A CHARTER OF PROTECTION GRANTED TO THE
NESTORIAN CHURCH IN A.D. 1138, BY MUKTAIFI
II, CALIPH OF BAGHDAD.

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INTRODUCTORY NOTE.

We give in the following pages the translation of an official
document of some importance. It is an original copy of a
charter granted by the 'Abbasid Caliph Muktafi II (1136-
1160) to the Nestorian Patriarch 'Abdisho' III (1138-1147), and its
wording settles a question that interests a large section of mankind.

The need has always been felt for an authoritative statement
throwing light on the relations between official Islam and official
Christianity at the time when Islam had power of life and death over
millions of Christian subjects. Individual Christians may have suffered
persecution at the hand of individual Muslims; isolated cases of
Christian communities suffering hardship through the fanaticism of
a provincial governor, or a jurist, or the hallucinations of a half-
demented Sheikh or Mullah are also recorded in history; a Caliph
or two—such as Mutawakkil—did, certainly, subject the Christians
to some vexatious measures; but such incidents, however numerous,
are to be considered as infractions of the law, and the men who
brought them about were breakers of the law, as all criminals are
breakers of the law.¹ The statutory attitude of Islam on this subject
is laid down in clear terms in the present document which proves
beyond the possibility of doubt that, however imperfect official Islam
may have been in some social aspects, statutory intolerance was not
among its defects. The charter emanates from the chancery of an
'Abassid Caliph, but mutatis mutandis could an English King, a

¹ See, however, T. W. Arnold in Hastings' Encyclopaedia of Religion,
1921, xii., 365-369.
Dutch Queen or a French President write in the twentieth century a more tolerant charter in favour of their numerous Muslim subjects? It is not the Qur'ān that was the cause of some cases of persecution of Christians in early times, nor of their wholesale massacre in contemporary history, any more than the Gospel was the inspiring factor of the barbarities of the Inquisition. Politics, personal ambitions, or economic expediency should not be confused with religion.

The charter was written in the twelfth century (more precisely in A.D. 1138) but the Caliph who granted it states that he is following in the steps of the first four Caliphs after the Prophet, and copying the model of all the 'Abbasid Caliphs, his predecessors. The praiseworthy keynote of tolerance that runs through it is therefore that of all the Muslim Caliphs, and not of one of them only. This is best illustrated by the memorable sentence of the Nestorian Patriarch Ishoʿ Yahb III (A.D. 650-660): “The Arabs to whom God has given at this time the government of the world . . . do not persecute the Christian religion; on the contrary they favour it, honour our priests and the saints of the Lord, and confer benefits on churches and monasteries.”

The Charter sheds also great rays of light upon the procedure followed in the election of the Nestorian Patriarchs, the most important ecclesiastical dignitaries under Islamic domination.

The MS. of which we give a complete set of facsimiles is Arab. 694 of the John Ryland's Library. The text of the charter is preserved as a model of good Arabic composition in the anthology entitled Tadhkira and compiled by Ibn Hamdūn who died in A.D. 1167. The author informs us that it was composed by his own brother, evidently the one called Abu Naṣr, the secretary of the Caliphs, who died in A.D. 1150. Portions of this voluminous work are found in a more or less truncated form in some public libraries of Europe, the most complete being that preserved in the British Museum, and dated A.D. 1596. The Rylands MS. seems to be the oldest in existence, as palaeographically it cannot be much later than A.D. 1200. It was thus written some forty years after the death of the author.

¹ In C.S.C.O., lxiv, 251, and in Assemani, Bib. Orient., iii., 121.
³ See Rieu's Supplement to the Catalogue of the Arabic MSS. in the British Museum, Nos. 1137-1138, pp. 715-718.
إنها أ условиях اللازمة لتحديد أ هيئة المعاني
فإنها تتعلق بالقواعد والمصطلحات اللغوية. إنها أ قد تشير إلى:

- معرفة اللغة والمعاني لها.
- صياغة الأفكار والتعبيرات.
- استخدام الأدوات اللغوية المناسبة.

إذاً، فإن اللغة تلعب دورًا مهمًا في الفهم والتعبير.
في السياق الإسلامي، لم تكن المعاشهية مسألة سهلة وسيلة شخصية. لكن سيدة ممثلى مملكة الفاطميين، صفية بنت عبد الله، استطاعت أن تتوافق بين ح ofstream 
وراقمهم وعصرهم، في الوقت الذي في عصرهم. 

الديانات، والسياسة، والثقافة، والاقتصاد. صفتها، في هذا السياق، الهلال، بين التحاق، والأعمال الصغيرة، والتجارة، والزراعة. 

ومع ذلك، فإنها لم تتمكن من التغلب على كل التحديات. والصعوبات التي واجهتها، على سبيل المثال، الحروب والاضطرابات السياسية. ولكن، على الرغم من ذلك، فإن صفية بنت عبد الله، كانت مصدر إلهام لعديد من النساء في عصرها، وساحت في مجالات تمثلت.

وقد فقدت صفية بنت عبد الله بعد سنوات قليلة من وفاتها، لكن ذكرى الشجاعة، والعمل، والتفاني، الذي اظهرت في حياتها، لا تزال قائمة إلى اليوم.
لا المعرفة إلا بالله الرب وسطاً فعالاً الفاعل الاستاذي
واحصلت صاحبها وهو ينوعه على السياق للحكم
الذي وسخره التحديه للجميل، فهي وسما
تونه في الإسناد وسيج لعلي أبي سعيد
المؤسس الثاني للدمام المراهم عايدة أقصاء
فاضحة ونهاية مصممة باحتجاز شاملة وحريصة
وسينق دلجاً لها فاقت الصدانها وفصلها
كثيرة لفلكاً ونابها مكررها وفهم بكلموم
ينترك فيه المصممة المعاو ومتزاحم ومتاع
وطاعات الملل على الكبار الذين يجعيك المشع
وقد كلفهم خلوداً بعده لما علمهم المكر
جتماعية وتبسروها والنظر إلى عهم وانها
أفادك للمسلميين والمؤمنين فأصل الإفراش
طريقة فاتهمها في القصاع مديناً وحديداً وإحاشم
للازل التي استمتعها على شولهم واناعتهم
استطاعتك للإسهام فيهم بأولاد البار والعدل
لا يوجد نص يمكن قراءته بشكل طبيعي من الصورة المقدمة.
وقد استمرت عمليات الإصلاح على نحوٍ معاصرٍ، حيثُ نُقِلَت مسؤوليات الأمراء والمستشارين إلى اليد الشامخة والعميقة، ولا تزال تلك الزيارات حاضرة، وقد أدى ذلك إلى إحداث ثورات رائعة، وتأخير تكوين Atlas لاند签名 واحترام المهنيين في الحياة السياسية والاقتصادية والعسكرية، ونتيجةً لذلك، تتشكل انتفاضات بارزة من الأعمال، وتعتبرAtlas لأول مرة، بناءً على أصوله، وتم تحديث إعلانات مواقف أبرز المفكرين.

ويعيدAtlas إلى المساءلة والتحقيق في الماضي، تجاه القادة والمسؤولين، وقد أدى ذلك إلى إحداث ثورات بارزة، وتعتبرAtlas لأول مرة، بناءً على أصوله، وتم تحديث إعلانات مواقف أبرز المفكرين.
The Charter is composed in rhymed prose and in a highly florid style. Our translation, although literal, is sometimes free and gives only the broad sense of the text.

**Translation.**

[Copy of the Charter to the Catholicos, composed by my brother, may God have mercy upon his soul.]

This is the Charter granted by our master and Sovereign, the Commander of the Faithful, to ‘Abdīsho’, Catholicos and Patriarch.

Praise be to God whose bounty is universal and whose power is great, whose praise is obligatory and whose followers are victorious, whose attributes are perfect and whose justice is all embracing. He is known without an eye having ever perceived Him, He created the world spontaneously without revolving thoughts and cogitations in His mind, and He comprehends the nature of all things, visible and invisible. He is high above the pictures that our imagination may form, and the subtle subjects that our mind may apprehend. He made the universe without previous pattern, and created all things without pre-existent plan. In favour of His oneness He set in order an imposing array of cogent proofs, and in favour of His transcendant wisdom He produced wonderful testimonies which strike our inner mind and intelligence, our perceiving heart and discerning conscience, and compel us to proclaim that He has no consort and no son, and that He is not in partnership with anyone through whom He may be circumscribed or conceived to have an offspring. The Most High is far above what is attributed to Him by the ignorant.

Praise also be to God who chose Muhammad from the most honourable Arabian stock, and distinguished father and mother; who sent him with irrefragable proof, resplendent truth, and clear evidence, at a time when mankind was immersed in the ignorance of aberrations and straying from the right direction, and at a time when there was an interruption in the ministry of apostleship and the

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1 *Shar* is the sacred law of Islam, and *Dhimmah* refers to the *covenant of Protection* through which the *People of the Book* were allowed to live in peace in a Muslim country, and even protected, by their payment of the capitation tax.
bewildered religious sects were on the increase and fast clinging to their errors. The word of God prospered through him; he emptied it in the reservoirs of truth of the Arab nation, until the waymarks of falsehood were submerged and the crookedness of those who procrastinated in the matter of their conversion was obliterated. The roots of Islam spread then to all directions and its divine mission was established through a victory the upshot of which is known to all. The Most High God fulfilled then His promise by making his religion prevail over every other religion, by consolidating its triumph, by strengthening its followers and adherents, and by abrogating all the preceding religions, which thus came to an end through his religion.

In confirmation of His promise the Most High revealed also to him the Book with all the guidance and testimonies of truth that it contains for the followers of His religion. It is He who has sent His Apostle with guidance and true religion to make it prevail over every other religion, however averse the polytheists may be (Kur. ix., 33). God blessed him, therefore, and his family and his companions, with a blessing that enhances his prestige and is in keeping with his dignity and his merits, as long as evening follows morning and calamities are removed by the hidden grace of God.

Praise also be to God who invested the Commander of the Faithful with the glory of the Caliphate—the inheritance of his fathers—and clothed him with its robe: the best of all favours; who made him take possession of the high office before which faces fall down in awe and on account of which the honours of religion and state are offered to him; who caused the stars of justice to shine in the firmament without setting, under his administration, and gave a vigorous impulse to commercial undertakings so that their marketable commodities should suffer no restriction and no diminution to buyers.

By his prudent government he has defended the inviolable land of the faith so that its flocks should be under no fear, and the purity of its water should suffer no pollution, that the sharp edge of the sword of the faith should bear no notch and its adherents should not be smitten by any calamity. He has further been gracious to single out his subjects for a gift which warded off all harm from them, straightened their spear after it had twisted, brought together the scattered remnants of their prosperity, and nurtured the causes of their progress. They are surrounded by the arm of his justice, pleased
that by his favours they have shaken off unhappiness and entered into
the path of comfort and ease. In their abundance they have firmly
set their heart to obey him and to pray for his ancestors; they have
raised their expectations after the restrictions imposed upon them,
and have crushed those of their enemies who had assailed them.
He, on his part, only asks God to inspire his subjects with gratitude
for this gift, and his constant mention of it is a sign that he esteems
very highly his share in it; his success is exclusively through God:
in Him he has placed his confidence and to Him he will eventually
return.

Because God has placed in the hands of the Commander of the
Faithful the management of the affairs of His servants, and laid on
him the burden of His land and His countries, he governs his subjects
with vigilant eyes, watches over their welfare with great care, and
works for their prosperity with a solicitude which removes all their
anxiety, joins all their ropes together, fills their pastures with grass,
and fulfils all their eager desires. In this solicitude participate not
only Muslims but also those with whom he is on terms of alliance
whether they be near or far, and those of his different subjects from
the People of the Book who stand within the limits of the terms of
the “pact of protection” guaranteed by the convention of the Sharâ',
concerning the Dhimmah. The shadow of his kindness extends to
them all, and to it their eyes and their ears bear witness.

I brought thy petition to the notice of the Commander of the
Faithful and informed him that thou wast the worthiest of thy people
in devotion and the nearest of them all to goodness in saintliness and
other accomplishments, and that thou wast possessed of qualities and
merits which singled thee out from all of them, and that thou hadst
contained in thee all the pre-requisites, provisions, and qualifications
of the Catholicate, known to thy people. With me there was a
deputation of Christians well versed in the regulations affecting this
high office, and they submitted that after a careful and searching
examination of thy claim they had come to the conclusion that they
were in need of a Catholicos to look after their affairs and minister
to their collective needs, and that by a spontaneous and unanimous
decision they had elected thee to the headship of their religion for
regulating their affairs, satisfying their needs, and rendering justice to
the strongest and the weakest among them. They asked for the
confirmation of thy election in form of a charter which would place it on solid basis and unassailable foundations.

The Commander of the Faithful ordered, therefore, that their request be granted and their wish be gratified. The Charter of the highest imamate of Islam—may its orders be always crowned with success—is hereby granted thee to be the Catholicos of the Nestorian Christians inhabiting the “City of Peace” and all the lands of the countries of Islam; thou art empowered to act as their head and the head also of those Greeks, Jacobites, and Melchites, whether represented here or not, who might oppose them in any country; thou art singled out from all thy co-religionists to wear the known insignia of the Catholicate in your Churches and meeting houses of your devotions, without any Archbishop, or Bishop, or Deacon, having right to wear them or share them with thee: they are a mark of their dependance on the dignity and the high office to which thou hast been promoted. If any of the above-mentioned clerics enters through the door of contention with thee and recalcitrance against thee, or treads in the path of revolt against thy orders, or refuses to accept thy decisions, or disturbs thy peace, he will be prosecuted and punished for his conduct, until he retraces his steps and his obstinacy is broken, in order that others may be deterred from adopting a similar course and the enactments of your Canons may be preserved in their entirety.

Following the precedent sanctioned by the imams, his predecessors, in their dealings with the Catholicoi, thy predecessors, the Commander of the Faithful does also hereby bestow upon thee and upon thy followers the statutory prerogatives: thy life and property and those of thy people will be protected; great care will be taken in the promotion of your welfare; your ways of interring your dead will be respected, and your Churches and monasteries will be protected. In all this we are in conformity with the method adopted by the Orthodox Caliphs with your predecessors, a method that has been followed by the high imams, my predecessors—may God be pleased with them—in their interpretation of the terms of our Convention with you: that we shall be satisfied with you by your payment of the capitation tax, levied upon the males of your community who have passed the age of minority, and who are rational and solvent; that all your females and your males in their minority shall be exempt from it; and that it shall
be levied once a year in strict conformity with the kindly rules of the Shar'.

The Commander of the Faithful was also gracious to be willing to mediate between the different Christian communities in their law-suits in order to exact justice from the strong in favour of the weak, and to direct to the right path any one who was straying from it; to look after them according to the requirements of fealty demanded of them, and to follow it in its clear path and straight course.

Be thou worthy of all these favours granted to thee, which fulfil the desires of thy soul, and set up prayers and invocations for the Commander of the Faithful as a token of thy gratitude and a sign of thy allegiance. It is also the duty of all the Archbishops, Priests, and Bishops of the above-mentioned denominations to show submission in this way to the Commander of the Faithful, and to meet his kindness with subordination and obedience.