

A
CHARTER OF PROTECTION

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

WITH FACSIMILES

EDITED BY
A. MINGANA, D.D.

ASSISTANT-KEEPER OF MANUSCRIPTS IN THE JOHN RYLANDS LIBRARY, AND
SPECIAL LECTURER IN ARABIC IN THE UNIVERSITY OF MANCHESTER

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MCMXXV.

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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 transcendent 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 Muḥammad 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 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 *Shar'*, 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 acquiesced in thy elevation 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 their religion, 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.