

A
CHARTER OF PROTECTION

GRANTED TO

THE NESTORIAN CHURCH IN A.D. 1188

BY

MUKTAFI II, CALIPH OF BAGHDAD

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WITH FACSIMILES

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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 'Abdishō' 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 could an English King, a 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 Kur'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

¹ See, however, T. W. Arnold in *Hastings' Encyclopædia of Religion*, 1921, xii., 365-369.

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 Isho' 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."¹

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 *Tadhkirah* and compiled by Ibn Ḥamdūn 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. 1150.² 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. 1596.³ The Rylands MS. seems to be the oldest in existence, as palæographically it cannot be much later than A.D. 1200. It was thus written some forty years after the death of the author.

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.⁴

¹ Assemani, *Bib. Orient.*, iii., 121.

² See Ibn Khallikān's *Wafayāt* (life 665; vii., 66-67, edit. Wüstenfeld); *Kāmil*, xi., 217; *Haj. Khalifa*, ii., 253.

³ See Rieu's *Supplement to the Catalogue of the Arabic MSS. in the British Museum*, Nos. 1137-1138, pp. 715-718.

⁴ *Shari'* is the sacred law of Islam, and *Dhimmiyah* 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.

