

The Treaty of Umar at the Conquest of Jerusalem

As they did with all other cities they conquered, the Muslims had to write up a treaty detailing the rights and privileges regarding the conquered people and the Muslims in Jerusalem. This treaty was signed by Umar and Patriarch Sophronius, along with some of the generals of the Muslim armies. The text of the treaty read:

In the name of God, the Merciful, the Compassionate. This is the assurance of safety which the servant of God, Umar, the Commander of the Faithful, has given to the people of Jerusalem. He has given them an assurance of safety for themselves for their property, their churches, their crosses, the sick and healthy of the city and for all the rituals which belong to their religion. Their churches will not be inhabited by Muslims and will not be destroyed. Neither they, nor the land on which they stand, nor their cross, nor their property will be damaged. They will not be forcibly converted. No Jew will live with them in Jerusalem.

The people of Jerusalem must pay the taxes like the people of other cities and must expel the Byzantines and the robbers. Those of the people of Jerusalem who want to leave with the Byzantines, take their property and abandon their churches and crosses will be safe until they reach their place of refuge. The villagers may remain in the city if they wish but must pay taxes like the citizens. Those who wish may go with the Byzantines and those who wish may return to their families. Nothing is to be taken from them before their harvest is reaped.

If they pay their taxes according to their obligations, then the conditions laid out in this letter are under the covenant of God, are the responsibility of His Prophet, of the caliphs and of the faithful.

– Quoted in The Great Arab Conquests, from Tarikh Tabari

At the time, this was by far one of the most progressive treaties in history. For comparison, just 23 years earlier when Jerusalem was conquered by the Persians from the Byzantines, a general massacre was ordered. Another massacre ensued when Jerusalem was conquered by the Crusaders from the Muslims in 1099.

The Treaty of Umar allowed the Christians of Jerusalem religious freedom, as is dictated in the Quran and the sayings of Muhammad ﷺ. This was one of the first and most significant guarantees of religious freedom in history. While there is a clause in the treaty regarding the banning of Jews from Jerusalem, its authenticity is debated. One of Umar's guides in Jerusalem was a Jew named Kaab al-Ahbar. Umar further allowed Jews to worship on the Temple Mount and the Wailing Wall, while the Byzantines banned them from such activities. Thus, the authenticity of the clause regarding Jews is in question.

What is not in question, however, was the significance of such a progressive and equitable surrender treaty, which protected minority rights. The treaty became the standard for Muslim-Christian relations throughout the former Byzantine Empire, with rights of conquered people being protected in all situations, and forced conversions never being a sanctioned act.

(Taken from: Lost Islamic History Blog)