# ԵՐԵՎԱՆԻ ՊԵՏԱԿԱՆ ՀԱՄԱԼՍԱՐԱՆ ԱՐԵՎԵԼԱԳԻՏՈՒԹՅԱՆ ՖԱԿՈՒԼՏԵՏ

#### ԱՐԵՎԵԼԱԳԻՏՈՒԹՅԱՆ ՀԱՐՑԵՐ

Նվիրվում է ԵՂՀ արևելագիտության ֆակուլտետի հիմնադրման 50-ամյակին

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# Հրատարակվում է Երևանի պետական համալսարանի արևելագիտության ֆակուլտետի գիտական խորհրդի որոշմամբ

# Խմբագրական խորհուրդ՝

Մելքոնյան Ռուբեն բ.գ.թ., պրոֆեսոր (խմբագիր)

Մելիքյան Գուրգեն բ.գ.թ., պրոֆեսոր

Խառատյան Ալբերտ պ.գ.դ., պրոֆեսոր, ՀՀ ԳԱԱ թղթակից-անդամ

Սաֆրաստյան Ռուբեն պ.գ.դ, պրոֆեսոր, ՀՀ ԳԱԱ ակադեմիկոս

Հովհաննիսյան Լավրենտի բ.գ.դ., պրոֆեսոր, ՀՀ ԳԱԱ թղթ.-անդամ

Հովհաննիսյան Դավիթ բ.գ.թ., պրոֆեսոր

Սաֆարյան Ալեքսանդր պ.գ.թ., պրոֆեսոր

Ոսկանյան Վարդան բ.գ.թ., դոցենտ

Քոչարյան Հայկ պ.գ.թ., դոցենտ

Մարգսյան Լևոն պ.գ.դ., պրոֆեսոր

Կարապետյան Ռուբեն պ.գ.դ.

Տեր-Մաթևոսյան Վահրամ պ.գ.դ.

Գրեկյան Երվանդ պ.գ.դ.

Րեպենկովա Մարիա բ.գ.դ., պրոֆեսոր (Ռուսաստան)

Կուզնեցով Վասիլի պ.գ.թ., դոցենտ (Ռուսաստան)

Էքմեքչյան Լեռնա PhD (ԱՄՆ)

Իլլա Յակուբովիչ բ.գ.դ, պրոֆեսոր (Գերմանիա)

Ահմադջան Ղուրոնբեկով բ.գ.դ., պրոֆեսոր (Ուզբեկստան)

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Hayk Kocharyan<sup>1</sup>

#### ISLAMIC PROTECTION CONTRACTS SYSTEM AND THE ARMENIANS IN EARLY UMMAH

**Keywords:** ummah, dzimmi, ahd, sulh akd, protection contract, Armenian

This study is exploring the first Arab-Armenian contacts and the newly-fledging system of relationships brought about as a result of these contacts in the early Middle Ages,.

Islam came into being and took its shape in 7 century; as a result of activities of Prophet Mohammed and his followers (Caliphs), the religion was spread and adopted among numerous peoples and tribes extending over huge territories. In the period between 7 and 8 centuries, the Armenian highland was one part of the vast Arab Caliphate, while some of the Armenian Principalities periodically were either successful in gaining independence from the Caliphate or brought back into its confines.

One of the most important novelties of the time was the introduction by Islam and its Prophet Mohammed of a new mechanism of organization of society called Ummah, which was an unprecedented phenomenon for Arabia. In other words, the existing model of tribal and kinship organization was contradicted by a new system constructed around the axes of monotheism (Tauhid) according to which the world, instead of former "Banu of these" and "Banu of those" division, now consists of Dar Al-Islam and Dar Al-Harb, Muslims and non-Muslims.

From this point of view, the Arab (Muslim)-Armenian relations personify an interesting experience since the unique societal structure of Armenia (the country was ruled by Principalities and the cavalry of a

<sup>&</sup>lt;sup>1</sup> PhD, Associate Professor, Department of Arabic Studies, Yerevan State University, email: hkocharyan@ysu.am

significant number possessed by them; there were also peasants, namely, rank-and-file people) found its reflection in these relations as well.

Islam worked out a system of contracts (Ahd, Sulh, Akd, Aman) which once being signed between Muslims and non-Muslims would give the latter the opportunity to act in the status of the protected (Ahl Adh-Dhimma) as one part of the Ummah, in the meantime benefiting from and obeying the obligations and responsibilities specified by the status. Dhimmis were paying poll tax (Djiziya) and land tax (Kharadj) in return for acquisition of life and property immunity as well as the right to keep own religion.

First Arab campaign into the Armenian highland and Armenia itself occurred approximately in the year 19 of Hijra (640), starting from the capture of Diarbekir (Amid). This was not the first meeting between the Armenians and Arab troops. During the battle of Kadisia in 637, two Armenian contingents – one headed by Davit Mamikonyan's son Mushegh and the other by Prince Grigor of Syunik – fought Arabs as part of the Persian troops.<sup>2</sup> It is also known that Armenian regiments fought in the ranks of the Byzantine army, more particularly, at the battle of Yarmuk in 636<sup>3</sup>.

Second wave of Arab campaign into Armenia came from Persia around 642-643 when victorious Arab troops spread up to the Caspian Sea. The third campaign took place at the time of Catholicos Yezr. This time Arabs came from Taron, spread along the western and eastern shores of the Lake Van, reached Kogovit through the Gorge of Berkri, entered the Ararat plain after which moved directly toward the capital Dvin.<sup>4</sup> Dvin was captured, plundered and turned into a scene of terrible destruction<sup>5</sup>. Thereafter, Arab campaigns in the direction of Armenia stopped for a while. As a matter of fact, these campaigns were of a reconnaiassance

<sup>5</sup> Ghevond, History, New-Armenian translation, Introduction and notes by A. Ter-Ghevondyan, Yerevan 1982, pp. 23-24.

<sup>&</sup>lt;sup>2</sup> Sebeos, History, New-Armenian translation, Introduction and notes by G.Khachatryan and V.Khazaryan. Yerevan, 2005 p. 203.

<sup>&</sup>lt;sup>3</sup> Bolshakov O., History of Caliphate: the Epoch of Great Invasions (633-656), v. 2, Moscow, 1993, p. 56. (in Russian)

<sup>&</sup>lt;sup>4</sup> Leo, Collection of Works, v. 2, Yerevan 1976, p. 305. (in Armeian).

character with the accompanying objective to make inroads and acquire booty.

In the first half of VII century serious processes were parallelly taking place in Armenia; Teodoros from the family of Rshtuni stood out due to his organization and leadership talent, assuming the position of Sparapet (Commander-in-chief of the Armenian army). Armenian troops registered their first success against Arabs in 651 when the latter entered the Armenian highland yet another time. However, two years later, around 653-654 Arabs came back; this time, however, instead of just few troops making inroads (Ghazu) on the territories neighboring the Caliphate, Arabs were organized into quite a large and well-trained army which arrived for the purpose of extending (Futuh) the confines of the Caliphate.

The Arab campaign was headed by a commander called Habib Ibn Maslama (617-662/671) who was to invade Armenia and the entire territory which is now called South Caucasus. At the initial stage, Habib Ibn Maslama subjugated Qaliqala (Karin) then he moved toward Khlat the Armenian governor of which showed up before Ibn Maslama with a document given by a Muslim according to which security (Aman) had been granted to him in return for paying poll tax. This picture can be seen in the course of Ibn Maslama's whole campaign, when Armenian governors would appear before the Arab commander with an "Aman" or surrender to him obtaining it personally from him. In 652-654 the Arab army headed by Maslama reaches Dvin (Dabil) and lays siege to it. His troops were armed with babas (stone throwing machines) which were critical in making Dvin defenders surrender.

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<sup>&</sup>lt;sup>6</sup> Leo, Collection of Works, p. 309.

<sup>&</sup>lt;sup>7</sup> Armenians and Arabs (Muslims) signed such contracts still during their first contacts. Different sources, mainly Armenian though, mention that the Armenian Patriarch of Jerusalem received the first contract of this kind personally from Prophet Mohammed. For more information on the issue see H.Papazyan, Persian Manifestos of Matenadaran, Yerevan, as well as G. Mkrtumyan, On the Issue of Permits Attributed to Prophet Muhammad // Issues of Oriental Studies, v. 4, Yerevan 2001.

According to Balazur, after having captured Dvin, Habib Ibn Maslama granted an "Aman" to the population of the town with the following content:

"In sake of the merciful and compassionate God, this is the script that Habib, son of Mesleme granted to the Christians, fire worshippers [Zoroastrians-H.K.] and Jews of Dabil both present and absent. I have granted you the security of your persons, wealth, churches, temples, and the walls of your town; and you are protected, and we shall keep this alliance unbreakable as long as you are loyal and pay the poll and land taxes.

The God is witness and his witnessing is enough.

Habib, son of Maslama, has signed this alliance with his own hand."8

It is noticeable from the agreement that the invaded population has to pay a poll tax (Djiziya); however, according to the VIII century Armenian chronicler Ghevond, in this period and up to the establishment of the Abbaside rule in 750, the Djiziya in Armenia was levied not on a per capita but per household (chimney) basis. This situation can be characterized as an incomplete organization of the new tax system implemented on the basis of local peculiarities, as the Armenian highland was one of the first areas included in the expanding system of the Caliphate outside Arabia. According to Tabari, Habib Ibn Maslama granted an "Aman" to the population of Tiflis (Tbilisi) as well, appointing one Dinar Djiziya for each member of the household. 10

There were cases in Arab-Armenian relations when Armenians themselves came forward with the initiative of signing a contract because of the new political realities they had to face. Catholicos Sahak's letter to the viceroy of Arminia Muhammad Ibn Mrwan (693-709) is an example of this. When the feudal families learned about Muhammad Ibn Mrwan's

<sup>&</sup>lt;sup>8</sup> A.Ter-Ghevondyan, The Land-owning Rights of the Armenian Feuadals in VII-IX centuries according to the Caliphate agreements. In Collection of Articles. Yerevan 2003, p. 295; Leo, Collection of Works, pp. 309-310.

<sup>&</sup>lt;sup>9</sup> Ghevond, History, p. 105.

<sup>&</sup>lt;sup>10</sup> تاريخ الأمم والملوك لأبو جعفر محمد بن جرير الطبري , بيروت,1387/1967, مجلد 4, صُ 162

intentions to collect an army and make a campaign to Armenia, they authorized Catholicos Sahak to negotiate with him; however the Catolicos died halfway leaving a letter for Ibn Mrwan which by its nature was an Aman later accepted by the Arab viceroy. Acception of the Aman meant granting a status of Dzimmi.

In the period at issue the Islamic Law system was in the process of formation and in spite of this, there was an established principle according to which Dzimmis (Ahl Al-Dzimma) did not have the right to serve in the Caliph army or possess their own armed military units.

In this regard, another interesting example is the contract signed between Armenia and Caliphate. According to Sebeos, that contract had the following content:

"Let this alliance of peace between me [Arab general-H.K] and you [Armenians-H.K] last for as many years as you wish. You will not be required to pay taxes for some three years. Then you will pay taxes under oath as much as you wish. Keep a cavalry of 15 thousand and feed it on the resources of your country; I will consider it to be a royal tax. I will not send the cavalry to Assyria; but it should be ready to carry out tasks at any other place I will order. I will not send either Amiras, or multiple cavalry, or even a single mounted Muslim warrior to fortresses. No enemy will enter Armenia; and if Rome attacks you, I will send you auxiliary troops as many as you wish. I swear by the God that I am not lying." 12

The content of this contract shows that we are dealing with the Aman type contract, however the confusing moment is produced by the willingness of Arabs to allow the Armenians to keep their cavalry as well as indefinite formulations with regard to the collection of taxes.

A.Ter-Ghevondyan, who had a great contribution to the study of Arab sources, especially those related to Armenia, on the basis of his examination of Armenia-related data, came to a conclusion that during VII-

<sup>11</sup> Ghevond, History, pp. 35-36.

<sup>&</sup>lt;sup>12</sup> Sebeos, History, p. 263.

IX centuries Armenia did not stop being an independent (unique?) administrative unit being governed by Armenian governors called "Armenian prince." Governance of Armenia in this way, i.e. by leadership of the Armenian prince and through the feudal families, was obviously beneficial for the Caliphate (except for the periods of uprising), as Armenia would mainly provide the security of its (hence the Caliphate's) frontiers on its own resources. The small yearly donation of 100 thousand silver coins to the Armenian cavalry bespeaks of its symbolic nature. 14

It can be assumed that the Caliphate made a right evaluation of the situation and, because the system of governance through principalities and feuadal families was quite institutionalized in Armenia, an attempt was made to preserve the status quo placing it within the frames of a system known to the Caliphate. Moreover, Armenian prince Teodoros Rshtuni was invited to Damascus and given "golden attires" and a "golden flag" from the governor Muawia, something that reminds of the external features of an independent monarchy.

Ghevond mentions in his work that the Armenian prince and feudals were enjoying privileges unusual for ordinary Dhimmis. More specifically, Ghevond mentions that the governor of Arminia Mrwan Ibn Muhammad organized a campaign to the land of Huns with participation of Armenian feudals headed by Armenian prince Ashot Bagratuni, the campaign resulting in wide success and troops returning with rich booty. According to the established order, Mrwan Ibn Muhammad distributed the booty among his troops, after sending one-fifth of it to the Caliph; the Arab governor gave a share of the booty to the Armenian prince and feudals as well.<sup>16</sup>

Another issue related to the status of Dzimmi refers to the tax policy conducted in regard to Armenians and Arminia in general. Examination of the existing data makes it possible to conclude that in the period between

<sup>&</sup>lt;sup>13</sup> A.Ter-Ghevondyan, "The Armenian Prince" in the Period of the Arab Rule // Collection of Articles. Yerevan, 2003, pp. 92-105.

<sup>&</sup>lt;sup>14</sup> Ghevond, History, p. 95, and note 98, p. 157.

<sup>&</sup>lt;sup>15</sup> Sebeos, History, p. 275. A.Ter-Ghevondyan mentions that it was received from the Caliph which is not so unambiguously clear from the text of the source. See A.Ter-Ghevondyan, Emergence of the Title of the Armenian Prince and the Armenian State in VII century // Collection of articles, Yerevan 2003, p. 194.

<sup>&</sup>lt;sup>16</sup> Ghevond, History, p. 96.

the second half of 7 and first half of 8 centuries, the tax policy of the Caliphate differed from the same policy in other parts of the empire. In the preceding text we have already mentioned about the perception of the poll tax (Djiziya) as a household one.

Stepanos Asoghik mentions that during the governance of Muawia (661-680) Armenia was paying 500 golden coins each year. 17 Insignificance of the amount paid bespeaks of its symbolic nature. For sake of comparison it is noteworthy that in a later period Arminia province along with Georgia and Albania was paying 13 million Dirhems only in money. The tax also included carpets, jewelry, spices, fish and other items. 18 These data themselves show that symbolic collection of taxes in Armenia during the early Arab rule was a sign of Armenia's independence.

To conclude,

- Contracts between Armenians and Arabs were being signed at the initiative of both sides.
- Taxes specified by the contracts were of symbolic nature, and Djiziya was levied from households instead of individuals.
- According to the Islamic law, Armenians were considered Dzimmis. In spite of that, feudal families were enjoying the right of keeping their cavalries; moreover, they were participating in the military operations of the Caliphate and getting their share of booty. Preservation of the institute of the "Armenian prince" in the governance system of the Caliphate was an exceptional phenomenon in its history.

Based on the generalizations mentioned above, an inference can be made that Armenians were the full-fledged members of Umma. This was backed up by various contracts (mainly Aman and Sulh) providing their status of the protected (Dzimmi), notwithstanding the fact that activities of

<sup>&</sup>lt;sup>17</sup> Stepanos Taronetsi Asoghik, Universal History. Translation, introduction, and notes by V.H. Vardanyan, Yerevan 2000, p. 172. (in Armenian)

<sup>&</sup>lt;sup>18</sup> This information is contained in Ibn Khaldun's Mukkadima which was referred to by H. Nalbandyan. See H. Nalbandyan, The Tax Policy of Arabs in Armenia, GI "Bulletin," № 2, 1954, pp. 73-84. (in Armenian)

Armenians were de facto in contradiction with established traditional understanding of rights and obligations of Dhimmis.

#### ՀՈՎԱՆԱՎՈՐՈԻԹՅԱՆ ՊԱՅՄԱՆԱԳՐԵՐԻ ԻՍԼԱՄԱԿԱՆ ՀԱՄԱԿԱՐԳԸ ԵՎ ՀԱՅԵՐԸ ՎԱՂ ՈԻՄՄԱՅՈՒՄ

#### Հայկ Քոչարյան (Ամփոփում)

Սույն հետազոտությունը նվիրված է վաղ միջնադարում 7-րդ դարի երկրորդ կեսից 8-րդ դարի առաջին կեսն ընկած ժամանակահատվածում հայ-արաբական փոխառնչությունների նոր կազմավորդող համակարգի ուսումնասիրությանը։

Հայերի և Արաբների միջև կնքված պայմանագրերի (աման սույի, ակդ) ուսումնասիրությունը ցույց է տալիս, որ այդ բնույթի պայմանգրերից, որոնք կնքվում էին խալիֆալության այլ հպատակների հետ, տարբերվում մուսուլման նրանցում են ամրագրաված հողահարկի (խառաջ) և գլխավարկի (ջիզիա) չափով։ Վերջինս գանձնվում է ոչ թե շնչից, այմ ծխից, ինչը եզակի երևույթ էր այդ ժամանակաշրջանի համար։ Մյուս կարևոր հանգամանքը այն է, որ լինելով զիմմիներ, հայ իշխաները իրավունք էին ստանում պահպանել իրենց կայագորը և զգալի քանակությամբ գորք։ Նրանք անգամ մասնակցում էին խալիֆաների վարած պատերազմներին և ստանում էին ավարի իրենց մասնաբաժինը։ Այս իրավիճակը կարելի է բնութագրել որպես խալիֆալության սոցիալական համակարգում էլիտայի (խասսա) և հասարակ արկա ժողովրդի (ឃវ័ឃ) հարաբերությունների արտագոլումն Արմինիայի իրականության վրա: Մեկ այլ կարևոր հանգամանք է խալիֆայության համարկարգում "Հայոց իշխանի" ինստիտուտի պահպանումը։

Հետազոտությունը հնարավորություն է տալիս եզրակացնլ, որ հայերը եղել են ումմայի լիիրավ անդամներ, ինչն ապահովվել է՝ տարբեր պայմանագրերով (հիմնականում աման – սուլի) նրանց հովանավորյալ (զիմմիի) կարգավիճակը, չնայած որ նրանց գործունեությունը դե ֆակտո հակասել է իսլամում զիմմիների համար ամրագրված ավանդական պատկերացումներին։