UMAR'S ASSURANCE OF *AMAN* TO THE PEOPLE OF AELIA (BAYT AL-MAQDIS – ISLAMICJERUSALEM): A CRITICAL ANALYTICAL STUDY OF AL-TABARI'S VERSION

Abd al-Fattah El-Awaisi[*]

Abstract

The first Muslim *Fatih* of *Bayt al-Maqdis* (Islamicjerusalem) was an event both remarkable and long-lasting in its effects.[1] It is viewed as a fundamental landmark event which reshaped the relationships between the people of diverse faiths who inhabited the region. In the few academic studies on this first Muslim *Fatih*, *AI-Uhda al-Umariyya* or Umar's Assurance of *Aman* to the people of Aelia (*Bayt al-Maqdis* - Islamicjerusalem) is regarded as being a major turning point in both historic, juristic and international relations terms. Far from being a study of this first Muslim *Fatih*, the objective of this article is namely to critically examine the authenticity of Umar's Assurance and compare most of the available early versions of Umar's Assurance, hoping to identify the early version which could be argued to be the most authentic as Umar's original text. It focuses mainly on one of its longest and most famous versions, namely the text given by al-Tabari. It concludes that al-Tabari version of the Assurance, but without an added restrictive sentence, is Umar's original text that he wrote and witnessed for the people of *Bayt al-Maqdis* (Islamicjerusalem). As this research focused mainly on al-Tabari's version, it is hoped that this article will encourage scholars to examine the other versions of the Assurance and develop further the reasons behind the appearance of various versions of Umar's Assurance.

Keywords: Umar Assurance, *Aman,* Aelia, *Bayt al-Maqdis*, Islamicjerusalem, al-Tabari.

Introduction

The first Muslim *Fatih* (i.e., introducing new stage and vision) of the region of *Bayt al-Maqdis* (Islamicjerusalem)[2] in Jumada I/II 16 AH - June/July 637 CE[3] was an event both remarkable and long-lasting in its effects. It is viewed as a fundamental landmark, not merely in the history of the region, nor even in Muslim history, but as an event which reshaped relations between the people of diverse faiths who inhabited the region. Moreover, its consequences contrasted significantly with the destruction, killing, and displacement that had characterised the region's history until then. The arrival of Umar Ibn al-Khattab (d 24 AH/645 CE) - five years after the death of Prophet Muhammad (12 Rabi' al-Awal 11 AH/ 6 June 632 CE) – during the early summer of year 16 AH/ 637 CE in Aelia (the region name at that time)[4] marked the beginning of a new and distinguished era of safety, peace, stability, security, progress, development and prosperity in the relations between followers of Judaism, Christianity, and Islam. In addition, the arrival of Umar, who was at that time the highest political and religious authority and reference in the Muslim establishment, in the region also marked the start of a golden age and the beginning of a new era in which the region of *Bayt al-Maqdis* (Islamicjerusalem) became a common and open space for everyone.[5] Indeed, the foundations for managing future relations between the three faiths were laid down during that historical visit in the form of what is known in history as *AI-Uhda al-Umariyya* or Umar's Assurance of *Aman* to the people of Aelia (*Bayt al-Maqdis* - Islamicjerusalem).

---

[*] Abd al-Fattah EL-Awaisi, Professor of International Relations, Department of International Relations, School of Political Sciences, Social Sciences University of Ankara, Turkey & Distinguished Visiting Professor, University Utara Malaysia, Sintok, Kedah, Malaysia. E-mail: a.elawaisi@gmail.com.
[1] This paper is a revised version of previously published article.
[2] 'Islamicjerusalem (one word) is a new terminology for a new concept, which may be translated into the Arabic language as *Bayt al-Maqdis*. It can be fairly and eventually characterised and defined as a unique region laden with a rich historical background, religious significances, cultural attachments, competing political and religious claims, international interests and various aspects that affect the rest of the world in both historical, contemporary and future contexts. It has a central frame of reference and a vital nature with three principal intertwined elements: its geographical location (land and boundaries), its people (population), and its unique and creative inclusive vision, to administer that land and its people, as a model for multiculturalism, cultural engagement and *Aman* (peaceful co-existence and mutual respect)'. See the original definition in Abd al-Fattah El-Awaisi (2007), *Introducing Islamicjerusalem*, Scotland: Al-Maktoum Institute Academic Press, p. 11.
[3] Othman Ismael Al-Tel (2003), *The first Islamic conquest of Aelia (Islamicjerusalem): A critical analytical study of the early Islamic historical narrations and sources,* Scotland: Al-Maktoum Institute Academic Press, p. 118. Jumada First or Second 16 AH is June or July 637 CE (e.g., 29 Jumada First 16 AH/ 1 July 637 CE) and not March or April as stated by Al-Tel.
[4] Please see footnote no. 65.
[5] Abd al-Fattah El-Awaisi (2008), "Islamicjerusalem as a Model for Multiculturalism and Cultural Engagement," *Journal of Islamicjerusalem Studies*, Vol. 9, p. 4.

When the researcher published his initial research on this Assurance in 2000, he argued that 'a host of problems relate to the historical facts concerning the first Muslim *Fatih* and these have to be clarified and resolved. In the few academic studies on the first Muslim *Fatih* of Islamicjerusalem, Umar's Assurance is regarded as being a major turning point in both historic and juristic terms. Nevertheless, historians, both past and present, have debated its authenticity and interpretation'.[6] So, far from being a study of the first Muslim *Fatih* of the region of *Bayt al-Maqdis* (Islamicjerusalem), the objective of this article is namely to critically examine the authenticity of Umar's Assurance and compare most of the available early versions of Umar's Assurance, hoping to identify the early version which could be argued to be the most authentic as Umar's original text. Indeed, these accounts differ in identifying Umar's Assurance of *Aman* in their texts, clauses, and the peoples they cover. This article focuses mainly on one of the Assurance's longest and most famous version, namely the text given by al-Tabari. Indeed, al-Tabari's version, dated 15 AH, was until 1953 regarded as the longest and most explicit text, containing the greatest degree of detail of responsibilities, duties, and obligations.

It is worth noting that the researcher does not intend to examine and discuss what are known as *Al-Shurut al-Umariyya* or Umar's Conditions or Pacts by Ibn al-Qayyim al-Jawziyya, which are rejected by some researchers[7] and supported by others.[8] However, many historians, such as Khalil Athamina,[9] have confused these two unrelated and separate documents, which have led to much confusion and contradiction in their discussing of Umar's Assurance. Moreover, this article will not also examine the other longest version of Umar Assurance, namely the text published by the Orthodox Patriarchate in Jerusalem in 1953. Nevertheless, the researcher attempts to find some explanation and interpretation of the questions and doubts that have arisen concerning al-Tabari's version of Umar's Assurance which contain restrictions, in particular the issue of the exclusion of certain people, i.e., the Jews from residing in Aelia *Bayt al-Maqdis* . Moreover, the article discusses the reasons behind the appearance of various versions of Umar's Assurance.

Material and Method

This research originally appeared as an article in 2000.[10] However, this current article has been substantially reviewed and revised which has led to new findings. In the light of new evidence and the latest research produced or published since 2000 in the field of *Bayt al-Maqdis* (Islamicjerusalem) Studies,[11] the researcher has developed and even changed a number of his previous thoughts and arguments on the subject and distanced himself from them, such as the exclusion of the Jews from residing in *Bayt al-Maqdis* (Islamicjerusalem). In short, as in the case of Imam al-Shafi'i, his article of 2000 should be known as his 'old argument', and this article should be known as his 'new argument'. In his efforts to ascertain the authenticity of the early texts, the researcher has employed the historical methodology of examining historical sources. He has collected the most available related narrations, examining, comparing, analysing, and discussing them. In other words, he used systematic historical evaluation and synthesis evidence in order to establish authenticity and reliability. In addition, the researcher verifies these narrators according to their scholarly, religious, political, tribal thoughts and attitudes.

Some available English translations suffered from the translators not understanding the original Arabic terms. To help understand some of these important Arabic terms and to re-examine the accuracy of these translations, both transliteration and translation were often included. Moreover, when translating terminologies from Arabic into

---

[6] Abd al-Fattah El-Awaisi (2000), "Umar's Assurance of Safety to the People of Aelia (Jerusalem): A Critical Analytical Study of the Historical Sources," *Journal of Islamic Jerusalem Studies*, Vol. 3, no. 2, p. 47.

[7] Such as: Maher Younes Abu-Munshar (2003), *A Historical Study of Muslim Treatment of Christians in Islamicjerusalem at the Time of Umar Ibn al-Khattab and Salah al-Din with Special Reference to the Islamic Value of Justice,* PhD thesis, Al-Maktoum Institute for Arabic and Islamic Studies, pp. 97-121; Zakariyya al-Quda (1987), "Mu'ahadit Fatih Bayt al-Maqdis: al-Uhda al-Umariyya," in Muhammad Adnan al-Bakhit & Ihsan Abass (eds), *Bilad al-Sham fi Sadir al-Islam,* Jordan: University of Jordan and University of Yarmuk, Jordan, vol. 2, pp. 279-283. See also Issam Sakhnini (2001), *Ahd Ilya wa al-Shurut al-Umariyya,* Amman, pp. 87-163.

[8] Such as: Ali Ajin (1417 AH), "Al-Uhda al-Umariyya," *Al-Hikma Journal*, no. 10, pp. 75-87.

[9] Khalil Athamina (2000), *Filastin fi Khamsat Qurun, min al-Fatth al-Islami hatta al-Ghazu al-Firanji: 634-1099*, Beirut: The Institute for Palestine Studies, pp. 392-393.

[10] In the *Journal of Islamicjerusalem Studies*, Vol. 3, no. 2 (Summer 2000), pp. 47-89.

[11] 'Islamicjerusalem Studies can be fairly eventually characterised and defined as a new branch of human knowledge based on interdisciplinary and multidisciplinary approaches. It aims to investigate all matters related to the Islamicjerusalem region, explore and examine its various aspects, and provide a critical analytic understanding of the new frame of reference, in order to identify the nature of Islamicjerusalem and to understand the geopolitical uniqueness of this region and its effects on the rest of the world in both historical, contemporary and future contexts.' See the original definition in Abd al-Fattah El-Awaisi (2007), *Introducing Islamicjerusalem*, p. 14.

English, an attempt has been made by the researcher to strike a balance between the strength of expression in the original and its exact meaning. However, to avoid the mistranslating of any particular Arabic terminologies, the researcher employed an approach of not translating these into English but leaving them in their original Arabic language and gives his own understanding of the term. This should help to avoid any leading to different or strange understandings and interpretations. For example, the term *Aman* which could be translated as safety, does not give the right meaning of the term in Arabic. For the researcher, the term *Aman* means peaceful co-existence and mutual respect.

Results and Discussion

Treaty or Assurance

Before the researcher starts to examine this document, it is vitally importance to clarify its nature; is it a treaty or an assurance? Most modern Arab scholars and Orientalists, if not all discussed in this article through an examination of or a reference to their work on the first Muslim *Fatih* of the region of *Bayt al-Maqdis* Aelia, have described what Umar granted to the people of *Bayt al-Maqdis* Aelia as a 'treaty' or as an 'agreement'.[12] Although Umar or his commanders may have negotiated the surrender terms with the inhabitants, the final product was certainly not an agreement. The researcher does not believe that the terms 'treaty' and 'agreement' appearing in their work are accurately defined.

Umar Ibn al-Khattab did not sign a treaty between two parties; rather he gave the people of *Bayt al-Maqdis* Aelia an assurance of *Aman*. If it were a treaty, as has been claimed, where is the name of the second party who signed the agreement with Umar? The simple answer is that it is absent in all the available versions of the document.

What the document contains in its opening and concluding paragraphs, especially from the early accounts which provided texts of the document, such as those of Al-Ya'qubi, Eutychius, and al-Tabari, highlights the fact that it is an assurance not a treaty. For example, al-Ya'qubi was the first to give the text; his first paragraph reads, 'This is *Kitab* the document written by Umar Ibn al-Khattab to the people of *Bayt al-Maqdis* (Islamicjerusalem)'.[13] A similar opening was given by Eutychius: "This is *Kitab* a document from Umar Ibn al-Khattab to the people of Aelia."[14] The al-Tabari version is not exceptional; his opening and concluding paragraphs read:

> This is the assurance of *Aman* which the worshipper of God (the second Caliph) Umar (Ibn al-Khattab), the Commander of the Faithful, '*Ata* has granted (gave) to the people of Aelia…The contents of this *Kitab* assurance are under the covenant of God, are the responsibilities of His Prophet, of the Caliphs, and of the Faithful if (the people of Aelia) pay the tax according to their obligations. The persons who attest to it are: Khalid Ibn al-Walid, Amru Ibn al-Aas, Abd al-Rahman Ibn Awf, and Mu'awiyah Ibn Abi Sufyan.

In short, this document which Umar granted to the people of Aelia is indeed an assurance of *Aman* and not a treaty.

Early Accounts

The early accounts of Umar's Assurance, which were relatively close to the period of the first Muslim *Fatih* of the region of *Bayt al-Maqdis* (Islamicjerusalem), are in general short, without a date, and do not include any restriction regarding the Jews. However, subsequent accounts that have come down to us contain actual detailed texts, some long and some short. Among the earliest historians to report the content of Umar's Assurance without any text are Muhammad Ibn Umar al-Waqidi,[15] a native of Madinah who joined the Abbasid court, became a judge under the Caliph Ma'mun, and died in 207 AH/822 CE, and al-Baladhuri (died 279 AH/892 CE),[16] who reported it from Abu Hafs al-Dimashqi.

---

[12] See for example, Zakariyya al-Quda "Mu'ahadit Fatih Bayt al-Maqdis: al-Uhda al-Umariyya," p. 276.; Hani Abu al-Rub (2002), *Tarikh Filastin fi sadr al-Islam*, Jerusalem, p. 137; Khalil Athamina, *Filastin fi Khamsat Qurun, min al-Fatth al-Islami hatta al-Ghazu al-Firaniji: 634-1099*, p. 70; Moshe Gil (1992), *A History of Palestine: 634-1099*, Cambridge: Cambridge University Press, p. 73.

[13] Al-Ya'qubi (1960), *Tarikh al-Ya'qubi*, Beirut, part two, pp. 46, 167.

[14] Said Ibn al-Batriq (Eutychius) (1905), *Al-Tarikh al-Majmu'*, Beirut, part two, p. 16.

[15] Muhammad Ibn Umar al-Waqidi (1954), *Futuh al-Sham*, Cairo, part one, pp. 214, 242.

[16] Muhammad al-Baladhuri (1936), *Futuh al-Buldan*, Cairo, part one, pp. 114-145.

Among the early historians who gave abbreviated versions of Umar's Assurance, but without al-Tabari's restrictions, are al-Ya'qubi, the explorer, historian, and geographer, who died in 284 AH / 897 CE, and the Patriarch of Alexandria, Eutychius (Said Ibn al-Batriq), who died in 328 AH / 940 CE. Al-Ya'qubi was the first to give the text:[17]

> This is the document written by Umar Ibn al-Khattab to the people of *Bayt al-Maqdis* (Islamicjerusalem). You are given *Aman* of your persons, properties and churches which will not be inhabited (taken over) or destroyed unless you cause some public harm.

A similar text was given by Eutychius:[18]

> In the name of God, the most Merciful, the most Compassionate. This is a document from Umar Ibn al-Khattab to the people of Aelia. They are given *Aman* of persons, children (sons and daughters), and churches which will not be destroyed or inhabited (taken over).

Although both historians give abbreviated versions which focus on granting the people of *Bayt al-Maqdis* Aelia *Aman* and full religious rights, they differ in style and expression. The part about the people of Aelia in al-Ya'qubi's version is in the second person, whereas the third person is used in Eutychius's version. In addition, it seems that neither text is complete as they do not refer to the *Jizya* tax, which is a crucial point in all the arrangements reached with the non-Muslims. Issam Sakhnini argues that 'the missing of this essential part' raises the question 'has al-Ya'qubi deleted other parts of the Assurance? or did these parts not reach him? so he mentions only what he knows to be the text.'[19] The researcher argues that, if al-Tabari's restriction was authentic, which we shall discuss below, concerning the exclusion of Jews from residing in Islamicjerusalem, Eutychius would have mentioned them. He was a Christian in doctrinal disagreement with Sophronius, the Patriarch of Aelia (he took this post in December 634CE and died in 17AH/ 638CE, a few months after the *Fatih*), who followed the Chalcedonian theology. Eutychius believed in the unity of Christ, whereas Sophronius believed in the Chalcedonian principle relating to the dual nature (God and man) of Christ.[20]

Time, Date, Place and Chains of Transmitters Isnads of Umar's Assurance Early Versions
As is well known in the historical methodology, according to their narrators and authors, historical sources reflect the general circumstances and socio-political developments prevailing at the time they were written. Indeed, the sources are coloured by the personality of their author, the time of recording, and local, political, and religious interests.

Early accounts, which relate the content of Umar's Assurance without any specific version of it, come from Hijaz, such as al-Waqidi's account, which is characterised by moderate Shi'ism, or Syrian accounts such as that of Abu Hafs al-Dimashqi in al-Baladhuri. Among the accounts which report the content of Umar's Assurance without giving any text, the author is inclined to accept that of Abu Hafs al-Dimashqi as quoted by al-Baladhuri, as this seems the most accurate short account. Compared with the accounts emanating from Hijaz and Kufa, the Syrian accounts of the Muslim *Futuhat* in Greater Syria are, generally speaking, outstanding narrations from the most reliable sources. Apart from containing rare and detailed information, they are closer to the places where the events occurred, so the authors had precise knowledge of the Muslim *Futuhat* and their secrets. Hussain Atwan argues that the Syrian accounts are unusually long and detailed and that 'they differ from the Hijazi and Iraqi accounts in some aspects of time and place'. Nevertheless, the Syrian accounts 'concur a little with the Hijazi and Iraqi accounts in their historical framework and internal content but differ widely with them on other points.'[21]

If the Syrian and Hijazi accounts of Umar's Assurance are brief and general, the Kufic accounts are longer and more detailed. Indeed, the accounts which provide versions, whether they be short or long, are mostly Kufic in origin, such as the narration of al-Ya'qubi, who had obvious Shi'ite tendencies, or that of Sayf Ibn Umar. While the best-known Muslim historian, al-Tabari (died 310 AH / 922 CE),[22] provides a version quoted from Sayf Ibn Umar al-Asadi al-

---

[17] Al-Ya'qubi, *Tarikh al-Ya'qubi*, part two, pp. 46, 167.
[18] Said Ibn al-Batriq (Eutychius), *Al-Tarikh al-Majmu'*, part two, p. 16.
[19] Issam Sakhnini, *Ahd Ilya wa al-Shurut al-Umariyya*, p. 68.
[20] Daniel J. Sahas (1994), 'Patriarch Sophronious, Umar Ibn al-Khattab and the Conquest of Jerusalem,' in Hadia Dajani-Shakeel and Burhan Dajani, *Al-Sira' al-Islami al-Faranji ala Filastin fi al-Qurun al-Wasta (The Islamic - Frankish (Ifranj) conflict over Palestine during the Middle Ages*, Beirut: The Institute for Palestine Studies, p. 65.
[21] Hussain Atwan (1986), *al-Riwaiyat al-Tarikhia fi Bilad al-Sham fi al-Asr al-Umawi*, Amman, pp. 231-232.
[22] Al-Tabari (1960), *Tarikh al-Rusul wa al-Muluk*, Cairo, part one, pp. 2399, 2405-2406.

Tamimi al-Kufi (died 180 AH/796 CE), Ibn al-Jawzi (died 597 AH/1200 CE),[23] who seems to give the same account reported by Sayf Ibn Umar via al-Tabari, provides a text which appears to be summarised from al-Tabari's version, but without the latter's details and his major restriction relating to the exclusion of the Jews from living in the region of Aelia. It may be noted in Ibn al-Jawzi's narration that he substituted Ali Ibn Abi Talib as a witness to Umar's Assurance for Amru Ibn al-Aas, who was mentioned in al-Tabari's version. This may be attributable to a mistake, intentional or unintentional, committed by the person who copied the manuscript we have of Ibn al-Jawzi's book.[24] Nevertheless, the historical accounts indicate that Ali Ibn Abi Talib was not present at the first Muslim *Fatih* of Islamicjerusalem, but was deputising for Umar Ibn al-Khattab in Madinah.[25]

The Chains of Transmitters *Isnads* of Al-Tabari's Version

The fame of al-Tabari's version of Umar's Assurance as quoted from Sayf Ibn Umar al-Tamimi al-Kufi (d. 180 AH/ 796 CE) does not rule out the need to investigate its chain of transmitters. Fame in itself is no proof of authenticity, especially when acquired a long time after the event, in this case nearly 200 years. Thus, it is not possible to rely entirely on its fame when tracing narrations. Before starting to discuss the narration of Sayf Ibn Umar, which al-Tabari quotes, it is important to know that al-Tabari was born at the end of 224 AH/839 CE and he began writing his history after 290 AH/902 CE and finished it in 303 AH/915 CE. Moreover, the first edition of al-Tabari's history was published between 1831 and 1853.[26]

It may be safe to argue that al-Tabari was one of a handful of historians or possibly the only one who mentioned the version of Umar's Assurance together with its chain of transmitters. Some Arab researchers cast doubts on this chain of transmitters. Ali Ajin claims that al-Tabari gave "a broken chain of transmitters which is without basis in the study of narration lines."[27] However, the author argues that the Sayf Ibn Umar chain of transmitters is a strong and valid one. The narrations of al-Tabari came from Sayf Ibn Umar al-Tamimi al-Kufi (died 180AH), from Khalid Ibn Ma'dan (a *Shami* from Hims who was a *Tabi'i* from the first generation after the companions of the Prophet, died 103AH) and Ubada Ibn Nusai al-Sakouni al-Kindi (a *Shami* who was a *Tabi'i* and was the Judge of Tiberias, died 118 AH/736CE).[28] According to modern Palestinian historian, Khalil Athamina, Ubada Ibn Nusai was a Muslim jurist who was appointed as the governor of the *Imara* in Jordan during the Caliphate of Umar Ibn Abd al-Aziz, and was known as *Sayid,* the master of the people of Jordan.[29] A modern Palestinian Hadith scholar, Musa al-Basit, who investigated the background of Ibn Ma'dan and Ibn Nusai, confirms that both these *Tabi'in* are safely considered by a large majority 'consensus' of classical Hadith scholars he examined, to be 'well known and trustworthy'. In short, one of these two trustworthy *Tabi'in* was a Muslim jurist and 'a trustworthy *Muhadith* Hadith scholar'[30] in his own right, who also worked for the Muslim political establishment at the time.

However, the date appearing at the end of al-Tabari's version of Umar's Assurance, namely the year 'fifteen', has undoubtedly been added to the version and was not originally part of it. It is well known that the Muslims did not start using the Hijri calendar until the fourth year of the Caliphate of Umar Ibn al-Khattab, which was seventeen years after the Hijra. It is inconceivable, as Zakariyya al-Quda argues, "that a document before this date should be dated with the Hijri date."[31]

Al-Tabari's Version
Below is the researcher latest translation of al-Tabari's version of Umar's Assurance:

> In the name of God, the most Merciful, the most Compassionate. This is the assurance of *Aman* which the worshipper of God (the second Caliph) Umar (Ibn al-Khattab), the Commander of the Faithful, *'Ata* has granted to the people of Aelia.

---

[23] Ibn al-Jawzi (1979), *Fada 'il al-Quds*, Beirut, pp. 123-124.

[24] Some investigation needs to be made concerning this person's identity and whether he had any links with Shi'ite Islam before concluding that it was an intentional mistake.

[25] Al-Waqidi, *Futuh al-Sham,* p. 236.

[26] Abd al-Rahman al-Azawi (1989), *Al-Tabari*, Baghdad, p. 134.

[27] Ali Ajin 'Al-Uhda al-Umariyya', p. 71.

[28] Musa Isma'il al-Basit (2001), *al-Uhda al-Umariyya bayn al-Qubul wa al-Rad: Dirasah Naqdiyyah*, Jerusalem, pp. 37-38, 99-100.

[29] Khalil Athamina, *Filastin fi Khamsat Qurun, min al-Fatth al-Islami hatta al-Ghazu al-Firanji: 634-1099*, p. 55.

[30] Issam Sakhnini, *Ahd Ilya wa al-Shurut al-Umariyya,* p. 62.

[31] Zakariyya al-Quda, "Mu'ahadit Fatih Bayt al-Maqdis: al-Uhda al-Umariyya," p. 276

He has granted them an assurance of *Aman* for their lives and possessions, their churches and crosses; the sick and the healthy (to everyone without exception); and for the rest of its religious communities. Their churches will not be inhabited (taken over) nor destroyed (by Muslims). Neither they, nor the land on which they stand, nor their cross, nor their possessions will be encroached upon or partly seized. The people will not be compelled *Yukrahuna* in religion, nor anyone of them be maltreated *Yudarruna*. {No Jews should reside with them in Aelia}[32]

The people of Aelia must pay the *Jizya* tax like *Ahl al-Mada'in* the people of the (other) regions/cities. They must expel the Byzantines and the robbers. As for those (the first Byzantine group) who must leave (Aelia), their lives and possessions shall be safeguarded until they reach their place of *Aman*, and as for those (the second Byzantine group) who (choose to) remain, they will be safeguarded. They will have to pay the tax like the people of Aelia.

Those people of Aelia who would like to leave with the Byzantines, take their possessions, and abandon their churches and crosses will be safeguarded until they reach their place of *Aman*.

Whosoever was in Aelia from the people of the land (*Ahl al-Ard)* (e.g., refugees from the villages who sought refuge in Aelia) before the murder of *fulan* (name of a person) may remain in Aelia if they wish, but they must pay the tax like the people of Aelia. Those who wish may go with the Byzantines, and those who wish may return to their families. Nothing will be taken from them until their harvest has been reaped.

The contents of this assurance are under the covenant of God, are the responsibilities of His Prophet, of the Caliphs, and of the Faithful if (the people of Aelia) pay the tax according to their obligations.

The persons who attest to it are: Khalid Ibn al-Walid, Amr Ibn al-Aas, Abd al-Rahman Ibn Awf, and Mu'awiyah Ibn Abi Sufyan.

This assurance of safety was written and prepared in the year 15 (AH).[33]

I   Reshaping a New Society and Environment

To lay the foundation for the conflict resolution in the region of *Bayt al-Maqdis* (Islamicjerusalem), al-Tabari's version of the Assurance provides key arrangements to help in re-establishing and reshaping the new community in the region. It rejects the notion of supremacy of one people or race over others by beginning with an emphasis on the practical Muslim policy of the recognition of others by determining the inhabitants of Aelia's rights and the Muslim responsibilities towards them. It grants *Aman* safety for everyone who stays in Aelia, 'their lives and possessions', and for 'the sick and healthy', which means without any exception or discrimination, and for 'the rest of its religious communities'. This also includes securing their full religious liberty, firstly for 'their churches and crosses' and secondly for themselves as they 'will not be compelled in religion, nor anyone of them to be maltreated.' In addition, the Assurance preserves and grants them protection for everything related to their holy places: 'their churches will not be inhabited (taken over) nor destroyed (by Muslims). Neither they, nor the land on which they stand, nor their cross, nor their possessions will be encroached upon or partly seized.'

In addition, re-reading and interpreting this second paragraph of Umar's Assurance helped the researcher to develop the argument that the Muslim conquerors established a policy of non-interference in the internal religious matters of the people of Aelia. This means that the Assurance laid down the foundations for religious independence of each of the religious communities of Aelia. In addition, Othman al-Tel, using a linguistic approach in his PhD thesis, claims that this religious independence is offered to 'each Christian sect' in Aelia and 'is seen clearly' in the Assurance text; 'the plural form means the followers of the different churches.'[34] However, the Assurance was silent about employing

---

[32] This issue is examined later on in this article.
[33] Al-Tabari (1960), *Tarikh al-Rusul wa al-Muluk*, part one, pp. 2399, 2405-2406.
[34] Othman Ismael Al-Tel (2003), *The first Islamic conquest of Aelia (Islamicjerusalem): A critical analytical study of the early Islamic historical narrations and sources,* p. 229.

non-Muslims in Muslim official governmental institutions. The Assurance did not mention 'any indication to prevent the *Dhimis* (non-Muslim)' from taking an official post in Muslim establishments in the region. Indeed, from the first Muslim *Fatih* of Aelia to the Crusades, there were many examples to prove that this was the case.[35]

II   Arrangements for Residing in or Leaving *Bayt al-Maqdis* Aelia

As Al-Tabari's version lays down the responsibilities of the Muslim conquerors towards the inhabitants of *Bayt al-Maqdis* Aelia, it also states the obligations of the inhabitants of Aelia. The first obligation was to pay the *Jizya* tax. The researcher argues that this tax was introduced in particular for the people of Islamicjerusalem to establish a two-way-traffic relationship. On one hand, to encourage the sense of belonging and the feeling that they were an integral part of the society through being involved in contributing financially to the welfare and development in their region, and on the other hand, as a means to commit them to the state. In return, the Assurance granted them *Aman* (peaceful co-existence and mutual respect) which they were in great need at that time. This important aspect is made clear in the Assurance from its opening and throughout.

The word *Aman* and its derivatives occur seven times, *Aman* (twice), safeguarded (three times), and place of *Aman* (twice) in the text. Indeed, the *Aman* was the central theme for this important document. It emphasises the importance of this issue for the people of Islamicjerusalem at that time. The measurements mentioned in the text to secure this *Aman* demonstrate how Umar was very concerned to resolve this crucial issue, not only for the local people but for others deciding to leave the land of Islamicjerusalem. Without *Aman,* one could argue that it would be difficult or even impossible to establish peace, stability and mutual respect in the region.

In general, the *Jizya* tax system was established in return for non-Muslim protection and security. In the language of our contemporary times, it is similar to some countries who receive payment from their citizens instead of military service. It is worth noting that not every non-Muslim had to pay *Jizya*. There were exemptions in the *Jizya* system.[36] In addition, Maher Abu-Munshar concludes his discussion of the Muslim jurist ruling on the rate of the *Jizya* by arguing that "there was no fixed rate and there was room for flexibility depending on time, place, and economic situation."[37] In short, the *Jizya* tax system was not a burden on the non-Muslim and was a great relief from the previous Byzantine tax system. In addition, the tax was less than of what the Muslims paid as *Zakat*. While the first obligation of the inhabitants of Aelia was to pay the *Jizya* tax, the second laid down the arrangements to secure free movement for them. This second point was a necessary step to define and organise who should have the right to stay or leave after the completion of the first Muslim *Fatih*. A modern scholar, Issam Sakhnini, refers to al-Mushrif Ibn al-Murraja al-Maqdisi who estimated the number of Byzantines on the eve of the first Muslim *Fatih* to Aelia as being twelve thousand, and *Ahl al-Ard* as fifty thousand.[38]

The people who used to live in *Bayt al-Maqdis* Aelia included its inhabitants and the foreign Byzantine occupiers, who did not belong to the same civilisation, culture and religious background as its inhabitants.[39] The text distinguished between two groups of Byzantines. In the first group were the members of the Byzantine armed forces, who were to fight on behalf of the Byzantine authority, and the robbers; and in the second group were the Byzantine visitors who possibly coincided their visit, maybe as worshippers or visiting relatives of friends, with the *Fatih* of Aelia. This classification is made clear in the text which, at the beginning of the sentence, talks about the first group and affirms that they should be expelled from Aelia; further on in the text, the second group is given the choice either to stay or to leave. Without this important classification, it could seem as if the text contained a sentence which at its end contradicts its beginning.

1. The first group of occupiers and robbers must be expelled by the inhabitants of Aelia. The common factor that prompted Umar Ibn al-Khattab to put the Byzantines and robbers in the same category is that they were all thieves and criminals. The Byzantines had occupied and stolen the land and its resources, and oppressed its people, while robbers had stolen the people's possessions. Indeed, both are major elements in causing

---

[35] Khalil Athamina (2000), *Filastin fi Khamsat Qurun, min al-Fatth al-Islami hatta al-Ghazu al-Firaniji: 634-1099,* pp. 138-142.
[36] Maher Abu-Munshar presented a discussion on the *Jizya*. See Maher Abu-Munshar (2003), *A historical study of Muslim treatment of Christians in Islamicjerusalem at the time of Umar Ibn al-Khattab and Salah al-Din with special reference to the Islamic value of justice*, pp. 57-69.
[37] Ibid, p. 62.
[38] Issam Sakhnini (2001), *Ahd Ilya wa al-Shurut al-Umariyya,* p. 51.
[39] Khalil Athamina (2000), *Filastin fi Khamsat Qurun, min al-Fatth al-Islami hatta al-Ghazu al-Firaniji: 634-1099,* pp. 119-120.

problems, instability, and disturbing the public order and interests of the communities in Aelia. Indeed, one can argue that these elements were preventing peace, stability, and progress in the region. Accordingly, these people 'must' be 'expelled' from Aelia. The second group of Byzantine visitors were given the choice of leaving or staying and paying the tax.

2. The inhabitants of *Bayt al-Maqdis* Aelia, e.g., the civilians and their community and the religious leaders, are also given the freedom to either remain or leave with the Byzantines. For those wishing to leave with the Byzantines, the text allows them 'to take their possessions'. However, it lays down the condition that they should 'abandon their churches and crosses.'

3. *Ahl al-Ard* the people of the land (refugees from the villages outside the Aelia region) who sought refuge in Aelia at the time of *Fatih* are also given the freedom to either remain, or go with the Byzantines, or return to their families and houses. It is very clearly stated that they have been granted that 'nothing will be taken from them until their harvest has been reaped.' Indeed, this action taken by the Muslim authority to take no tax from this group until they had collected in their harvest was a just one.

4. One could claim that al-Tabari's version contains an expression that cannot be implemented: 'Whosoever was in Aelia from the people of the land (*Ahl al-Ard)* (e.g., refugees from the villages who sought refuge in Aelia) before the murder of *fulan* (name of a person) so-and-so.' A modern Jordanian historian, Zakariyya al-Quda, comments on this phrase: 'in a blanket form, without mentioning the name of *fulan* so-and-so or giving any clue to his identity or the date of his murder. Obviously, it is impossible to determine to whom this description applies, so it is impossible to implement. It is impossible that this would be the text of a binding treaty.'[40] The researcher argues that the expression 'before the murder of *fulan* so-and-so' may not refer to an unknown person, but to a very well-known person at the time of the Muslim *Fatih*. The researcher does not rule out the possibility that the name of the victim may have been transcribed incorrectly from al-Tabari's original manuscript. It could be *falak* or *falaj* or *falah* and not *fulan*. Therefore, the matter should be investigated using al-Tabari's original manuscript (which was not available to the researcher) before reaching any conclusion about the problem. Undoubtedly, the people of Aelia and the Muslim conquerors knew this person very well, which prompted Umar Ibn al-Khattab to mention his death as an important event that occurred during the *Fatih* and was familiar to the people at that time. It is well known that, in those days, the Arabs used famous events as landmarks in their calendar. Moreover, it would seem that this victim was neither an inhabitant of Aelia nor a Byzantine nor a robber, but a distinguished visitor to Aelia or someone who was a refugee during the Muslim *Fatih*. The clue to this is that his name appears after the expression 'Whosoever was in Aelia from the people of the land (*Ahl al-Ard)* before the murder of *fulan.'* This means that the murder frightened the local people (villagers) and drove many of them to seek refuge in Aelia. Although the author cannot make a categorical statement without examining al-Tabari's original manuscript, he refers to Mujir al-Din al-'Ulaimi (died 928 AH/1521 CE) in his version of Umar's Assurance; he does not mention al-Tabari's phrase 'before the murder of *fulan* so-and-so.'[41]

Finally, a modern Palestinian historian, Khalil Athaminah, presents a very strange reading of Umar's Assurance. He claims that these arrangements, which he calls 'conditions' of the Umar's Assurance, 'secured the evacuation of many buildings and houses from its people; and left them empty so that the Arab Muslims could take them over as their residences.' Furthermore, he claims that 'these conditions alone secured the evacuation of a huge number of Jerusalem's buildings and houses. This is due to the large number of those people who should be expelled from the city.'[42] Unfortunately, Athaminah does not provide us with any historical evidence to support his claim that this was the case on the ground at that time. Indeed, this is a curious interpretation of the text of Umar's Assurance as it contradicts the main trend and historical events of the first Muslim *Fatih* of Aelia. A young promising Palestinian scholar, Haitham al-Ratrout, argues that "Indeed, Umar's Assurance does not allow Muslims to take over Christian houses in the city."[43]

[40] Zakariyya al-Quda (1987), "*Mu'ahadit Fatih Bayt al-Maqdis: al-Uhda al-Umariyya*," p. 276.
[41] Mujir al-Din al-'Ulaimi (1977), *AI-Uns al-Jalil bi tarikh al-Quds wa al-Khalil*, part one, pp. 253-254.
[42] Khalil Athamina (2000), *Filastin fi Khamsat Qurun, min al-Fatth al-Islami hatta al-Ghazu al-Firaniji: 634-1099,* pp. 70-71.
[43] Haitham al-Ratrout (2004), *The architectural development of al-Aqsa Mosque in the early Islamic period: Sacred architecture in the shape of the 'Holy'*, Scotland: Al-Maktoum Institute Academic Press, p. 215.

Abu Ubayed al-Qassim Ibn Sallam (died 224AH/836CE) narrated in his famous book *Kitab Al-Amwal*[44] from Abdullah Ibn Salih (d. 223AH/838CE) from al-Layyth Ibn Sa'd (d. 165 AH/782CE) from Yazid Ibn Abi Habib (an Egyptian who was the *Mufti* of Egypt until his death in 128AH/746CE)[45] that it was agreed that everything within the Walled City of Aelia (Aelia Capitolina) should remain in the hands of its inhabitants as long as they paid the *Jizya* tax. The areas outside the Walled City would be in the hands of the conquering Muslims. Al-Sakhnini argues that the Abu Ubayed narration is unique and the only account in this regard which was first reported by Abu Ubayed and then quoted by al-Baladhuri.[46]

In addition, Haitham al-Ratrout comes to a very innovative conclusion using interdisciplinary and multidisciplinary approaches in studying the historical sources on the subject, archaeological and architectural studies, and reports on excavations in Islamicjerusalem. Al-Ratrout argues that the area of aI-Aqsa Mosque, on which the Muslims built the Mosque after the *Fatih*, fell outside the Walled City of Aelia.[47] Moreover, a respected modern English historian, Karen Armstrong, presents a leading argument on the Muslim attitudes towards Islamicjerusalem. She argues that 'Muslims made no attempt to build mosques in the Christian part of Jerusalem and showed no desire to create facts on the ground there until after the Crusades, which permanently damaged relations between the three religions of Abraham in Jerusalem. But until the Crusades, Jerusalem remained a predominantly Christian city and Muslims remained in the minority.'[48]

III   The Issue of Exclusion the Jews from Residing in *Bayt al-Maqdis* Aelia

Although the previous examinations did much to convince the researcher that the al-Tabari version could be the most authentic account of Umar's Assurance of *Aman*, a restrictive added sentence prompted the researcher to have initially, at the beginning, some doubts about its authenticity. Indeed, this major added restriction which is at variance with the *Fatih* and its general trends, is one of the most important issues which need to be discussed critically, along with an analysis of al-Tabari's version. None of the versions preceding al-Tabari's mentions or supports this addition.

The research argues that towards the end of the second paragraph of al-Tabari's version, we found a short sentence which contained only seven words in the original language of the document (Arabic) and eight words in the translated language (English): 'No Jew should reside with them in Aelia.' The structural position of this short sentence does not fit in with the contents of the whole paragraph which, as discussed earlier, focus solely on the practical Muslim policy of recognition of others through determining their rights and the Muslim responsibilities towards them. It talks about *Aman* for anyone who stays in Aelia, without any exception or discrimination, and secures their religious freedom and protection in everything related to their holy places. Indeed, this suggests that this controversial sentence was not part of the original document and was probably added for religious or political reasons.

The researcher also added that although it has been claimed that this restriction was placed on Umar Ibn al-Khattab by the inhabitants of Aelia, in particular the Patriarch Sophronius, it is not supported or even mentioned in any of the accounts preceding al-Tabari's.[49] Moreover, it would seem to conflict with the historical events and records known about the Muslim *Fatih* of Islamicjerusalem. The researcher has found no Arab historical source that confirms that Umar Ibn al-Khattab forbade the Jews to reside in Islamicjerusalem. If made during the rule of Umar Ibn al-Khattab, such a condition would have been implemented.

---

[44] Abu Ubayed al-Qasim Ibn Sallam (1986), *Kitab Al-Amwal*, Beirut, p. 168.

[45] Issam Sakhnini (2001), *Ahd Ilya wa al-Shurut al-Umariyya*, p. 40.

[46] Issam Sakhnini (2001), *Ahd Ilya wa al-Shurut al-Umariyya*, pp. 43-44.

[47] Haitham al-Ratrout (2004), *The architectural development of al-Aqsa Mosque in the early Islamic period: Sacred architecture in the shape of the 'Holy'*, pp. 209-239. One of his hypotheses in his doctoral thesis was to ascertain whether the area of Al-Aqsa Mosque, on which the Muslims built the Mosque after the conquest, fell outside or within the Walled City of Aelia.

[48] Karen Armstrong (1997), "Sacred Space: the Holiness of Islamicjerusalem," *Journal of Islamicjerusalem Studies*, Vol. I, no. I, pp. 14-15.

[49] **This new finding about the issue of excluding the Jews from residing in Islamicjerusalem is in considerable contrast to the researcher's previous argument.** He argued that 'Umar Ibn al-Khattab did not oppose a provision in his Assurance – as requested by the inhabitants of Aelia – that "none of the Jews should live in Aelia with them". This guarantee was in conformity with the Jews' position in Jerusalem, which had been decided since Emperor Hadrian issued his decree in 139 AD forbidding the Jews to enter Jerusalem, living there, coming near it or even looking at it from afar. Umar renewed the decree of Hadrian, but allowed them concessions, that they could look on, and visit the city. This they did …. Umar's ruling ensured that, during the period when it applied, Jews had no sovereignty over Jerusalem'. See this previous argument in Abd al-Fattah El-Awaisi (1998), "The significance of Jerusalem in Islam: an Islamic reference," *Journal of Islamicjerusalem Studies,* Vol. 1, no. 2, p. 62. **In the light of new evidence and the latest research produced or published since 1998 in the field of Islamicjerusalem Studies, the researcher has changed his previous argument on this point and distanced himself from it.**

Karen Armstrong argues 'It was the practice of the *Rashidun,* when conquering a city, simply to endorse already existing arrangements and not to introduce major changes. It has been suggested that the supposed exclusion of the Jews may simply have been an initial step: the Byzantines had banned Jews from Aelia ... Umar could simply have confirmed the status quo and, later, decided that it was not rational or just to exclude Jews from Islamicjerusalem.'[50] On the other hand, Daniel J. Sahas argues that perhaps the Muslim sources 'confused' Heraclius' expulsion of Jews from Aelia in 629 CE, when he conquered the Persians, with the version of Umar's Assurance.[51] However, the researcher argues that there is another possibility, namely, that the Muslims had nothing to do with this exclusion and that it was an invention of Christian authors or probably added by a Christian source,[52] such as Syriac chronicler Michael the Syrian, and the Christian chronicler Agapius (Mahbub) of Manbij,[53] within the context of the traditional conflict between Jews and Christians. A Syriac source produced a short text claiming to be the assurance which Umar granted to the Patriarch Sophronius. This text includes a restriction that the Jews should not reside in 'Bayt al-Maqdis.'[54] A late source, al-Himyari in al-Rawad al-Mi'tar, states that 'the Christians made it a condition that Jews are not to be allowed to live with them.'[55] In addition, Greek sources indicate that the Christians wanted Aelia to remain a Christian area and this culminated in a clear sign to exclude Jews from there.[56]

Moreover, Jewish sources show that the Jews of Syria were 'patiently awaiting' the arrival of the Muslim armies because they were groaning under the rule of the tyrannical Byzantines and suffering their cruel oppression in the fifth, sixth, and early seventh centuries CE.[57] While the Jewish response to the first Muslim *Fatih* of Islamicjerusalem was 'characterised as generally positive'[58] because it terminated the Byzantine rule and liberated the Jews from their oppressor, some Jewish sources go even further. They not only state that the Jews welcomed and assisted the Muslim armies during the *Fatih* of Syria, but also claim that a group of Jews joined the Muslim armies, particularly during the siege of Islamicjerusalem.[59] Moshe Gil argues that 'one cannot conclude from these sources that there were Jews in the ranks of the Muslim army.'[60] He also rejects the claim of Patricia Crone and Michael Cook[61] and makes the accusation that they "exaggerate in seeing here proof of general Muslim-Jewish collaboration."

The researcher argues that despite his doubts about the authenticity of the Muslim sources, Goitein describes the report of Umar Ibn al-Khattab as being accompanied by 'Jewish wise men... as quite feasible'. He justifies his claim by saying that it was their city before the Romans destroyed it, so it was 'natural' for Umar to seek the guidance of the Jews.[62] The researcher finds this twisted logic unsuitable for handling historical events. How could the Jews, who had been absent for five hundred years, guide Umar Ibn al-Khattab around a city which had been flattened and had its landmarks, elevations and undulations altered on more than one occasion? History confirms that the Jews, as well as other groups and peoples, entered Islamicjerusalem for a period of time and then left it. Their city disappeared conclusively, having been destroyed at least three times since the Prophet Solomon. Nebuchadnezzar destroyed the city, and the Temple, around 586 BC. The Romans destroyed the city twice and even effaced its name. The arrival of Pompey in 63 BC, according to John Wilkinson, was the 'beginning of a Roman effort to control the Jews and ended

---

[50] Karen Armstrong's comments to the *Journal of Islamicjerusalem Studies* in 2000 was quoted by Abd al-Fattah El-Awaisi (2007), *Introducing Islamicjerusalem*, p. 70.

[51] Daniel J. Sahas (1994), "Patriarch Sophronious, Umar Ibn al-Khattab and the Conquest of Jerusalem," pp. 70-71. For the stance taken by Heraclius towards the Jews in Aelia, see Karen Armstrong (1996), *A History of Jerusalem: One City. Three Faiths,* London: HarperCollins Publishers, pp. 215, 233.

[52] Abdul Aziz Duri (1989), "Jerusalem in the Early Islamic period: 7th - 11th centuries AD," in K.J. Asali (ed.), *Jerusalem in History*, Essex: Scorpion Publishing, p. 107.

[53] Abdul Aziz Duri (1989), "Jerusalem in the Early Islamic period: 7th - 11th centuries AD," p. 107; see also Moshe Gil (1992), *A History of Palestine: 634-1099*, p. 56. Gil argues that as "one might anticipate, the subject of Jews appeared important to almost all the Christian chroniclers."

[54] Jean Baptiste Chabot (editor), *Chronique de Michael le Syrein* (Paris: 1899-1919), (Bruxelles: 1963), vol. 2, p. 425 quoted by Hani Abu al-Rub (2002), *Tarikh Filastin fi sadr al-Islam*, p. 138.

[55] Abdul Aziz Duri (1989), "Jerusalem in the Early Islamic period: 7th-11th centuries AD," p. 107.

[56] Daniel J. Sahas (1994), "Patriarch Sophronious, Umar Ibn al-Khattab and the Conquest of Jerusalem," p. 67. Moshe Gil (1992), *A History of Palestine: 634-1099,* p. 70.

[57] Israel Ben Zeev (Abu Zuaib) (1976), *Ka'ab al-Ahbar: Jews and Judaism in the Islamic Tradition*, Jerusalem, p. 35.

[58] Abd Allah al-Sharif (1424 AH), 'Mawqif Yahud al-Sham min al-Fatih al-Islami', *Majalat Jami'at Umm al-qura li Ulum al-Shari'a wa al-Lugha al-Arabia wa Adabiha*, vol. 16, no. 28, p. 526.

[59] Israel Ben Zeev (Abu Zuaib), *Ka'ab al-Ahbar*, pp. 36-37; see also Karen Armstrong (1996), *A History of Jerusalem: One City, Three Faiths,* p. 230.

[60] Moshe Gil (1992), *A History of Palestine: 634-1099,* p. 71.

[61] Patricia Crone & Michael Cook (1977), *Hagarism: The Making of the Islamic World*, Cambridge: Cambridge University Press, p. 156.

[62] Shlomo D. Goitein (1982), "Jerusalem in the Arab period: 638-1099," *The Jerusalem Cathedra,* 2, pp. 171-172. Karen Armstrong's commented to the *Journal of Islamicjerusalem Studies* in 2000 on Goitein's claim that 'the Jews had acted as guides around the City' by saying that 'I have never seen this argued.' She argues that "Jews certainly helped the Muslim army as scouts in the countryside of Palestine, but it was the Christian patriarch who showed Umar around Aelia. But the story that Umar brought rabbis with him from Tiberias may have some historical relevance, even if not literally true. These rabbis were not brought to show the Muslims around the *Bayt al-Maqdis,* the city, but to act as consultants about the reconsecration of the Holy Place ..." This comment was quoted by Abd al-Fattah El-Awaisi (2007), *Introducing of Islamicjerusalem*, p. 90.

two centuries later in the expulsion of the Jews from Jerusalem.'[63] Titus destroyed the city and burnt the Temple around 70 CE, as did Hadrian in 135 CE.[64] After the expulsion of the Jews from Aelia, Emperor Hadrian proceeded with his plan and issued his decision in 139 CE which stated that 'no Jews should be allowed within the district of Aelia,'[65] the region's new name.[66] Even from a religious point of view, Karen Armstrong argues that 'Jerusalem is not mentioned explicitly in the Torah, the first five most sacred books of the Hebrew Bible, and it is associated with none of the events of the Exodus from Egypt. Why should Mount Zion in Jerusalem be the holiest place in the Jewish world and not Mount Sinai, where God gave Moses the Law and bound himself to his chosen people?'[67]

A Jewish manuscript, preserved in Cairo Geniza and dating from the eleventh century CE, claims that Umar Ibn al-Khattab played the role of arbitrator or forceful mediator between the Christians and Jews in Islamicjerusalem. According to this document, Umar Ibn al-Khattab invited the Patriarch Sophronius and representatives of the Jews to a meeting he attended in person, so as to resolve the issue of Jews residing in Islamicjerusalem. After a long and contentious debate about the number of Jewish families who would be allowed to reside in Islamicjerusalem, ranging from seventy on Sophronius's side to two hundred on the Jewish side, Umar decided to allow seventy Jewish families from Tiberias to settle in the south of the Walled City.[68] It would seem that this document was written during the reign of the Fatimid Caliph al-Hakim Bi-Amr Allah, who made life difficult for the Christians.[69] Apparently, the document seeks to remind the Muslims of the justice brought by the Muslim conquerors to Islamicjerusalem and the lifting of the oppression which the Jews had suffered prior to the first Muslim *Fatih* of Islamicjerusalem. Fred McGraw Donner quotes some accounts which say that Umar Ibn al-Khattab negotiated sympathetically about Jewish interests. Other accounts quoted by Donner say that Sophronius imposed a condition on Umar that Jews should not live with them in Aelia.[70] Furthermore, a letter written by Solomon Ibn Broham al-Qara'i, who lived in the first half of the tenth century CE in Islamicjerusalem, states that the Jews were allowed to enter and reside in Aelia from 'the beginning of Isma'il's dominion', meaning from the first Muslim *Fatih* of Islamicjerusalem.[71] Jewish sources also claim that the Jews were allowed to pray in Islamicjerusalem after the Muslim *Fatih*.[72]

Christian sources claim that Jews resided in Islamicjerusalem immediately after the first Muslim *Fatih*. For example, Theophanes Confessor, who lived from the end of the eighth to the beginning of the ninth century, claims that the Jews indicated to Umar lbn al-Khattab that the crosses should be removed from the major churches on the Mount of Olives.[73] Moreover, the traveller Bishop Arculf, who visited Islamicjerusalem as a pilgrim in 670 CE during the Caliphate of Mu'awiya Ibn Abi Sufyan, recounts that he found two groups of Jews in Islamicjerusalem: the first had converted to Christianity and the second remained Jewish.[74]

Michael Asif claims that small groups of Jews were already living in Islamicjerusalem and that these increased with time. By the end of the first century A.H., according to his claims, there was a large Jewish community in Islamicjerusalem divided into two groups, each with their own synagogues and schools.[75] In contrast, Shafiq Jasir claims that no Jews lived in Islamicjerusalem for the remainder of the rule of the four orthodox Caliphs. He quotes

---

[63] John Wilkinson (1989), "Jerusalem under Rome and Byzantium: 63 BC - 637 AD," in K.J. Asali (ed.), *Jerusalem in History*, Essex: Scorpion Publishing, p. 75.

[64] Abd al-Fattah El-Awaisi (2007), *Introducing Islamicjerusalem*, p. 71.

[65] John Wilkinson (1989), "Jerusalem under Rome and Byzantium: 63 BC - 637 AD," p. 88.

[66] Aelia (40 square miles) contained: the districts of Gophna, Herodium and the area west of Jerusalem which was called Oreine or 'Hill Country'. See figure 5 in John Wilkinson (1989), "Jerusalem under Rome and Byzantium: 63 BC - 637 AD," p. 89; see also Muhammad al-Maqdisi (1977), *Ahsan al-Taqasim fi Ma'rifat al-Aqalim,*, Baghdad, p. 173. John Wilkinson argues that 'the area called Jerusalem in Aelia Capitolina was thus a very small city', see p. 90.

[67] Karen Armstrong (1997), "Sacred Space: The Holiness of Islamicjerusalem," p. 5.

[68] See the manuscript in Israel Ben Zeev (Abu Zuaib) (1976), *Ka'ab al-Ahbar,* p. 39; see also Karen Armstrong (1996), *A History of Jerusalem: One City, Three Faiths,* p. 233. Moshe Gil stated that 'Cairo Geniza documents occupy first place among Jewish sources, for these were written by contemporaries of the period'. Moshe Gil (1992), *A History of Palestine: 634- 1099,* p. 70.

[69] Mustafa A. Hiyari (1989), "Crusader Jerusalem: 1099 - 1187 AD," in K.J. Asali (ed.), *Jerusalem in History*, Essex: Scorpion Publishing, pp. 131-132. As a result of Fatimid-Byzantium's conflict, al-Hakim in 1009 CE, for example, ordered his governor of Palestine to destroy the Church of the Holy Sepulchre in Jerusalem.

[70] Fred McGraw Donner (1981), *The Early Islamic Conquests*, New Jersey: Princeton University Press, pp. 322, 287-289; see also Moshe Gil (1992), *A History of Palestine: 634-1099,* p. 71.

[71] Neubauer, Aus der Peterburger Bibliothek, 109 VII, p. 12 cited by Israel Ben Zeev (Abu Zuaib) (1976), *Ka'ab al-Ahbar,* p. 40.

[72] J. Mann, *The Jews in Egypt and Palestine under the Fatimid Caliphs*, pp. 43-47: Muir, *Annals of the Early Califate*, p. 212; Dubnow, *Geschichte des judischen Volkes*, III, p. 410 all cited by Israel Ben Zeev (Abu Zuaib) (1976), *Ka'ab al-Ahbar,* pp. 37-38; see also Moshe Gil (1992) *A History of Palestine: 634-1099*, p. 71.

[73] Schwabe's 'Al-yahud wa al-Haram ba'd al-Fath al-Umari' *Zion Journal* (vol. 2), p. 102 cited by Israel Ben Zeev (Abu Zuaib) (1976), *Ka'ab al-Ahbar,* p. 38.

[74] Arculf, *Eines Pilgers Reise nach dem Heiligen Land um 670 aus dem lateinischen ubersetzt und erklart von paul mickley* (Leipzig, 1917), p. 29-31 cited by Israel Ben Zeev (Abu Zuaib) (1976), *Ka'ab al-Ahbar*, p. 38.

[75] Israel Ben Zeev (Abu Zuaib) (1976), *Ka'ab al-Ahbar,* p. 40.

from a modem source, namely lbrahim al-Shiriqi in his book *Jerusalem and the Land of Canaan,* p.194, that the number of Jews during the Umayyad Caliphate (41AH-132/661-750CE) was about twenty males 'who used to work as servants in the precincts of al-Aqsa Mosque.'[76]

Karen Armstrong argues that 'It should also be noted that by the time of the Crusades al-Quds was known as a city of *Dhimmis,* because Jews and Christians were so populous and successful there. So certainly there was a strong Jewish presence in Aelia, even though most Jews preferred to live in Ramleh.'[77] In addition, the researcher argues that if it is true that Umar excluded the Jews from living in Aelia, how could Salah al-Din and other Muslim leaders have allowed them back? After the re-*Fatih* of Islamicjerusalem by Salah al-Din in 1187, two new quarters were created within the walls of the old city: the Maghrabi quarter and the Jewish quarter with the Sharaf quarter in between.[78] According to Donald P. Little, the small Jewish community in Islamicjerusalem during the Mamluk period 'seems to have enjoyed the status of *Dhimmis* granted to them in Islamic Law.'[79] Joseph Drory argues that the Jews 'posed no threat to the Muslim character of the town and lived peacefully with their neighbours.'[80] Donald P. Little argues that from al-Aqsa Mosque's documents 'We learn that the Jews were able to own property in the City and to conduct business; on at least one occasion, moreover, the Shaikh of Maghribi community intervened on their behalf against governmental abuse.'[81]

Special Assurance of *Aman* to the Jews

The researcher argues that a unique early Muslim account confirms that Umar Ibn al-Khattab granted the Jews from Aelia a special assurance of *Aman*. A modern Palestinian historian, Hani Abu al-Rub, brings to us a very interesting reading of the early Muslim sources when he states that 'Al-Ya'qubi pointed out indirectly within his writings that there was an agreement with the Jews. This has been confirmed by al-Waqidi.'[82] Indeed, this is a unique account which Abu al-Rub quotes from Ala' al-Din Ali al-Burhan Fawaz (died in 975AH). According to this account, al-Waqidi stated that 'twenty Jewish individuals from *Bayt al-Maqdis* headed by Joseph Ibn Nun visited Umar in *al-Jabiya* (now a place near the border between Jordan and Syria) where they requested an assurance of *Aman*. He (Umar) granted them an assurance of *Aman* in return for paying the *Jizya* tax.'

Abu al-Rub argues that this assurance 'could be predicting to be a model for how the Jewish minority was to be treated in the whole of Palestine.'[83] This assurance of *Aman* reads:[84]

> In the name of God, the most Merciful, the most Compassionate. You are granted *Aman* for your lives, possessions, and churches unless you cause public harm or protect who cause public harm. Any one of you who cause public harm or protect who causes public harm then he will not be under the covenant of God. I distance myself from any action committed by the (Muslim) army (during the military operation: 13-16 AH/634-376 CE). The persons who attest to this are: Mu'ath Ibn Jabal, Abu Ubayda, and Ubai Ibn Ka'b.[85]

---

[76] Shafiq Jasir (1999), "Al-Taghayyurat al-Diymughrafiyah fi al-Quds Abra Tarikhuha," in Shafiq Jasir (ed.), *Jerusalem fi al-Khitab al-Mu'asir*, Jordan, pp. 337-338; see also Moshe Gil (1992), A *History of Palestine: 634-1099,* pp. 71- 72; see also Karen Armstrong (1996), *A History of Jerusalem: One City, Three Faiths,* p. 233.

[77] Karen Armstrong's comments to the *Journal of Islamicjerusalem Studies* in 2000. this comment was quoted by Abd al-Fattah El-Awaisi (2007), *Introducing Islamicjerusalem*, p. 92.

[78] Mustafa A. Hiyari (1989), "Crusader Jerusalem: 1099 - 1187 AD," p. 170. During the Latin period, only a few Jews lived in the City near the Citadel. Salah al-Din's tolerant policy allowed the Jews to return to the City. Accordingly, they gradually began to constitute a community. According to J. Prawer, three groups settled this time in Jerusalem, two were Jewish: the Jews from Morocco who fled to the East around 1198-1199, and the Jews from France - some three hundred families - who migrated in two groups in 1210. When the City was handed over to Frederick II in 1229 anti-Jewish legislation of the Crusaders was re-established and all Jews were again prohibited from living in the city. J. Prawer (1964), "Minorities in the Crusader states," in *A History of the Crusades*, New York, v, p. 97; Steven Ranciman (1965), *A History of the Crusades*, London, I, p. 467; Karen Armstrong (1996), *A History of Jerusalem: One City, Three Faiths,* pp. 298-299.

[79] Donald P. Little (1989), "Jerusalem under the Ayyubids and Mamluks," in K. J. Asali (ed.), *Jerusalem in History*, Essex: Scorpion Publishing, p. 195.

[80] Joseph Drory (1981), 'Jerusalem during the Mamluk period: 1250 – 1517', *The Jerusalem Cathedra,* p. 213.

[81] Donald Little (1985), "Haram Documents related to the Jews of late fourteenth century Jerusalem," *Journal of Semitic Studies*, Vol. 30, no. 2, pp. 227-264.

[82] Hani Abu al-Rub (2002), *Tarikh Filastin fi sadr al-Islam*, p. 139.

[83] Ibid, p. 214.

[84] Ibid, pp. 139, 214.

[85] Abd al-Fattah El-Awaisi (2007), *Introducing Islamicjerusalem*, p. pp. 74-75.

Another Arab scholar refers to an account narrated by al-Baladhuri (on the authority of Abi Hafs al-Dimashqi), who states that "Abu Ubayda made *Sulh* peace with the Sammrits in Jordan and Palestine."[86] This means that the Muslim conquerors granted the second assurance of *Aman* to the Jews of Aelia but this time to the Sammrits living in the north of Aelia, in particular in Nablus. Abd Allah al-Sharif argues that "The Muslim conquerors made *Sulh* (peace) with the Jews of *al-Sham* on the same basis as with the Christians except the Sammrits in Jordan and Palestine which have a special *Sulh* with them."[87] Moreover, he adds that al-Baladhuri narrated another account which stated that "The Jews (in *al-Sham*) were to the Christians as *Dhimmi* paying *Kharaj* tax to them. The Jews, therefore, entered into the *Sulh* with them (Christians)."[88] In other words, what had applied to the Christians applied also to the Jews. This means that the Jews in *al-Sham* reached a *Sulh* with the Muslim conquerors through the *Sulh* with the Christians. Indeed, the Jews were insignificant in number; they were a very small minority during the first Muslim *Fatih.*[89]

The researcher argues that as the region witnessed centuries of conflicts and exclusive attitudes to addressing competing political and religious claims, these crucial arrangements and changes, introduced by Umar in his Assurance, were necessary and essential steps to provide a conflict resolution. Indeed, Umar's Assurance of *Aman* to the people of Aelia laid the foundation stone for the conflict resolution, re-shaping a new agenda for developing relationships between the followers of all the religious and cultural communities of the region, and established *Aman* (peaceful co-existence and mutual respect) in the region. The *Fatih* of the region was indeed the first Muslim liberation of Islamicjerusalem, which was contrary to that of both Jews and Christians towards Aelia. The Muslims liberated the Christians from the persecution of Byzantine occupiers of Aelia, rid the Jews of the Byzantine oppression, restored their presence in that region after an absence of five hundred years,[90] enabled all the communities to live side by side peacefully for the first time after a long history of conflict, and provided the grounds to establish Islamicjerusalem as a model for multiculturalism, cultural engagement,[91] and *Aman* (peaceful co-existence and mutual respect). Indeed, the concluding operations of the first Muslim *Fatih* of Aelia put an end to the traditional conflict between Christians and the Jews, and put an end to centuries of instability, religious exclusion, persecution and colonial rule.

When Muslims came to Islamicjerusalem, the first thing they did was to solve the existing religious and social problems by establishing *Aman* between the inhabitants of that region. Before the first Muslim *Fatih*, Aelia had been a closed and insular region, mainly for Byzantine Christians. Indeed, it was very much an exclusive region, i.e. just for the locals and the Byzantines. Islamicjerusalem, on the other hand, was not an exclusive region during Muslim rule but an inclusive one. As explained earlier,[92] the Jews returned to Islamicjerusalem only when the Muslims took over and opened it up to all nations. For the first time in history, the followers of the three religions branching from Abraham managed to flourish and live together in peace and harmony. Karen Armstrong argues that "The Muslims had established a system that enabled Jews, Christians, and Muslims to live in Jerusalem together for the first time."[93] In short, one could argue that instead of continuing to implement the Byzantines' exclusion policy, Umar, as head of the Muslim state, not only rejected the idea of excluding others who would like to live in the region, he was categorically pro-active in establishing a new policy and system. Although there were very few Jews living in Aelia at the time of the *Fatih*, they were also granted the same concessions as the Christians which, summarised, gave them *Aman* for themselves, their possessions, synagogues, and religion in exchange for paying the *Jizya* tax. Indeed, this important action to bring the Jews back helped to develop the reshaping of a new society in Aelia.

In addition, this article totally rejects the claim made by Daniel J. Sahas that the first Muslim *Fatih* led to the 'emergence of an opportunity for the Christians of Islamicjerusalem to contain the Jews, with the help of the Muslim Arabs, through the concessions granted to them in Umar's Assurance.'[94] The question that arises here is: what grounds would the Christians of Islamicjerusalem have for containing the Jews, when they themselves had forbidden them

---

[86] Abd Allah al-Sharif 'Mawqif (1424 AH), "Yahud al-Sham min al-Fatih al-Islami," p. 513.

[87] Ibid, p. 513.

[88] Ibid, p. 514.

[89] Abd al-Fattah El-Awaisi (2007), *Introducing Islamicjerusalem*, p. 75.

[90] Karen Armstrong argues that "On two occasions in the past, it was an Islamic conquest of Jerusalem that made it possible for Jews to return to their holy City. Umar and Salah al-Din both invited Jews to settle in Jerusalem when they replaced Christian rulers there." See Karen Armstrong (1996), *A History of Jerusalem: One City, Three Faiths,* p.420; for the same view, see Amnon Cohen (1984), *Jewish life under Islam: Jerusalem in the sixteenth century*, Harvard University Press, p. 14.

[91] Abd al-Fattah El-Awaisi (2008), "Islamicjerusalem as a Model for Multiculturalism and Cultural Engagement."

[92] Please see the section discussing the issue of exclusion of the Jews from residing in Aelis in this article.

[93] See Karen Armstrong (1996), *A History of Jerusalem: One City, Three Faiths,* p. 246; see also, p. 233.

[94] Daniel J. Sahas, "Patriarch Sophronious, Umar Ibn al-Khattab and the Conquest of Jerusalem," p. 54.

residence in Aelia for several centuries and expelled them from it? If this assertion were true, why did the Patriarch Sophronius ask Umar Ibn al-Khattab to renew Hadrian's law and forbid the Jews residence in Aelia? His request was rejected by Umar Ibn al-Khattab. The concessions that the conquering Muslims granted the inhabitants of Aelia were not requested by the Christians of Islamicjerusalem but were a gift from the Caliph of the Muslims to the people of that region, based on the principles laid down by Islam for dealing with non-Muslims, particularly the People of the Book. Sahas made his claim based on a text translated from the Greek which closely resembles the Orthodox Patriarchate's text of Umar's Assurance which was published in 1953 in Jerusalem. The researcher has proved[95] that this was fabricated or concocted to serve the political and religious aims of the Greek Orthodox sect in Jerusalem.

Moreover, the researcher does not agree with Philip Hitti[96] and Tritton[97] in their total denial of Umar's Assurance because of disparities between some accounts of the actual text. Nor does he agree with Shlomo D. Goitein, who considers that Umar's Assurance is a fabrication without any basis in reality because al-Baladhuri does not mention any text for it[98]. Indeed, it would seem to the researcher that Goitein is contradictory in his analysis of Umar's Assurance. He considers al-Baladhuri's account to be the most reliable, but does not accept the accounts of al-Ya'qubi and Eutychius (Ibn al-Batriq), both of which, he says, provide "general, brief texts not significantly different from al-Baladhuri's account."[99] The researcher agrees with Moshe Gil, who argues that "We cannot disregard him (Sayf Ibn Umar) altogether. The version itself (of Sayf Ibn Umar's account in al-Tabari) seems to be reliable."[100]

Undoubtedly the versions of Umar's Assurance have been expanded and embellished with the passing of time. The development would seem to have begun with al-Tabari's version, which he transmitted from Sayf Ibn Umar, and continued with the versions quoted by Ibn Asakir,[101] through to that of Mujir al-Din al-'Ulaimi,[102] and concluding with the Greek Orthodox version in 1953. This variation is related to Jewish-Christian relations, the development of Muslim-Christian relations, and Christian-Christian relations. A consideration of these versions within the framework of the developments of the social and political circumstances of the People of the Book from the time of Umar Ibn Abd al-Aziz to Haroun al-Rashid, the resolutions of al-Mutawakkil, and the historical events which followed, shows that the discrepancies, detailed additions, and conditions have, without the slightest doubt, nothing to do with the period of the Muslim *Fatih* of Islamicjerusalem, nor do they address the situation at that time. Rather they are part of the general conditions and the socio-political web that emerged there, which affected the position of the People of the Book and their treatment within the Abbasid state.[103] For example, Haroun al-Rashid ordered in 191 AH that non-Muslims in areas near the Byzantine frontiers should have a different form of address from those of Muslims for security reasons.[104] New juristic ideas and formulae were drafted in response to the new developments that occurred in Muslim periods following the first Muslim *Fatih* of Islamicjerusalem. The well know Iraqi historian, late Abdul Aziz Duri argued that they dealt with matters that surfaced later. This led him to conclude that the text of Umar's assurance 'was developed to include conditions which have no relevance to the period of the *Fatih*, and that it received juridical formulation capable of meeting new developments.'[105]

Conclusion

There is no doubt that *AI-Uhda al-Umariyya* or Umar's Assurance of *Aman* to the people of Aelia (*Bayt al-Maqdis* - Islamicjerusalem) existed and that Umar Ibn al-Khattab granted the people of *Bayt al-Maqdis* Aelia an assurance of *Aman* for themselves, their possessions, their churches, and their religion, in return for their paying *Jizya* tax. This was in line with the general trend of the Muslim attitude to other areas in *Bilad al-Sham* (Historical Syria) or concluded with the People of the Book during the period of the Muslim *Futuhat*. As for additions and restrictions attributed to Umar Ibn al-Khattab, these are the products of later historical periods, resulting from socio-political circumstances that differed greatly from the time of the first Muslim *Fatih* of Islamicjerusalem. Moreover, despite

---

[95] Abd al-Fattah El-Awaisi (2007), *Introducing Islamicjerusalem*, pp. 76-82.
[96] Philip Hitti (1957), *Tarikh al-Arab*, Beirut, part three, pp. 19- 20.
[97] A.S. Tritton (1930), *The Caliphs and their non-Muslim Subjects*, Oxford: Oxford University Press, p. 12.
[98] Shlomo D. Goitein (1982), "Jerusalem in the Arab period: 638-:1099," p. 171.
[99] Shlomo D. Goitein (1982), "Jerusalem in the Arab period: 638-:1099," p. 171.
[100] Moshe Gil added that its 'language' and 'its details appear authentic and reliable and in keeping with what is known of Jerusalem at that time'. Moshe Gil (1992), A *History of Palestine: 634-1099,* p. 56.
[101] Ibn Asakir (1329 - 1332 AH), *Tarikh Madinat Dinashq*, Damascus, part one, pp. 563-564, 566-567.
[102] Mujir al-Din al-'Ulaimi (1977), *AI-Uns al-Jalil hi tarikh al-Quds wa al-Khalil*, Amman, part one, pp. 253-254.
[103] Abd al-Fattah El-Awaisi (2007), *Introducing Islamicjerusalem*, p. 102
[104] See Ibn al-Athir (1982), *Al-Kamil fi al-Tarikh*, Beirut, part six, p. 206.
[105] Abdul Aziz Duri (1989), "Jerusalem in the Early Islamic period: 7th - 11th centuries AD," p. 107.

the researcher's major reservation towards one added restrictive sentence related to the Jews, he is satisfied that Sayf Ibn Umar's account which was reported by al-Tabari but without this added restrictive sentence, is Umar's original text that he wrote and witnessed.

References

Abd Allah al-Sharif (1424 AH), "Mawqif Yahud al-Sham min al-Fatih al-Islami," *Majalat Jami'at Umm al-qura li Ulum al-Shari'a wa al-Lugha al-Arabia wa Adabiha*, Vol. 16, no. 28, Saudi Arabia.

Abd al-Rahman al-Azawi (1989), *Al-Tabari*, Baghdad.

Abdul Aziz Duri (1989), "Jerusalem in the Early Islamic period: 7th - 11th centuries AD," in K.J. Asali (ed.), *Jerusalem in History*, Essex: Scorpion Publishing.

Abu-Munshar, Maher Younes (2003), *A Historical Study of Muslim Treatment of Christians in Islamicjerusalem at the Time of Umar Ibn al-Khattab and Salah al-Din with Special Reference to the Islamic Value of Justice,* PhD thesis, Al-Maktoum Institute for Arabic and Islamic Studies.

Al-'Ulaimi, Mujir al-Din (1977), *AI-Uns al-Jalil hi tarikh al-Quds wa al-Khalil*, Amman.

Al-Baladhuri, Muhammad (1936), *Futuh al-Buldan*, Cairo.

Al-Basit, Musa Isma'il (2001), *al-Uhda al-Umariyya bayn al-Qubul wa al-Rad: Dirasah Naqdiyyah*, Jerusalem.

Al-Batriq, Said Ibn (Eutychius) (1905), *Al-Tarikh al-Majmu'*, Beirut.

Ali Ajin (1417 AH), "Al-Uhda al-Umariyya," *Al-Hikma Journal*, no. 10, 75-87.

Al-Quda, Zakariyya (1987), "Mu'ahadit Fatih Bayt al-Maqdis: al-Uhda al-Umariyya," in Muhammad Adnan al-Bakhit & Ihsan Abass (eds.), *Bilad al-Sham fi Sadir al-Islam,* Jordan: University of Jordan and University of Yarmuk, Jordan, Vol. 2.

Al-Ratrout, Haitham (2004), *The architectural development of al-Aqsa Mosque in the early Islamic period: Sacred architecture in the shape of the 'Holy'*, Scotland: Al-Maktoum Institute Academic Press.

Al-Rub, Hani Abu (2002), *Tarikh Filastin fi sadr al-Islam*, Jerusalem.

Al-Tabari (1960), *Tarikh al-Rusul wa al-Muluk*, Cairo.

Al-Tel, Othman Ismael (2003), *The first Islamic conquest of Aelia (Islamicjerusalem): A critical analytical study of the early Islamic historical narrations and sources,* Scotland: Al-Maktoum Institute Academic Press.

Al-Waqidi, Muhammad Ibn Umar (1954), *Futuh al-Sham*, Cairo.

Armstrong, Karen (1997), "Sacred Space: The Holiness of Islamicjerusalem," *Journal of Islamicjerusalem Studies*, Vol. I, no. I, 5-20.

Athamina, Khalil (2000), *Filastin fi Khamsat Qurun, min al-Fatth al-Islami hatta al-Ghazu al-Firaniji: 634-1099*, Beirut: The Institute for Palestine Studies.

Atwan, Hussain (1986), *al-Riwaiyat al-Tarikhia fi Bilad al-Sham fi al-Asr al-Umawi*, Amman.

Cohen, Amnon (1984), *Jewish life under Islam: Jerusalem in the sixteenth century*, London: Harvard University Press.

Crone, Patricia & Cook, Michael (1977), *Hagarism: The Making of the Islamic World*, Cambridge: Cambridge University Press.

El-Awaisi, Abd al-Fattah (1998), "The significance of Jerusalem in Islam: An Islamic reference," *Journal of Islamicjerusalem Studies,* Vol. 1, no. 2, 47-71.

El-Awaisi, Abd al-Fattah (2000), "Umar's Assurance of Safety to the People of Aelia (Jerusalem): A Critical Analytical Study of the Historical Sources," *Journal of Islamic Jerusalem Studies*, Vol. 3, no. 2, 1-50.

El-Awaisi, Abd al-Fattah (2007), *Introducing Islamicjerusalem*, Scotland: Al-Maktoum Institute Academic Press.

El-Awaisi, Abd al-Fattah (2008), "Islamicjerusalem as a Model for Multiculturalism and Cultural Engagement," *Journal of Islamicjerusalem Studies*, Vol. 9, no. 1, 1-28.

Gil, Moshe (1992), *A History of Palestine: 634-1099*, Cambridge: Cambridge University Press.

Hiyari, Mustafa A. (1989), "Crusader Jerusalem: 1099 - 1187 AD," in K.J. Asali (ed.), *Jerusalem in History*, Essex: Scorpion Publishing.

Ibn al-Athir (1982), *Al-Kamil fi al-Tarikh*, Beirut.

Jasir, Shafiq (1999), "Al-Taghayyurat al-Diymughrafiyah fi al-Quds Abra Tarikhuha," in Shafiq Jasir (ed.), *Jerusalem fi al-Khitab al-Mu'asir*, Jordan.

Little, Donald P. (1985), "Haram Documents related to the Jews of late fourteenth century Jerusalem," *Journal of Semitic Studies*, Vol. 30, no. 2, 227-264.

Little, Donald P. (1989), "Jerusalem under the Ayyubids and Mamluks," in K. J. Asali (ed.), *Jerusalem in History*, Essex: Scorpion Publishing.

Sahas, Daniel J. (1994), "Patriarch Sophronious, Umar Ibn al-Khattab and the Conquest of Jerusalem," in Hadia Dajani-Shakeel & Burhan Dajani (eds.), *Al-Sira' al-Islami al-Faranji ala Filastin fi al-Qurun al-Wasta (The Islamic - Frankish (Ifranj) conflict over Palestine during the Middle Ages*, Beirut: The Institute for Palestine Studies.

Tritton, A.S. (1930), *The Caliphs and their non-Muslim Subjects*, Oxford: Oxford University Press.

Wilkinson, John (1989), "Jerusalem under Rome and Byzantium: 63 BC - 637 AD," in K.J. Asali (ed.), *Jerusalem in History*, Essex: Scorpion Publishing.