remarkably, even the filioque—absent from Coptic doctrine—appears in the Coptic recension of the Macarius collection.

The Coptic Church maintained close ties with the Church of the East, both through doctrinal affinities and through the intensive exchange of texts, as exemplified by the writings of *Ibn al-Ṭayyib* (11th century). West Syrian monasteries were also active in Egypt, some of which remain in the desert to this day, while certain Coptic patriarchs, such as *Ibn Zurʿa* (10th century), were of Syriac origin. Indeed, monasteries of Coptic, Syrian, Armenian, and Ethiopian traditions coexisted in *Wādī al-Naṭrūn*, alongside monasteries of the Church of the East in Cairo and other desert regions. The canonist *Ṣafī b. al-ʿAssāl* (13th century) records Melkite translation activity concerning the eighty-four canons and the Book of Kings, while the East Syrian canonist *Ibn al-Ṭayyib* was received in Egypt by the twelfth century.

The canons of Nicaea and the Creed held enduring importance for the Coptic Church, as demonstrated by their preservation in three and four distinct versions, respectively, within the Macarius collection, alongside the emphasis on ecclesiastical unity in the introduction to the Coptic Creed.

Furthermore, additional texts, such as the eighty-four canons and the four Books of Kings, were attributed to Nicaea to confer a sacred origin for civil law, reflecting the requirements of the Islamic milieu.

Despite the multiple textual layers, as well as the processes of rewriting and expansion of the "Vorlage," one can still discern Syriac, Melkite, and Coptic elements. Moreover, the influence of

38 *Stutz, Jonathan*,"The Writings of Maruta of Maipherqat and the Making of Nicaea in Arabic, in: Journal of Eastern Christian Studies 71 (2019) 1–28, 19.
39 *Crone, Patricia,* Nativists Prophets of Early Islamic Iran. Rural Revolt And Local Zoroastrianism, Cambridge 2014, 152 ss.

Islam is evident, both in vocabulary and in the very manner in which laws are formulated and adapted to the historical context.