



Comments on the Pact of Umar

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In regards to the Pact of Umar Prof. Thomas Arnold states:

A later generation attributed to Umar a number of restrictive regulations which hampered the Christians in the free exercise of their religion, but De Goeje ¹ and Caetani ² have proved without doubt that they are the invention of a later age ; as , however, Muslim theologians of less tolerant periods accepted these ordinances as genuine, they are of importance for forming a judgment as to the condition of the Christian Churches under Muslim rule. This so-called ordinance of Umar runs as follows: "In the name of God, the Merciful, the Compassionate ! This is a writing to Umar b. al-Khattab from the Christians of such and such a city. When you marched against us, we asked of you protection for ourselves, our posterity, our possessions and our co-religionists ; and we made this stipulation with you, that we will not erect in our city or the suburbs any new monastery, church, cell or hermitage ; that we will not repair any of such buildings that may fall into ruins, or renew those that may be situated in the Muslim quarters of the town ; that we will not refuse the Muslims entry into our churches either by night or by day ; that we will open the Gates wide to passengers and travellers ; that we will receive any Muslim traveller into our houses and give him food and lodging for three nights ; that we will not harbour any spy in our churches or houses, or conceal any enemy of the Muslims ; that we will not teach our children the Qur'an ; that we will not make a show of the Christian religion nor invite any one to embrace it ; that we will not prevent any of our kinsmen from embracing Islam, if they so desire. That we will honour the Muslims and rise up in our assemblies when they wish to take their Seats ; that we will not imitate them in our dress, either in the cap, turban, sandals, or parting of the hair ; that we will not make use of their expressions of speech, nor adopt their surnames, that we will not ride on saddles, or gird on swords, or take to ourselves arms or wear them, or engrave Arabic inscriptions on our rings ; that we will not sell swine, that we will shave the front of our heads ; that we will keep to our own style of dress, wherever we may be ; that we will wear girdles round our waists ; that we will not display the cross upon our churches or display our crosses or our sacred books in the streets of the Muslims, or in their marketplaces ; that we will strike the bells in our churches lightly ; that we will not recite our services in a loud voice when a Muslim is present, that we will not Carry palm-branches or our images in procession in the streets, that at the burial of our dead we will not chant loudly or carry lighted candles in the streets of the Muslims or their market places ; that we will not take any slaves that have already been in the possession of Muslims, nor spy into their houses ; and that we will not strike any Muslim. All this we promise to observe, on behalf of ourselves and our co-religionists, and receive protection from you in exchange; and if we violate any of the conditions of this agreement, then we forfeit your protection and you are at liberty to treat us as enemies ¹

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- 1: De Goeje, "memoire sur la conquete de la Syrie" (Leiden 1900) , p. 143
2: Caetani, "Annali dell' Islam" (Milano 1905) , vol. iii , p. 957

1: Prof. Thomas W. Arnold , "The Spread of Islam In the world – A History of Peaceful Preaching" [Goodwork Books 2005] pp. 57-59

According to Phillip K.Hitti, the pact of Umar is a treaty edicted by the Umayyad caliph Umar Ibn Abd al-Aziz [*Umar II*] and *not* the second Muslim Caliph Umar Ibn al-Khattab [*Umar I*]. He states

The fame of 'Umar II does not rest solely on his piety or on his remission of taxes imposed on neophyte Moslems. 'Umar [II] was "*the first caliph and the only Umayyad*" to impose humiliating restrictions on Christian subjects--measures wrongly ascribed to his earlier namesake and maternal great-grandfather , 'Umar I. The most striking regulations issued by this Umayyad caliph were the excluding of Christians from public offices, prohibiting their wearing turbans, requiring them to cut their forelocks, to don distinctive clothes with girdles of leather, to ride without saddles or only on pack saddles, to erect no places of worship and not to lift their voices in time of prayer. According to his decree if a Moslem killed a Christian his penalty was only a fine and no Christian's testimony against a Moslem in courts could be accepted. The Jews were evidently also included under some of these restrictions and excluded from governmental positions. That many of these enactments were not long in force is indicated by the fact that Khālid ibn-'Abdullāh al-Qasri, governor of al-'Irāq under Hishām, built a church in al-Kūfah to please his Christian mother, 1 granted Christians and Jews the privilege of building places of worship and even appointed Zoroastrians to posts in the government. 2

1: Ibn-Khallikān, *Wafayāt al-A'yān* (Cairo, 1299) vol. I, p. 302

Muslim author Maher Y. Abu-Munshar states:

The humiliating conditions enumerated in the so-called "Pact of Umar" are utterly foreign to the mentality, thoughts and practice of this caliph. It seems certain that the chain of narrators supporting this attribution includes untrustworthy individuals. The text's main defects are that it contains a nameless city ; it uses words alien to those prevailing at the time of Umar, such as zunnar, it prohibits teaching the Qur'an ; and it is not clear with whom the treaty was concluded. These deficiencies support the contention that 'Umar was not the originator of this document. In addition the remarkable care and concern displayed in Umar's attitude to dhimmis confirms the rejection of the so-called Pact of Umar as attributable to Caliph Umar Ibn al-Khattab. The Pact of Umar was not the work of Umar Ibn al-Khattab 3

In regards to the Pact of Umar Prof. Michael Bonner states:

Some have pointed to its anachronism: how , for instance , were the Jerusalemites to teach the Qur'an to their children in the 630s , when most of them knew no Arabic ? This clause may relate to circumstances of a later time, when Palestinian Christians were becoming Arabic speakers and might have used the Quran as a model of literary style. The document's historicity thus remains a problem. 4

In addition to these comments it is interesting to note that the Pact of Umar ordered non-Muslims to dress differently from Muslims. However in the time of Umar ibn al-Khattab non-Muslim

2: Philip K. Hitti 'History of the Arabs: From the Earliest Times to the Present' [Macmillan 1951] p. 234

3: Maher Y. Abu-Munshar : 'Islamic Jerusalem and its Christians – A History of Tolerance and Tensions' [Tauris Academic Studies 2007] , pp. 79-80

4: M. Bonner, 'Jihad in Islamic History: Doctrines and Practice' [Princeton University Press 2006] p. 88

inhabitants of the conquered lands would have been readily distinguishable by their clothing from the rugged, desert Arabs of the conquest. It is therefore very unlikely that Umar ibn al-Khattab imposed the dress restrictions on the dhimmis, including the famous zunar [belt]. Tritton notes:

The object of the rules about dress was to distinguish the Christian from the Arab ; this is definitely stated by both Abu Yusuf and Ibn 'Abd ul Hakam ... At the time of the conquest there was no need to command the Christians to dress differently from the Arabs ; they did so. It was only later, as the Arabs grew civilized, that there was any temptation for their subjects to imitate their costume ... [5](#)

Prof. Yedida Kalfon Stillman writes:

The laws of differentiation or ghiyar most probably do not go back in any detail to the time of 'Umar b. al-Khattab, the putative author of the document known as the Pact of 'Umar, other than a blanket prohibition on the conquered from trying to dress like their conquerors, since at that early period ahl al-dhimma, or tolerated non-Muslim subjects, and the Arabs did not dress alike in anyway ... [6](#)

Shayk Yusuf al-Qaradawi adds:

We should observe that at the time of Muslim conquest, there was no need for Muslims to compel Christians to wear a specific dress, because both parties had their own specific clothing. The need for these orders arose later when, as Islamic civilization continued to develop, the occupied nations began to imitate their conqueror's dress. Whatever the case may be, these edicts about the form and type of dress were infrequently implemented ... Most caliphs and Muslim rulers pursued policies of tolerance brotherhood, and equality. They did not stipulate the dress for non-Muslims, and no voices of complaint or protest were heard. These facts can be easily verified from reliable historical sources. The Christian poet Al-Akhtal [d. 95 AH] used to enter 'Abdul Malik ibn Marwan's palace in a specific dress consisting of a robe with a silk amulet, a golden chain and cross around his neck, and a beard wet with wine. [1](#) The caliph always welcomed him warmly. In the covenant signed in 98 AH with the Christians of Jarajima who lived in the Syrian Mountains, it was stipulated that they would wear Muslim dress. [2](#) [7](#)

1: See: Arthur Stanley Tritton , "Caliphs and their Non-Muslim Subjects"

2: Abu Yusuf , "Al-Kharaj" , p. 72

In regards to the Pact of Umar Tritton also points out that: "... .It presupposes closer intercourse between Christians and Muslims than was possible in the early days of the conquest ..." [8](#)

5: A.S. Tritton, 'Caliphs and their Non-Muslim Subjects – A Critical Study of the Covenant of Umar' [Routledge 2008], p.115

6: Yedida Kalfon Stillman, 'Arab Dress: A Short History: From the Dawn of Islam to Modern Times ' [Brill 2003] p. 39

7: Yusuf al-Qaradawi, 'Non-Muslims in the Islamic Society' [American Trust Publications 2005] pp. 44-45

8: A.S. Tritton, 'Caliphs and their Non-Muslim Subjects – A Critical Study of the Covenant of Umar' [Routledge 2008], p. 10