

ISLAMICJERUSALEM AS A MODEL FOR MULTICULTURALISM: PRELIMINARY STUDY¹

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Introduction

The concept of multiculturalism gained considerable significance in our present time. People of different backgrounds and experiences have almost always co-existed and shared a common space. The relatively recent phenomenon of globalisation and human migration into different parts of the world prompted many scholars to debate the concept of multiculturalism from various angles and perspectives. Some issues such as multiculturalism and the ideal way to manage plural societies with different ethnic, religious and cultural identities have become the centre of current discourses attracting the attention of scholars and theorists. History comes also to the scene of current debates on multiculturalism to draw examples of pluralism and plural societies in the past. In this regard, a new concept coined as 'Islamicjerusalem' by Abd al-Fattah El-Awaisi presents an

¹ This article is based on an M.Litt dissertation in Islamicjerusalem studies submitted to Al-Maktoum Institute for Arabic and Islamic Studies in September 2006. The dissertation tackled the implementation of the model during the time of the Ottoman Empire in the sixteenth century with a special reference to Sultan Suleiman I (1520-1566). This research is now being developed into a PhD thesis, focusing on investigating El-Awaisi's argument of Islamicjerusalem as a model for multiculturalism.

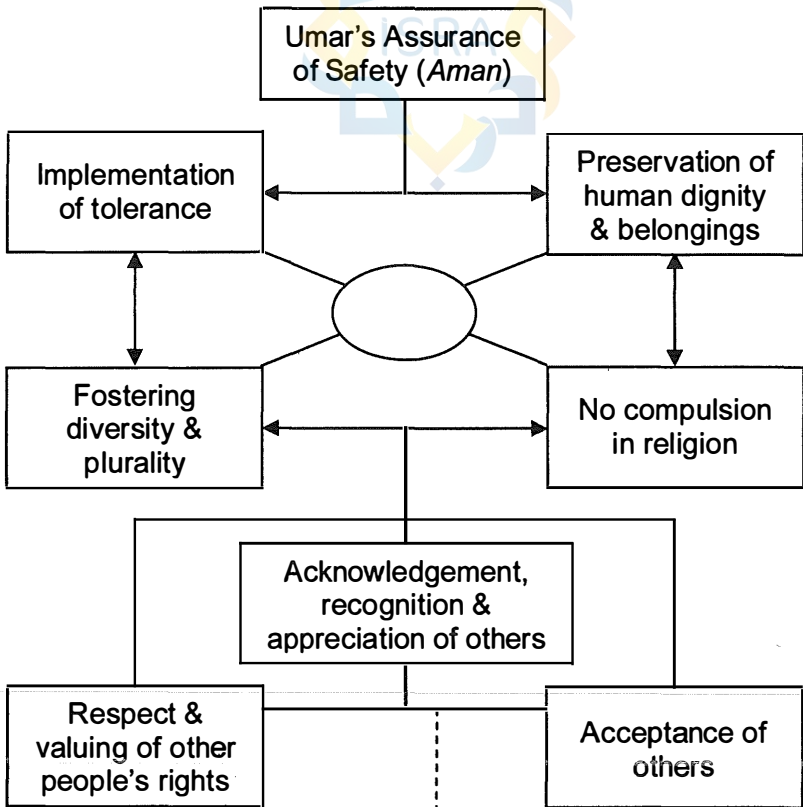
intriguing argument that may turn the traditional understanding of the region he called *Islamicjerusalem* on its head. In fact, El-Awaisi is the first scholar to even suggest that 'Islamicjerusalem' could be argued as a model for multiculturalism. This narrative seems to have unusual connotation, for how could a region known for its long history of tension, killing and destruction be claimed as a model for multiculturalism or even set as an example for common ground and peaceful co-existence? And how could a term holding the combination of 'Islamic' shape our current debates and understanding on the issue of multiculturalism? Against all the odds, El-Awaisi's newly published monograph 'Introducing Islamicjerusalem'² goes even further to suggest other arguments annexed to his concept of 'Islamicjerusalem' among which are: "Lil'almin, the land of *Amal* [hope], and Islamicjerusalem as a model for conflict resolution and peaceful co-existence." (El-Awaisi 2006: 43, 117, 135, 180)

In fact, presenting such arguments at this point of time where *Islamicjerusalem* is fraught with confusion, tension and problems is in itself challenging particularly to enthusiasts who are trying to find a peaceful solution to the region and to those working in the field of multiculturalism. So what is the basic axis around which El-Awaisi anchored his argument of Islamicjerusalem as a model for multiculturalism, and what conclusion did he arrive at from this argument?

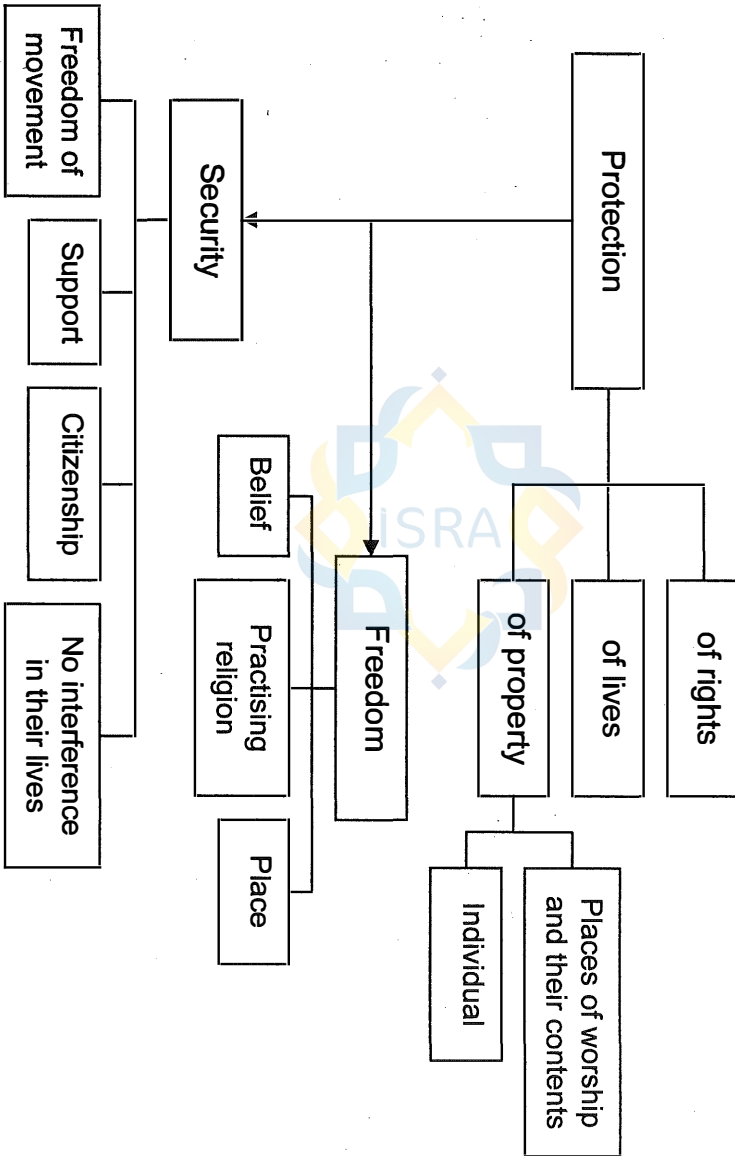
The key factor of El-Awaisi's argument lies in advent of Caliph 'Umar Ibn Al-Khaṭṭāb (d. 24 AH/645 CE) in Islamicjerusalem in 16 AH/637 CE and his famous Assurance of Safety to the people of Aelia. This assurance presents a real life case study for a state policy that brought about a change unprecedented in the history of Islamicjerusalem. El-Awaisi analyses "how the [Muslim] state and its established power and authority managed the diverse society of Islamicjerusalem" (El-Awaisi 2006: 139) and structure his findings accordingly. This practical analysis may be proven logical if we are aware of the fact that the most complicated systems could only be

² See, El-Awaisi, Abd Al-Fattah M. (2006) *Introducing Islamicjerusalem*, Dundee: Al-Maktoum Institute Academic Press.

approved and put in practice when they are validated empirically, i.e., they are found useful in practice through using experiments, case-studies, surveys and different methods. As far as El-Awaisi is concerned, he adopted, in my view, a flash-back technique where he used the implementation of 'Umar's Assurance of Safety and its major contribution to the region and the people of Aelia as the basics for his model of multiculturalism. By recounting the events that happened before and after the Muslim *Fatih* [conquest], El-Awaisi established a framework based on 'tried and tested' historical case rather than on a romantic argument. While this suggestion is indeed intriguing it would seem that, whatever one thinks of El-Awaisi's model, the findings he adduced from 'Umar's Assurance of Safety is so appealing as to be worth investigating. El-Awaisi (2006: 137-138) summarises his analysis of 'Umar's model in the following diagram which reflects the process of multiculturalism implemented in *IslamicJerusalem*.



Leading to:



El-Awaisi’s diagram reflects the state policy of managing diversity and difference in the region of Islamicjerusalem and the precedent established by the head of the Muslim state ‘Umar to legalise the

status of his non-Muslim subjects and protect their civil as well as religious rights by “thinking globally and acting locally”. (El-Awaisi 2006: 177). This claim will be further illustrated in this article where different historical accounts witness the change brought about by Caliph ‘Umar as soon as he arrived in the region of Islamicjerusalem. This could be understood better through understanding El-Awaisi’s new terminology of ‘Islamicjerusalem’ and his analysis for ‘Umar’s Assurance of Safety to the people of Aelia. While this article is too limited to give all the answers for the questions raised earlier, it will attempt to find the logic behind El-Awaisi’s model for multiculturalism by investigating the contributions made by Caliph ‘Umar to Islamicjerusalem and his important role in managing his non-Muslim subjects in such a way that expressed the Qur’anic vision of Islamicjerusalem as being made *‘Lil’alamīn’*, for everyone. This article will also analyse three relevant points: the term Islamicjerusalem, the concept of multiculturalism, and El-Awaisi’s argument of Islamicjerusalem as a model for multiculturalism. The first Muslim conquest of Islamicjerusalem in 16AH/637CE, the system established by Caliph ‘Umar Ibn Al-Khaṭṭāb (d. 24 AH/645 CE), and the treatment of non-Muslims in the region will also be investigated.

This raises a set of important questions: what do the concept of ‘Islamicjerusalem’ and its model for multiculturalism stand for? Has the policy of multiculturalism been applied in Islamicjerusalem before the arrival of Caliph ‘Umar? And what did ‘Umar Ibn Al-Khaṭṭāb do to establish the proposed model of multiculturalism in the region? To answer these questions, we need to, first of all, establish the meaning of ‘Islamicjerusalem’.

The Term ‘Islamicjerusalem’

‘Islamicjerusalem’ is a newly-born terminology that combines three major elements comprising land, people and an inclusive vision to accommodate peoples of different backgrounds. These three components are part and parcel of this terminology and are, as such, inseparable. The founder of the new field of inquiry of Islamicjerusalem studies, Abd al-Fattah El-Awaisi (2006: 14) argues:

Islamicjerusalem is a new terminology for a new concept which may be translated in Arabic language as Bayt al-Maqdis. It can be fairly and eventually characterised and defined as a unique region³ 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 word in both historical and contemporary 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 administrate that land and its people, as a model for multiculturalism.

‘Islamicjerusalem’ as a term must be looked at through the definition that explains its elements and logic. It “cannot be understood without placing it in historical, geographical and religious contexts.”(El-Awaisi 2006: 15). This claim suggests that while the term holds the combination of ‘Islamic’ and ‘Jerusalem’, it should not be understood as two separate words but one continuous sequence indicating particular boundaries and elements with particular attributes indicating inclusiveness, openness and inclusion of others, thus suggesting the notion of ‘*Lil’alamīn*’ which El-Awaisi derive from the Qur’ān to stress the inclusive vision of his new terminology Islamicjerusalem. “The land which We had blessed for all beings [*Lil’alamīn*]”. Qur’ān (21:71). This Qur’ānic verse reflects the openness of Islamicjerusalem for everyone without even specifying or favouring any religious group. Therefore, though the region is mainly attracted to Jews, Christians and Muslims, it could be argued that people of other faiths as well as of no-faith are welcomed in the region. Hence, Islamicjerusalem encompasses peoples of different affiliations and experiences and, as such, fulfils the richness and diversity associated with it. El-Awaisi (2006: 179) argues that this inclusive vision “presents a model for peaceful co-existence and mutual respect. It also offers a

³ The geographical location of Islamicjerusalem has been developed further by Khaled El-Awaisi’s new published monograph: Mapping Islamicjerusalem: A Rediscovery of Geographical Boundaries (2007). Dundee: Al-Maktoum Institute Academic Press.

way for people from different religious and cultural backgrounds to live together in an environment of multiculturalism, and religious and cultural engagement, diversity and tolerance". On the other hand, El-Awaisi could not help but to be inspired by the policy implemented by Caliph 'Umar to the people of Aelia in commemoration of which, I would argue, El-Awaisi coined his terminology as 'Islamicjerusalem', for the term reflects an unprecedented phase of justice, inclusion, recognition and protection of rights, as reflected by the above diagram. So even the sequence of the term holds the letters 'Islamic', El-Awaisi does not call for the implementation of Islamic Sharī'ah in the region. This is quite evident through El-Awaisi's different arguments and emphasis on the inclusive nature of Islamicjerusalem that had been in full swing during the first Muslim *Fatih*, and the fulfilment of such vision by Caliph 'Umar Ibn Al-Khaṭṭāb. El-Awaisi argues that "the Muslims' devotion to Islamicjerusalem is not a result of colonialist aims or a desire to expand their rule, nor is it based on false racist nationalist claims. On the contrary, the nature of Islamicjerusalem and its special qualities constitute the fundamental reason for their concern for it...Islamicjerusalem is not exclusive but inclusive and should be opened up to "everyone in the universe"..."(El-Awaisi 2006: 178-180)

History shows that Islamicjerusalem retained its Christian nature and character after the advent of 'Umar, as will be illustrated below. Now the rich and diverse nature of Islamicjerusalem makes it a common ground for different groups of people, and hence El-Awaisi's model of multiculturalism comes to mirror that specific character and present it as such. The question is, what is Multiculturalism and where does it fit in this discussion?

The Concept of Multiculturalism

The concept of multiculturalism is broad and complex. Within the limitation of this article, I would briefly highlight some important points related to multiculturalism in an attempt to clarify its main concept and criteria. Multiculturalism may be argued as a new terminology but it does not seem to be a new concept. Actually, it was known as 'pluralism' and thus 'multicultural' was referred to as

'plural'. Watson (2000: 2) gives an account of the development of this term and its significance:

...it was common in the social sciences before the rise of the word 'multicultural' to see reference to plural societies... what the word 'multicultural' does, then, is to create not just a sense of differences but also to recognize those differences as springing from a universally shared attachment of importance to culture and to an implicit acknowledgement of equality of all cultures.

Watson's argument signifies that multiculturalism is not a mere romantic argument but a policy implying dealing with difference. Recognition and equality of cultures could be understood as processes of multiculturalism carried out by the state in favour of its different (minority) groups. Werbner (1997: 26) argues that "multiculturalism is not a matter of theory but real politics, there are as many multiculturalisms as there are political arenas for collective actions."

Indeed, Werbner's argument ties up with Stuart Hall's wide spectrum of different multiculturalisms in different multicultural societies; each reflecting a different political approach to diversity "conservative, liberal, pluralist, commercial, corporate..." (Hall 2000: 210) The point that should be clarified is that multiculturalism is contextual in the sense that it "...has different implications and meanings depending on its social, political and disciplinary location." (Samad 1997: 240)

However, the term 'multiculturalism' still indicates one important fact that could be argued to hold the same truth in different locations; that is dealing with difference, diversity, and otherness. It may be true that we have different multiculturalisms in different contexts; however, the term will always be part and parcel of thinking about different minority groups in a multicultural society wherever that society might be. The term in this respect goes deeper than a mere celebration of plurality. It signifies "a variety of strategies for dealing with the cultural diversity and social heterogeneity of modern societies." (Hall 2000: 209)

Multiculturalism has been expressed by a number of nation states through “legislation as the case of Canada, a promotion of a view of a multicultural society as in Australia, or a vague articulation of pursuing the goal of multiculturalism as in the UK” (Nye 2001: 266) Now the state strategies towards those diverse cultural groups would determine the kind of multiculturalism in a certain context, be it conservative, liberal, pluralist, difference or critical. Yet still, the core value of ‘multiculturalism’, in my view, is almost the same: that is the state management of diversity, difference, or otherness. These different groups are the minority who are different from the dominant cultural majority. In this respect, how difference is looked at and handled by the state would, I would argue, determine the outcome of multiculturalism in any given context.

On the other hand, the term ‘difference’ reflects different identities existing in a single boundary and could be understood through a triangle of “state, ethnicity and religion with ‘culture’ hidden at its centre.” (Baumann 1991: 17-24). Within this triangulation, the power relation between the state and its ethnic, religious, and cultural groups is very important indeed. Current discourses on multiculturalism come to emphasise on the importance of shifting the status of different cultural groups from the margin to the centre through making them legitimate partners with the state. On this point, Turner (1993: 411-429) suggests:

The political institutions of the state should derive their legitimation from promoting and coordinating the coexistence of diverse cultural groups, traditions, and identities... It implies, by the same token, the elevation of “culture” as a new category of collective human rights, and defines it, as such, as a legitimate goal of political struggle for equal representation in the public domain.

Multiculturalism, I would argue, could only be halted when the state ceased to implement the process of legitimising its diverse groups and engaging with them on legitimate partnership in such a way that these groups may feel and experience their new status in

different aspects of their lives and at different levels of their multiple identities, be it ethnic, religious or cultural.

The point I would like to raise is that wherever diversity/difference exists, there exists multiculturalism even when the state implements a total different approach to its diverse groups. Nye (2001: 270) suggests: "... political articulations of monoculturalism and exclusionism ... are themselves a product of multicultural praxis, since without diversification these reactions would not be generated." What matters most then is the state management of diversity that exists within the state boundary and hence, "[Multiculturalism] references the strategies and policies adopted to govern or manage the problems of diversity and multiplicity which multi-cultural societies throw up." (Hall 2000: 209) From this perspective, different ethnic, religious, or cultural groups are not supposed to simply abandon their original cultural characteristics and desirability, for each cultural community has its own unique and distinctive characters that contribute to the society on the whole and consequently the society is more inclined to reflect unity in diversity.

Current discussions on multiculturalism revolve around important issues concerned with how to deal with 'the others', and sharing a common space. As argued earlier, the state management of diversity entails the process of multiculturalism and necessitates certain measures in dealing with difference. For that reason, making different groups legitimate partners with the state would implicate "recognising difference, observing difference, tolerating difference and actively engaging difference" (Nye 2006). To summarise the above argument, multiculturalism could be defined as a state management of different cultural groups sharing the same space on the basis of "recognition, tolerance, and mutual respect" (Abu-Munshar 2006: 62-87)

Perhaps one way of dealing with diversity is looking at difference as an asset rather than a burden, for difference implies the existence of 'the others' whoever they are and whatever their ethnic, religious or cultural affiliations are. Considering different

groups a credit to the state requires, on the other hand, legitimising their status through the law on the basis of recognition, tolerance, mutual respect and legal partnership. By enforcing these legal processes of multiculturalism, different groups would then be shifted from the margin to the centre.

As far as Islamicjerusalem is concerned, history painted two contrasting pictures for two different approaches towards the region, i.e. exclusive and mono-cultural in contrast to inclusive and multicultural. The region witnessed both styles from different ruling powers throughout its long history. It has been argued, however, that the first phase of interrupting the pattern of exclusion of others and monoculturalism in Islamicjerusalem took place during the first Muslim conquest of the region in 673 CE that set out a primary example for multiculturalism. This leads the discussion to El-Awaisi's hypothesis of Islamicjerusalem as a model for multiculturalism.

El-Awaisi's argument of Islamicjerusalem as a Model for Multiculturalism

El-Awaisi argues that the concept of Islamicjerusalem could serve as a model for multiculturalism. Drawing a historical perspective to support his argument, El-Awaisi analyses 'Umar's Assurance of Safety, *Amān*, addressed to the people of Aelia, Islamicjerusalem and frames the Assurance concerned as a point of reference for the above model.

Perhaps one of the main purposes of El-Awaisi's argument is, I would claim, to usher in a new multicultural narrative through an important historical juncture in Islamicjerusalem marked by the first Muslim advent in Islamicjerusalem with its historical benchmark 'Umar's Assurance of Safety to the people of Islamicjerusalem.

From this perspective, the model has been pioneered and established by El-Awaisi for the purpose of creating a different understanding of multiculturalism and setting a reference structured through a historical methodology and evolved around

the arrival of Caliph ‘Umar in IslamicJerusalem in ‘16AH/637 AD’ (Al-Tel 2003: 118) El-Awaisi (2006: 137) suggests that ‘Umar’s Assurance of Safety is “an important reference text and a theoretical framework which laid down the foundation principles and the essential criteria to establish and manage a multicultural society in IslamicJerusalem for the first time.”

‘Umars Assurance shows how Caliph ‘Umar, the head of the Muslim State, approached IslamicJerusalem and its inhabitants, and the way he legitimised their rights and obligations under the Muslim state. This raises some critical questions: What was IslamicJerusalem like before the arrival of Caliph ‘Umar? What did ‘Umar Ibn Al-Khaṭṭāb do to establish the argued model of multiculturalism in the region? And what made IslamicJerusalem particularly a model for multiculturalism?

Throughout the history of IslamicJerusalem, it is evident that the first Muslim conquest of the region marked a turning point in its history. In fact, IslamicJerusalem became the home for different peoples of different backgrounds. Talking about the first Muslim conquest of IslamicJerusalem, Armstrong (2005: 245) observes that “The Muslims had established a system that enabled Jews, Christians, and Muslims to live in Jerusalem together for the first time.” Armstrong’s argument implies that the situation of IslamicJerusalem was different before the region became under the first Muslim rule. Muslims allowed people of different religious affiliations to live together in IslamicJerusalem ‘for the first time’, the matter that suggests different status of IslamicJerusalem. It also suggests that the region witnessed a new influx of peoples belonging to different cultures and religions during the first Muslim conquest in 367CE. This historical narrative points out that Caliph ‘Umar may have had a certain vision towards IslamicJerusalem; a vision of sharing the region with other people. The question is what does ‘Umar’s model imply?

Historical evidence shows that upon his arrival to IslamicJerusalem, ‘Umar Ibn Al-Khaṭṭāb spared no efforts in setting out basic principles in dealing with others on the basis of

inclusion, respect and recognition. 'Umar, one could argue, was the first chief army commander who came to Islamic Jerusalem in peace, and he came to promote and spread peace. This is clear from 'Umar's *Fatḥ* style of Islamic Jerusalem. On this historical fact, Armstrong (2005: 228) maintains:

'Umar presided over the most peaceful and bloodless conquest that the city had yet seen in its long and often tragic history. Once the Christians had surrendered there was no killing, no destruction of property, no burning of rival religious symbols, no expulsions or expropriations, and no attempt to force the inhabitants to embrace Islam. If a respect for the previous occupants of the city is a sign of the integrity of a monotheistic power, Islam began its long tenure in Jerusalem very well indeed

This peaceful approach was on the other hand followed by some arrangement designed to accommodate the needs of the inhabitants of Islamic Jerusalem, determine their rights, and grant them freedom, security and protection. In fact, this inclusive vision was entrenched in 'Umar's Assurance of Safety to the people of Aelia. His Assurance "enshrines the freedom of religion of the "people of the book," including Christians and Jews."⁴

The Assurance articulates, by the same token, the responsibility of Caliph 'Umar, the head of the Muslim state, towards the peoples of Islamic Jerusalem. According to Al-Ṭabarī's version (Al-Ṭabarī 1997: 449) the first few lines of 'Umar's Assurance of Safety reads:

He [ʿUmar] has granted them an assurance of safety *Amān* for their lives and possessions, their churches and crosses; the sick and the healthy (to every one 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 in religion, nor any one of them be maltreated...⁵

⁴ 'Boston University Home Page', Retrieved on 27/08/2006, in <http://www.bu.edu/mzank/Jerusalem/p/period6-3.htm>

⁵ English translation of Al-Ṭabarī's version quoted from: El-Awaisi, Abd Al-Fattah. 2005. Umar's Assurance of Safety Aman to the People of

The above lines reflect the unique system 'Umar established in the region through legitimising the status of non-Muslims in Islamic Jerusalem. They are now considered citizens of the Muslim state under the leadership of 'Umar and they now have *Amān* and entitlement to rights enforced by the head of the Muslim state 'Umar. In fact, 'Umar's Assurance determines the rights of the groups as well as those for individuals, 'to every one without exception', abolishing, therefore, any discrimination against race, ethnicity, gender or religious orientation. It further accentuates the rights of non-Muslims to differ, and yet recognises their difference, 'will not be compelled in religion'. This very recognition of difference, determination of others' rights, privileges and civil liberties are, I would argue, enshrined in the concept of multiculturalism as discussed earlier. In this regard, it could be assumed that 'Umar's vision of Islamic Jerusalem may be derived from the Muslim perspective of the notion of inclusion. Armstrong (2005: 245) argues:

... Muslims had a more inclusive notion of the sacred, however: the coexistence of the three religions of Abraham each occupying its own district and worshipping at its own special shrines, reflected their vision of the continuity and harmony of all rightly guided religion, which could only derive from the one God.

The inhabitants of Islamic Jerusalem had now witnessed something new to what they were accustomed to: a revolutionary system that turned the previous system of Byzantine on its head. In fact, "The first Muslim *Fatih* [*Fath*] liberated the Christians from the persecution of Byzantine occupiers, rid the Jews of Byzantine oppressions, restored their presence to that region after an absence of five hundred years..." (El-Awaisi 2006: 143)

This new situation of non-Muslims in Islamic Jerusalem shows, on the other hand, that 'Umar was a real catalyst for change. He had, in my view, a good management policy of the different religious communities in Islamic Jerusalem, and succeeded in introducing his

policy based on fair ground and ethical code of conduct. His Assurance "served to govern the relations between the Muslims and "the people of the book," such as Jews, Christians, and the like, down to the present day."⁶

Hence, this proper management that introduced an inclusive course of action, hardly experienced or felt in Islamic Jerusalem before the arrival of 'Umar, is what could be argued as a precedent established by 'Umar Ibn Al-Khaṭṭāb and could serve as a model for multiculturalism. 'Umar's precedent could well be understood through investigating the status of Islamic Jerusalem and its different peoples in Islamic Jerusalem before the arrival of 'Umar in 637 CE.

History reveals that the Romans expelled the Jews from Islamic Jerusalem "in 132CE and forbade them to enter the city for five hundred years (with the exception of the Persian rule 614-28) before the Muslim conquest." (Abu-Munshar 2007: 96). This act against the Jews reflects the Roman policy of exclusion that was widespread in the region. History shows, then again, that the Christians of Islamic Jerusalem suffered persecution, and torture just for their religious creed prior to the arrival of Muslims in the region. Tension and intolerance were the basic norm in the region. Abu-Munshar (2006: 82-3) maintains:

In the seventh century, the Emperor Heraclius (610-41 CE) attempted to resolve the schism created by the Monophysites and Chalcedonians in 451 CE and suggested the compromise of Monoenergism...As a result, the Christians in Aelia, who were mainly Monophysite, suffered religious persecution...Christians who opposed the emperor's views suffered persecution and violence... Thus, at the time of the Muslim conquest, the lives of the Christians of Aelia were rent by conflict, dispute and disagreement, accompanied by persecution for those who did not conform to the particular beliefs of the imperial regime at that time.

⁶ 'Boston University Home Page', Retrieved on 27/08/2006, in <http://www.bu.edu/mzank/Jerusalem/p/period6-3.htm>

However, Caliph 'Umar interrupted the above pattern of rule that spread in Islamic Jerusalem before his arrival and managed to apply the ethics of Islamic *Shari'ah* for his *Dhimmi* subjects and their holy places. He was quoted as saying: 'Those who are not educated (disciplined) by the religious law are not educated by God' (Dawood 2005: 425)

On the Jewish settlement in Islamic Jerusalem during the time of 'Umar, Moshe Gil quotes a Jewish chronicle, "a portion of which survived among the documents of the Geniza, supporting the view that it was 'Umar who gave the Jews permission to resettle in Jerusalem and that, in the wake of that decision, seventy Jewish families moved from Tiberias to Jerusalem."⁷ (Gil 1996: 167)

'Umar realised that religion is not simply about experiencing a warm feeling when visiting holy places, nor is it exclusively about building an identity, but rather an ethical dimension, a practical compassion and virtues that should be practised with peoples of different beliefs and backgrounds. Through his Assurance, he encourages unity in diversity in contrast to the unity in conformity promoted by his predecessors in Islamic Jerusalem. "Not only did he recognise and appreciate others' presence in Islamic Jerusalem, he accepted them and offered a framework which demonstrated that it could be shared with them." (El-Awaisi 2006: 136)

'Umar's unprecedented system was not only a relief to the Jews but to Christians as well; "not surprisingly, therefore, Nestorian and Monophysite Christians welcomed the Muslims and found Islam preferable to Byzantium... [Muslims] did not inquire about the profession of faith... nor did they persecute anybody because of his profession, as did the Greeks..." (Armstrong 2005: 232)

⁷ The Cairo Geniza is an accumulation of almost 200,000 Jewish manuscripts that were found in the genizah of the Ben Ezra synagogue (built 882) of Fostat, Egypt (now Old Cairo). See http://en.wikipedia.org/wiki/Cairo_Geniza

'Umar also expressed his veneration of *Dhimmīs*' holy places in different occasions and he earned as such the respect and trust of non-Muslims. History shows that 'Umar refused to pray in "the Church of the Holy Sepulchre or its atrium... he had worries that the Muslims may take the church after his death and might say that 'Umar prayed there.'" (El-Awaisi 2006: 140)

By expressing his veneration to the Christian holy places, 'Umar earned the respect and trust of Sophronious "who entrusted him with the keys of the Holy Sepulchre to secure the latter from Christian-Christian dispute." (ibid:140)

All these historical events confirm that 'Umar's actions were louder than his words. His respectful approach to IslamicJerusalem indicates that he provides the conditions for proximity among different peoples belonging to different beliefs and backgrounds. His policy also suggests a renewal in the dialogue between these different groups through organising and changing the society in such a way that allows peaceful co-existence within the boundaries of IslamicJerusalem. 'Umar, in my opinion, achieved this with all the lucidity and tremendous insight which history associates with his Assurance, *Amān*. His encounter with 'the other' becomes a legal precedent on many of the most important issues of our time. Indeed, "it is the encounter with the 'other' that there may appear the transcendent figure of God." (Harouni 1991: 97)

On this note of encounter, history shows that the first Muslim conquest of IslamicJerusalem did not erase the Christian identity of the region. Peri (1999: 111) comments that:

Although Jerusalem came under Muslim control as early as 638, the city retained its Christian appearance and character for centuries thereafter... the new Muslim masters of the city were careful in their dealings with their Christian subjects and generally abstained from harming them and their religious edifices.... Thus,...four centuries after the Muslim conquest the urban landscape of Jerusalem was still dominated by Christian public and religious buildings.

Jizyah Tax as an example

‘Umar’s Assurance of Safety states that: “The people of Aelia [Islamic Jerusalem] must pay the *Jizyah* tax like Ahl al-Mada’in the people of the (Other) regions/cities.” (Al-Ṭabari 1997: 449). In fact, the subject of *Jizyah* has always been a matter of great controversy among scholars. *Jizyah*, one could argue, is a tax paid by *Dhimmīs* (the People of the Book) to the Muslim state in return for protection and freedom of religion. The complexity of *Jizyah* could well be understood through the term ‘*dhimma* pact’ which sets out the responsibilities and rights of both the Muslim state and its non-Muslim subjects. It also determines the position of *Dhimmīs* as citizens of the Muslim state. Al-Būṭī (1999: 7-8) explains this relationship as follows:

Dhimma pact is no more than *Bay‘ah* [pledge of allegiance] that must be made by all members of the state to the head of the state in obeying the rules of the state... *Dhimmīs*...are considered the People of the Book whose religion does not prevent them to follow the rules of the state and to engage in the protection of its interests. By the same token, having non-Muslim subjects, does not stop the [Muslim] state from giving them [*Dhimmīs*] citizenship rights on equal footing with Muslims... *Jizyah* or *jaḡā’* ...collected by [Muslim] state from them [non-Muslims] is the same *jaḡā’* collected from Muslims in the name of *Zakat* [alms] along with other taxes, [with the difference of] dropping any religious characteristic related to it.⁸

So whatever (religious) taxes apply to Muslim subjects in the Muslim state apply to non-Muslims, the only difference is Muslims pay it out of religious duty and non-Muslims for protection, freedom of religion and citizenship rights; the matter that suggests equality in the enforcement of the law on all subjects of the Muslim state. *Jizyah*, on the other hand, should not be looked at as a burden on non-Muslims under the Muslim state for it (*jizyah*) is governed by rules and regulations that take into consideration the financial and social situation of *Dhimmīs* and the way it should be collected. Accordingly, *Dhimmīs* pay different rates of *jizyah* with

⁸ I translated the original Arabic text into English.

some exemptions. The following account by Ibn Qayyim al-Jawziyyah (2003: 37,43,48) reflect *jizyah* code of practice:

‘It is neither permitted nor allowed to overburden or overcharge *ahl al-jizyah* [those eligible for *jizyah*], with something they can not afford, torturing them for not paying it, jailing or beating them...No *jizyah* is levied on a boy, a woman or a mentally-retarded person. . . no *jizyah* is charged on a poor person who can not afford it. . .no *jizyah* is imposed on the elderly, aged, blind, or a sick person (who can not be cured), even if they were well off.’

This raises an important question: where does *jizyah* fit in the context of the multicultural model initiated by Caliph ‘Umar in Islamicjerusalem? *Jizyah*, I would claim, helped non-Muslims to access their rights under the Muslim state. By paying *jizyah*, *Dhimmīs* knew that they were entitled to different rights and they had become citizens in the Muslim state, as discussed above. This awareness could be argued to have enhanced the status of non-Muslims in Islamicjerusalem under the rule of Caliph ‘Umar. El-Awaisi (2005: 19) suggests that the practice of *jizyah* tax would “encourage the sense of belonging...through being involved in contributing financially to the welfare and development in their region; and ... a means [to] commit them [non-Muslims] to the state. In return, the assurance granted them protection, safety and security...”

In reality, at a time of turmoil and injustice, ‘Umar came to relieve the inhabitants of Islamicjerusalem from their burdens and to foster social inclusion and respect for ethnic, religious and cultural diversity. His Assurance is a call for equal treatment for all people, regardless of their backgrounds with no preferential treatment based on religion or ethnicity. Thus, the indigenous peoples of Islamicjerusalem had, in their turn, gained great support and recognition for their traditional rights through their encounter with ‘Umar, the ‘other’, more than ever before. A contemporary reading of ‘Umar’s Assurance suggests that it “serves as an indirect witness to the capacity for integration that an Islamic society, in practice, offered their non-Muslims soon after the conquests and forever after.” (Noth 2004: 122)

Conclusion

Caliph 'Umar offers a practical model for coming to terms with the social pluralism in Islamic Jerusalem. His model was a much-needed alternative to the traditional monocultural models; the ones that promoted unity in conformity. 'Umar, however, came up with an alternative which is a system based on inclusion of others and state legislation of differences, fulfilling as such the Qur'anic vision of Islamic Jerusalem as *'Lil 'alamīn*'; an open space for everyone.

Furthermore, the proper management of Caliph 'Umar in Islamic Jerusalem introduced an inclusive course of action- hardly experienced or felt in the region before the first Muslim conquest and could be argued as a precedent established by 'Umar Ibn Al-Khaṭṭāb and a model for multiculturalism. His Assurance of Safety to the people of Aelia represents practical law enforcement at the state level- to legitimise the new status of *Dhimmīs* as lawfully protected communities with rights and obligations under the Muslim state.

Once 'Umar achieved this inclusive assertion, he paved the way to peaceful co-existence by allowing the Jews access to Islamic Jerusalem after five hundred years of exclusion. Thus, the region became vibrant and open and a home of diversity under 'Umar's *Amān* system. It is hard to deny 'Umar's efforts in Islamic Jerusalem; he managed, I would claim, to paint a different picture for Islamic Jerusalem making it for everyone *Lil 'alamīn*.

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