

THE LOT OF DHIMMIS UNDER THE EARLY ARAB RULE

Dr. Kersey Antia, Mar 20, 2020

A.S. Tritton, an expert on the early Arab history and the treatment of *dhimmi*s by the early Arab Caliphs, has provided reliable information on this subject, which is echoed by all subsequent writers (*The Caliphs and Their Non-Muslim Subjects: A Critical Study of the Covenant of Umar*, Frank Cass and Co., Ltd., 1970).

It is not possible here to quote Tritton at length, but the reader can always read up on his text. I am providing here just the gist of his findings. As Tritton, and as a matter of fact all other historians on the subject observe, the Magians (Zoroastrians) “were worse off than the other *dhimmi*s” (p. 98), what sufferings he narrates other *dhimmi*s had to endure is all the more true in the case of the Magians.

Difference of religion constitutes a bar to inheritance originated in the marriage of an Arab woman to a Jew. Because Umar ruled: 'There can be no inheritance between people of two religions'. (p. 97).

He (Umar) said that he did not know what to do with them. Then 'Abd ur Rahman b. 'Auf rose and said, 'I testify that the Prophet said, “Treat them like the people of the book.” There are many traditions like this, and it is evident that he Muslims were puzzled how to treat the Magians. Though the Prophet is said to have decided the question, there is no evidence that he ever had dealings with the adherents of this faith. At first their temples did not suffer more than the churches. It has been shown in Chapter III that their temples were numerous, rich, and much visited. They kept their own marriage laws. In some ways they were worse off than the other *dhimmi*s. The blood money for killing a Magian was much less than for the other *dhimmi*s, and no Muslim was allowed to marry one of their women or to eat an animal killed by them. (p. 98).

In certain quarters there was a prejudice against things Persian and Magian. 'Abdulla b. Tahir refused to listen to the Persian romance of *Wamik and Adhra*, threw the book into the river, and ordered all Magian books to be burnt. One account says that a Muslim divine refused Firdausi burial in the cemetery because he was a heretic. A later form of the story says that the divine refused to read the prayers for the dead over him because he had sung the praises of Persian kings. (p. 99).

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This record shows the Muslim rulers in an unfavourable light. It must be remembered that they were arbitrary and often cruel in their behaviour to their coreligionists. Their Christian subjects were not much worse off than their Muslim. (p. 133).

A patriarch could not pay his fine and was put in prison with iron balls tied to his sacred feet. He was beaten, two hundred blows with a stick. Kosmas, the Melkite patriarch, was also imprisoned, but he escaped by paying one thousand dinars. These things happened after Marwan, the last Abbasid caliph, had fled to Egypt. About this time 'Amran b. Muhammad tried to take possession of the monastery of Beth 'Abhe and its lands. The abbot frightened him away by sheer force of personality, and accused him of having killed many Christians and seized their houses. Later 'Amran sent his private assassins to kill the abbot. It is said that Mahdi found more than twelve thousand Christians in Aleppo; annoyed, he bade them choose between apostasy and death. Seven thousand were put to death. This may be another version of the massacre of the Zindikis. Between 206 and 238 the Christians were persecuted in Toledo. The story is told at length by Dozy, in *Spanish Islam*. The cause of this persecution was the obstinacy of the Christians and their desire for martyrdom; the Muslims can hardly be blamed. (p. 130).

Further east, al Baridi in 321 attacked the Jews, who were the chief merchants in Tustar, shamefully ill-treated them, and took from them one-hundred thousand dinars. In 369 there was a serious riot in Shiraz, between Muslims and Magians, in which many of the latter were killed and their houses burnt. In 386 Baha ud Dawla asked a loan from a Jew. It was refused, so he seized a number of Jews, extorted money from them and punished them. In 392 the catholicus was arrested and ill-treated, presumably to extract money. In 398 al Hakim confiscated the property of the churches and monasteries throughout his dominions, both in Syria and Egypt. Isolated cases of the sequestration of church property are mentioned. (pp. 130-1).

Christians were killed and their houses plundered in Damascus, and in 658 they were compelled to pay one hundred and fifty thousand dirhams to Muzaffar Kutuz, after the defeat of the Mongols at 'Ain Jalut. (p. 132). Muslims "captured Mosul, and killed those Christians who would not turn Muslim. Many priests and deacons abjured their faith. In the district the Kurds killed many, among them those who had taken refuge in the monastery of Beth Kudida. They also attacked the monastery of Mar Mattai, but after some fighting, in which the abbot lost an eye, they were bought off.

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The Prophet asked, "did you split open his heart?" Another tells that at the conquest of Tustar a Muslim joined the unbelievers, but was captured and killed. 'Umar said, 'You should have put him in prison, fed him, and asked him to repent three days; if he did not, you might then have killed him.'

The imams agree that death is the penalty (for apostasy); they differ about the time when it should be inflicted. Abu Hanifa says that it must follow immediately on sentence, though some of his school allow a delay of three days. Malik says that the apostate must be invited to repent, and, in case of a first refusal, be given three days' grace. Two views are current under Ahmad's name. One agrees with Malik's teaching; the other is that there is no need to invite the apostate to repent. Shafe'i holds that he must be invited to repent, but there is no delay in carrying out sentence if he is obdurate. If the apostate is a woman, Abu Hanifa holds that she is to be imprisoned and not executed; the others hold that she is to be treated as a man.

If an apostate escaped to a foreign country he was treated as dead; his property was divided among his heirs, his slaves set free, and his wife could marry again. Anything taken from him after his arrival in a foreign land was booty. (p. 180).

'Shafe'i ruled that if a *dhimmi* changed from one protected religion he was to be banished, for tribute is not to be taken from a man for a faith other than that for which it was taken from him as first.

A man turned Muslim, then apostatized, then repeated this process several times. Was his conversion to be accepted? 'Umar wrote, 'Accept it from him. Offer him Islam; if he accept, leave him alone; if not, cut off his head.'

A Jew turned Muslim and then reverted. 'Umar II gave this command about him: 'Invite him to accept Islam; if he does, let him go. If he refuses, fetch a plank and make him lie on it then invite him; if he still refuses, tie him to it put a spear at his heart, and then ask him. If he returns to Islam, let him go; if he refuses, then kill him.'" (p.183).

At one moment the *dhimmi* appears as a persecuted worm who is entirely negligible, and the net complaint is made of his pernicious influence on the Muslims round him.

'Amr was told that a man in Upper Egypt, whose name was Peter, had a treasure. As the man denied all knowledge of any treasure he was put in prison. 'Amr had Peter executed at the door of the mosque, and then all the Copts brought out their treasures in fear of a like fate. John of Nikiou says that 'Amr was of savage extraction, treated the Egyptians without pity, and did not keep the treaties he had made with them.

The rule of Islam was often burdensome, the revolts in Egypt prove

it. (p.230). There can be no doubt that, at the end of the first century, the reign of 'Uman II saw the beginning of definite disabilities for the *dhimmis*. Restrictions were placed on their dress, and the attempt to oust them from official posts began. It may be remarked that 'Uman II is the typical pious persecutor, scrupulously just in his dealings with individuals while he tries to suppress the *dhimmis* as a class.

Mamun gave the people of Harran the choice between Islam and death. AT the same time the laws about dress were made more stringent and the idea took shape that churches might not be built. (p.231).

The next fixed point is the reign of Mutawakkil. His laws deserve the name of persecution. His were the most severe laws that were issued against the *dhimmis*.

Indeed, indiscreet display of wealth and power was often the cause of the evils that befell them. On paper, many things were forbidden them; the public celebration of weddings and funerals, feasts, and church ceremonies. It was a punishable offence to tread intentionally on the skirt of a Muslim's garment, and they had to leave the centre of the road to the Muslims. Kinglake tells that, in his day in Damascus, a native Christian dared not walk on the footpath. Yet, in spite of the laws, Christians jostled Muslims, were employed by them in positions of trust, and Muslims seized the Christian feasts as opportunities of merrymaking which however the Magians never came to enjoy.

Mu'tasim bought the monastery at Samarra that stood where he wanted to build his palace. Other caliphs destroyed churches to obtain material for their buildings, and the mob was always ready to pillage churches and monasteries. Though *dhimmis* might enjoy great prosperity, yet always they lived on sufferance, exposed to the caprices of the ruler and the passions of the mob. In later times, the position of the *dhimmis* did not change for the worse. They were much more liable to suffer from the violence of the crowd, and the popular fanaticism was accompanied by an increasing strictness among the educated. The spiritual isolation of Islam was accomplished. The world was divided into two classes, Muslims and others, and only Islam counted. There were brilliant exceptions, but the general statement is true. If a Muslim gave any help to the religion of a *dhimmi*, he was to be summoned thrice to repentance, and then, if obdurate, he was to be put to death. Indeed, the general feeling was that the leavings of the Muslims were good enough for the *dhimmis*. (pp. 232-3).