

**“Al Magmou Al-Safawy**

**Le Ibn Al-Assal”**

The Collection Of Safey Ibn Al-Assal  
(Safey The Son Of The Honey Meaker)  
A Collection Of Church And Civil Laws

**Based on The Norms and Traditions of  
the Coptic Orthodox Church**

**From 13th Century A.D.**



**Published Originally In Arabic  
In Cairo, Egypt; 1245 A.D.**

This Translation is Based on Arabic Text Published by Hegomen Philothaos Awad;  
Coptic Orthodox Patriarchate, 1886 A.D.

**(Preliminary Translation)**

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**Disclaimer: The Coptic Orthodox Church Does Not Endorse Some Statements in Awlaad Al-Assal because of obsolete practices and/or inaccurate even wrong references to Official Church Laws. However, the Arabic Text Is a Historic Document and is Referenced in Teaching Church Laws.**

©1996; Copyright Translation; Dr. William A. Hanna; St. Mary & St. Abraam Coptic Orthodox Church; 1843 Ross Ave.; St. Louis, Missouri 63146, USA. Translation of The Collection of Safey Ibn Al-Assal. Important Collection of Writings on Church & Civil Laws by Awlaad Al-Assal (Sons of the Honey Maker). Coptic Christians Lived in Cairo, Egypt in the 13th Century A.D.

Pages From Church History

Awlaad Al-Assal (1200 AD)

A Preliminary Translation

**Dedication:**

**To His Holiness The Teacher Pope:  
Pope Shenouda III  
117th Pope Of Alexandria And  
Patriarch Of The See Of St. Mark  
The 116th Successor Of St. Mark The Evangelist**

by

Dr. William A. Hanna

St. Mary & St. Abraam Coptic Orthodox Church

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DISCLAIMER: The translation below reflects many of the cultural norms and traditions of the Copts at the beginning of the second millennium AD. These traditions are reflections of the Coptic society at that pivotal time, 500 years after the Islamic conquest of Egypt. Many of these customs and traditions have been long-forgotten, and even explicitly denounced by the Coptic Church. Nevertheless, the preservation and study of such writings is very beneficial in understanding this important stage of the Copts' history, during which the Egyptian population was on its way to becoming predominantly Moslem. We invite you to read and enjoy this text, but we would like to make it clear that these writings are not, and should not be interpreted as representative of the canons or laws of the Coptic Church, and they do not portray in any way today's Egyptian society in general, or the today's Coptic society in particular.

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Translator's Notes:

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(1) Paragraph Numbering is as in the Arabic Original. To the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasize. Also, repetition is caused by multiple sources of same cannon (law).

(2) Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D (The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work

(3) Many of the laws and practices mentioned in the writings below are not applicable to our society; the translation effort is to translate what was written without modification. The first publisher, Hegomen Philothaos Awad has footnotes concerning traditions/practices that were no longer valid in the late 1800. Let alone 100 years after his time.

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### Translator's Preface:

When I was growing up, my mother, may her soul repose in peace, gave me allowance +. The plus portion was for books. After I moved to the USA in 1969, she kept me supplied with books, mostly religion books. The Latest book is titled "Magmuu Al-Safawy Le-Ibn Al-Assal" (Translated: The Safawy Collection of the Writings of the Son of the Honey Maker) Awlaad Al-Assal are three or four generations of a wealthy Coptic Family that lived in the 13th Century, during the rule of Ayoubite Family-descendants of Salah El-Deen Al-Ayouby. They did their writings during the times of Pope Yoannis VI (74 pope), Pope Kyrillos (Cyril) III (Known as Ibn-Luqluque, 75th Pope of Alexandria), and Pope Athanasious III (75 pope). The patriarch (father) of this family is Youhana Al-Katib Al-Massry (John the Egyptian Writer), he begat Girgis (George), Girgis begat Ibrahim, Ibrahim begat Ishak (Isaac). Ishak begat Assad and Amgaad. Al-Safawy Ibn Al-Assal must be the last in this family to write and edit, this book is a collection of the writings of his family. They were all surnamed Ibn Al-Assal. Awlaad Al-Assal were either independently wealthy (did not have to work) or highly connected, because of superior talents, to the ruling class (worked for the government of their time in high positions). They were lay scientists, writers, philosophers. They learned Arabic very well when Copts were transitioning from the use of Coptic to the use of Arabic by decree. They also were well versed in Coptic, Greek, and Aramaic (some question their knowledge of Aramaic). They translated a large body of Church books into Arabic including the Holy Bible. They even had a hand writing method for both Arabic and Coptic named after them (Khaat Ibn Al-Assal). The book I have is a Xerox copy of a 1908 reprint of an 1886 edition of their book "Magmuu Al-Safawy Le-Ibn Al-Assal." The 1886 edition was prepared by the Hegomen Philothaous Awad. The 1908 reprint was by his son Girgis Philothaous Awad. This book is divided into 51 Chapters, Covering: Cannons (Laws) attributed to the councils of the Church: Jerusalem, Nicea, Constantinople, Ephesus and others attributed to Orthodox fathers and local councils up to the time of Pope Kyrillos III, Ibn Luqluque. It is extremely valuable for any one who wants to understand where Church Laws came from and how they evolved. They also have a commentary about the authenticity of some Laws. The topics in this book are wide varying laws concerning: Church Building and Contents, Church Books, Baptism, Popes/Patriarchs, Bishops, Priests, Deacons, Sub-deacons, Priesthood in general, Monks, Virgins, Celibates, Laymen, Liturgy, Offerings, Communion, Prayer, Fasting, Alms (Giving), Church Property, The First Born, First Fruits, Tithing, Trusts, The Lords Day, Saturday, Feasts, Pilgrims, Martyrs, Confessors, Heretics, Concerning the Sick and the Departed, Food, Dress, Home, Profession, Engagement, Marriage, Relatives Marriage Allowances and Limits, Widows, Widowed, Inheritance, Gifts, Marriage after the first Marriage, Marriage to an un-believer, Divorce (Very Strict) Laws, Lending, Borrowing, Investing, Keep Sakes, Election, Recommendation, Joint Ownership, Anger, Rental, Mortgage, Streets, Drives, Courts, Joint Utilities, Inheritance, Rulers, Kings, Courts, Crimes and Punishments, Stealing, Drinking, Witch Craft, .... etc. The last Chapter is dedicated to the Canons of Ibn Luqluque, since he wrote an unusually large number of Laws. Awlaad AL-Assal also translated the entire Bible into Arabic from its original languages. Nobody seems to have a copy of that translation (it is lost) but some more recent translations reference it. Among their other works are writings on natural languages, philosophy, physical sciences, chemistry and biology. Give your Kids Allowance+. Encourage them to read.

William A. Hanna  
St. Louis, Missouri, USA  
November 14, 1996  
25th Anniversary For HH Pope Shenouda III

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## Chapter 1 Concerning Church Building and Related Objects

(Preliminary Translation)

The Church is the house of prayer (worship). No Church is to be built without the permission of the bishop. If one dares to do that (build without permission) no offerings shall be made in it forever and if a priest dares to make offerings in it he shall be cut off.

The way to build a Church and its requirements are detailed in the tenth and thirty fifth chapters of the Descolia. It should be lighted with many lights like heaven especially during the reading the chapters from the holy books. It should be very bright with candles and oil lamps and let the bishop consecrate the altars and there should be with him at the time of consecration seven priests and he shall anoint it with myroon oil which is the ointment of joy because it is the seal of the Lord so that it becomes a worthy place to offer liturgy in it. The first reading on the altar shall be from the Gospel of John the divine and liturgy (communion) service is made when the priests are gathered with their leader (the bishop) and all the deacons and it should be done with respect and joy. If the altar is broken or moved, it shall be consecrated again because the moving of an altar from one location to another is like the moving of the rock (tabernacle) of the Israelites from one location to another in the wilderness. The dust of the altar which is swept shall be thrown in a water way that has a current. And all the belongings of the Church and its vessels of gold or silver shall not be used in any house, it is forbidden because it is against the commandments, and if anyone does such thing, he should be exiled from the Church after being punished. If those outside the faith over power the believers and prevent them from entering the Church, the bishop can use his residence for the offerings (liturgy). And if it was not possible to do that, let everyone sing the hymnals, do the readings, and pray alone. No one shall offer qurbaan (perform liturgy) in the house of the bishop or any of the believers if the place does not have a consecrated Church (altar), and if one defies the Church and performs in his home Church services not permitted in a home shall be anathema. No one shall sit in the altar (room) for anything other than prayer and to bow in front of the altar.. It is not permitted for any of the believers to receive communion from the altar if he was not a priest. It is not permitted to make social gatherings or meetings in the Churches or altars of God (this is specifically for the sanctuary and not applicable to attached social halls). Do not belittle or shame the Church of God by having food and drink in the Church embarrassing those who can not afford to pay by having some hungry and others drunk. It is not legal for women to enter the altar room even if it was to pray. It is not allowed for merchants or money changers to buy or sell inside the Church. The doors of the Church have to be guarded lest an unbeliever or a believer who is prevented enter and (try to) share in the mysteries (communion).

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D. (The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

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## Chapter 2

### The Holy Books We are Commanded to Accept in the Holy Church

(Preliminary Translation)

(Old Testament Books ‘Kutoob Al-Atiqua’): Torah (Books of Moses) Five Chapters (Books), Joshua Ibn Noon (one book), Judges (one book), Ruth (one book), Judite (one book), Kings (two books Kings I, II one book, Kings III, IV one book), Chronicles of the Days (two books, ‘debry Ayameen’?), Ezra (two books, Ezra and Nehamia), Ester (one book), Job (one book), Psalms of David (one book), The Wisdom of Solomon (five books: Proverbs, ‘Quhalet’?, Song of Songs, Wisdom, the Wisdom of Boaz?).

(The Books of the Prophets): sixteen books. The four major are: Isiah, Armeiah, Ezekiel, and Daniel. The twelve minor prophets are: Hosa, Youeel, Amos, Obedia, Jonah ‘Younaan’, Mica, Nahoum, Abaouque, Saphnia, Hagi, Zakariah, and Malackhi.

(Additionally): The Wisdom of Joshua Ibn Sirakh for children education, and the book of Joseph Ibn Karboon that is the book of Maccabeans.

(New Testament Books): The Holy Gospel which is authored by the four evangelist: Matthew, Mark, Luke, and John. Epraxis (The Book of Acts) one book, The Catholoquoon (Catholic Epistles) seven epistles: Peter (2), John (3), Yacoub (James) one epistle, Jude (one epistle). The books of Paul the Apostle, fourteen epistles, and the Book of Apoghalamsys (Apocalypse, the Book of Revelation) of St. John the Evangelist. And these are the commandments that we command you, any man who refer to the books written by the infidels and brings it to the Church claiming that they are the books of the holy to lead the people into rotten repute shall be exiled.

[Translator Footnote: Please note that he refers to the five books of Moses ‘Pentateuch’ as one unit. He refers to five books of Solomon, we only use three. He categorizes the prophets of the old testament major and minor exactly as we do today. The Holy Gospel is considered one unit with four authors, very advanced thinking. Catholic epistles are referred to as one unit. Then he numbers the epistles of Paul the Apostle fourteen exactly as we have them today, but he does not name them individually! I also was surprised he does not list: Epsalmodi, Agpeya, Katomares(es), Synxarium, Liturgy, The Offices or Rituals. . . etc. A researcher can look into it! Finally, he warns against the books of the heretics which were known even before his time; e.g. the “Gospel” of Barnaba?]

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D.(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

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### Chapter 3 Concerning Baptism and those who Enter the Faith

(Preliminary Translation)

Baptism is a duty (requirement) for men and women (the human race) young and old because of our Lord, Glory be to Him, said: “One that is not born of water and the Spirit can not inherit the Kingdom of God.” (John 3:4-5). He also said to his disciples: “Go ye and preach the whole wide world, and baptize them in the name of the Father and the Son and the Holy Spirit. Whosoever believes and is baptized is saved and whosoever does not believe is condemned.” (Matt 28:19, Mark 16:15, John 3:22, 4:1)

The laws concerning baptism (Descolia 21) is that: no one performs baptism except for the bishop or priest. The deacons serve with them. No one is to perform baptism for a bribe and not to sell the gift of the Holy Spirit (Descolia 20). Women do not perform baptism (Apostles 44). and anyone who receives the baptism of the heretics is not considered a believer. (Descolia 34, Nicea 24). Men should not receive women who come out of the baptizmry, and same for women do not receive men who come out of the baptizmry. But men receive men and women receive women. Baptism should be in a flowing water (like a river ) or water which runs into a baptizmry, but if this is not possible the water can be poured into the baptizmry. (Desolia 34) and the person is immersed in the water so that he shares in the death of Christ and his coming out of the water is a symbol of our rising up with Him also. If there was not enough water to immerse the person (that would be very extreme situation) there should be at least enough water to fill the palm of the hand three times to be poured on his head on three installments in the name of the Trinity (St. Gregory) One who can receive baptism today should not wait till tomorrow and should not wait for the arrival of parents or friends and should not wait for cloths to show off in and should not wait for a highly regarded metropolitan, bishop or priest because the power of baptism is the same regardless. But it is required that the priest not be a stranger or one that has a know bad reputation. The rich should not refuse to accept a poor person to be baptized with him and the master should not refuse the slave with him also. (Apostles 34). You should baptize the children first after you take off their cloths. If they can speak for themselves let them, otherwise let their parents or others from their clan speak for them (Eshpeen). Then you baptize the adults starting with the males then the females. hey should release their hair and remove their jewelry. and no one should enter the water (of baptism) with a strange object on him. Those who are to receive baptism should bathe on Thursday, fast on Friday (as expected) and receive baptism on Saturday. If a woman has an issue of blood (menstrual period) she should wait until she is clean. On Saturday the bishop gathers those who are to be baptized and ask them to face the east and bow their heads and he puts his hand on them and starts to pray. And when he finish administering the oath he blows (breathes) on their faces and makes the sign of the cross on their organs and they should be awake during the reading of the holy words and the prayers. At the crow of the cock (sunrise) he prays on the oil which is for the oath (Ghalioon) and he gives it to a priest and he stands to his left and he gives the oil of anointing which is the oil of thanksgiving (myroon) to another priest and he stands on his right side. The person should turn his face to the west and renounce the devil and a priest holds his right hand and turns his face to the east and asks him to confess that he believes in the Father and the Son and the Holy Spirit and then he can be immersed in the water of baptism (and afterwards receive the anointing of myroon) and can approach (for communions). They should not eat before receiving the sacraments and also those who fasted with them can eat what they desire after the liturgy. Those who are baptized (that day) receive communion ahead of the rest of the congregation. A pregnant woman is not prevented from receiving baptism and there is no communion between the mother and the unborn in baptism (meaning the unborn still needs to be baptized after birth) because every person has to give his oath separately. The bishop anoints the head of the (baptized) woman and the deaconess completes anoint her (with myroon) because it is not legal for men to see women (private parts).

It is established in the Coptic (Christian) Church a book especially for the performance of baptism as part of the commandments (laws) of the Church which contains the procedure for performing baptism and all the special prayers required and it is required to follow it and take great care in doing it.

And when one is ready for baptism, he should examine his own repute . And if he completed every good thing he was commanded to do when he was being preached to. And when those who are in attendance give witness

to this fact, they can start to attend the complete service and hear the Gospel and when they approach the bishop asks each to swear that he is clean and if one is not he should be separated to the side because he did not listen to the words (of preaching) with honesty.

[Translator Footnote: Although it is not made clear, they used Ghalioon Oil before baptism and Myroon after the baptism, the sacrament of anointing with holy oil, the affixing in the Holy Spirit. They also renounced Satan to the west and confessed the Orthodox faith by reciting the (Nicean) Creed to the east which shows how the sacraments were practiced the same way it is practiced today. Note the emphasis placed on immersion, and three times in the name of the Holy Trinity]

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

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## Chapter 4 Concerning Patriarchs

(Preliminary Translation)

[Translation Note: The original publisher, and this translator are honestly presenting material as is. In this chapter there are major errors including but not limited to the statement that there should only be four patriarchs for the entire world, and the supremacy of Peter which is a heresy and leads to the supremacy of Rome! The Coptic Orthodox Church, to my knowledge, does not accept either concept. This is a topic for study: Did the original document contain these errors or did a forgery get committed between the time the book was published and the time it was discovered?]

1. Most of what binds bishops (required of them) binds the patriarch. He is called in the laws: The Great Bishop, the First, the Arch-bishop (Head of the Bishops), it is two categories: passed over (traditional) and logical (what the mind dictates).

### 2. First: Traditional Requirements:

The patriarchs are the representatives (‘Kholaphaa’) of Christ and His disciples on earth who told His disciples: “If anyone accepts you, he accepted me ...” The patriarchs position of headship on the Christians is the same as that of Moses in his headship over the Israelites.

3. The Holy Council in Nicea (Nicea 37) ordained that the patriarchs in the whole world are four and no more, like the Gospels having four books, and the rivers of paradise are four, the winds are four, and the elements of the universe are four, and the head and the one to lead is the one on the chair of Peter in Rome. After him the one on the chair of the great city Alexandria which is the chair of St. Mark. The third one is the one on the chair of Ephesus which is the chair of John the speaker of divine things and the fourth is the one on the chair of Antioch which is also the chair of Peter.

[This paragraph is completely not acceptable by the Coptic Orthodox Church. The translation task is difficult because one has to honestly and truthfully translate what one reads. The question is: Did Awlaad Al-Assal believe that or were their writings altered? An important question for scholars to investigate. The reader can see how honest the publisher of the manuscript in 1886 A.D. was. He left everything as is which is a major historic responsibility. Our Church also does not agree that the number of Patriarchs is limited to four. There certainly is more than four patriarchs for the traditional Churches today. Also, many argue that the one that established Christianity in Rome was St. Paul and not Peter who came in after it was already established on the hands of St. Paul, the Apostle of the Gentiles. How about the chairs in Jerusalem, Constantinople, .. etc.]

All the bishops (and episcopates) should be organized on the hands of those four patriarchs. And the bishops of smaller cities (episcopates) are organized under the authority those of the major cities and are called metropolitans. Each metropolitan can ordain bishops for his region. And the bishops under him do not give him his rank because he is higher rank than they are. Every man should stay within the limits of his rank and do not exceed it to the rank of those who are higher than he. Anyone who disobeys these rules is subject to being anathemized by the synod (congregation of bishops). If the chair of the patriarch of Ephesus is moved to the city of the king (Constantinople) it is to give honor to both the king and the priesthood. However, the bishop of Ephesus should be honored and not slighted because the patriarchate was moved out. He should be honored with a big name, namely Catholicos. Also, should be honored the one on the chair of Tesselonia because that is the way it should be. The bishop of Jerusalem should not be under the authority of any other bishop, but he should be honored and respected because he is on the holy city and in his hand is the cross of our master Jesus Christ and the place of His resurrection. Also, should be honored the one on the chair of Sallaque? which is in the countries of the east (Persia/Iraq) which is ‘Madaain’. He should be honored now by being given the title of Catholicos and has the authority to ordain metropolitans as the patriarchs do. This is to save those of the east from having to go to the patriarch of Antioch for their needs (related to ordinations), because the patriarch of Antioch accepted this and is not disappointed by not having to rule over the people of the east after the people of the east requested this

arrangement. Because he does not see in this ruling anything other than bringing comfort to the Christians of the land of Persia. If any issue is brought up in front of the patriarch of the ‘Raum’ (Byzantine) and the Cathoilcos of the of this region, I mean ‘Sallaque’ which is today’s Baghdad, which was at first called ‘Saboor’ which is ‘Madaain’, was present, he should be honored and respected more than all the metropolitans of the Raum because he is in the rank of that of patriarch of the east. And he sits in the seventh rank after the bishop of Jerusalem. Anyone who violates this rule should be anathemized by the synod. And it is not permitted for the great synod to meet in the land of Persia lest they make rules without the permission of the patriarch of Antioch. Because, although their leader is treated like a patriarch because of their request for better treatment by the chair of Antioch, they still under the authority of the leaders the patriarchs. The Ethiopians are not to have a patriarch from their scientists or by their own choice alone because their patriarch should be under the hand (authority) of the one on the chair of Alexandria. He is the one to appoint for them a Catholicos which is a rank below that of the patriarch and appointed by him. And when the patriarch appoints a Catholicos for them, the cathoilcos is not permitted to ordain metropolitans, because the cathoilcos is honored in the name of the patriarch without having the authority of a patriarch. If a matter is presented and a meeting is held in the land of the Raum, and the cathoilcos of Ethiopia was present, he sits in the eighths Church following that of the cathoilcos of the east, the seat of ‘Sallaque’ which is ‘Madaan’, I mean Babylon, Iraq, and the kingdom of Saboor. Because the later was permitted to ordain bishops in his region and no bishop of another region was given authority to ordain him.

[This again is wrong, because the council of Nicea did not have any knowledge of Ethiopia which did not have a bishop at the council and did not have a bishop until St. Athanasios ordained Fromentios for them after the council of Nicea]

The patriarch looks into every effort that the metropolitans and bishops are charged with in the cities that they are charged with. If he sees anything that needs to be changed, he changes it or order it be changed and he is their father and they are his children. The metropolitan is to be obeyed and respected by the bishops because he is like the older brother who puts his brothers ahead of himself and they obey him for his good policies and ability to coordinate (manage). The patriarch is like a father in his authority over his household. [The following two sentences are not acceptable because of reasons given in previous footnote]

*As the patriarch has authority over those under his hand, the one on the chair of Rome has authority over all the patriarchs because he is first like Pete and he has authority over all the heads of the Christians and their flocks because he is the representative of Christ to the people and the Churches.*

*[this falls under the supremacy of Peter which is a heresy propagated by the Roman Catholic Church]*

The bishops of a region should meet with their metropolitan at least two times a year to look into what needs to be examined so they can stand in the day that is feared (in the judgment day) with a strong argument for what they accomplished. Also, the bishops and metropolitans should meet with their patriarch at least once every year to do likewise and as the seventy judges of Israel presented their cases to Moses. A patriarch ordination requires the presence of the congregation of bishops and metropolitans and if there was an argument about him (his selection) they should rely on the opinion of a majority of them and a majority of those on whom he will rule (meaning the body of believers).

12. There should be an annual financial amount required from each city, or town large or small to be paid to the patriarch as ‘barakah’ blessing as they can afford to help him care for his affairs (meaning the works of the patriarchate) without the threat of anathema (for those who can not pay).

13. The metropolitan and his bishops is not to rule in any misconduct case concerning one the bishops under his hand without the knowledge of the patriarch and his approval.

14. It is not permissible to approve of a complaint of one of the metropolitans against his patriarch without the knowledge and examination of the matter in dispute by another of the patriarch brothers the patriarchs.

15. It is not for any of the patriarchs or metropolitans or bishops to untie what another of the same rank tied unless after his death. But, the patriarch after examining the situation can untie all that those (below him) tied because he is in the position of the master of the house on them and on all (the congregation).

16. If the metropolitan ordains a bishop, he should send with him ‘Khoury Episcopose’ (this does not sound right, he means other bishops?) to take him into his city and sit him on his throne on the first day of his entering the city of his chair. After three months, the metropolitan goes to visit him and he asks the highest ranking clergy in attendance with him to read the rules and duties of the bishop to him and he was found to be able to keep it completely he encourages him and declares him fit to carry the responsibility of the episcopate. The same should be done for the metropolitans by their patriarchs and woe to those who do not follow these rules, their synod should anathemize them.

17. It is not permissible for a bishop under the rule of a metropolitan to get the permission of the patriarch in any matter without the knowledge and approval of his metropolitan. No metropolitan or bishop is permitted to see the king without the permission of the patriarch. Any one who violates these rules is anathemized by the synod.

18. The bishops of a region should find out who is the first among them and should not do anything large or small without asking his opinion and he should not act in major issues without asking their opinion and it becomes an agreed to decision (consensus).

**(Second: Logical Conditions):**

19. The patriarchate is a Christian representation (‘Khelafah Maseehiah’) on earth to guard the religion (faith) and lead the believers using legal, spiritual, and traditional leadership by the one who is in charge of it as a result of majority approval which is supported by the laws and manners. It is supported by the law because of the reasons of representation above. It is supported by manners because intelligent beings expect to have a leader to depend on in leading them and guiding them to the knowledge of the truth and to accomplishing good deeds and they like to submit to a first among them who prevents them from treating each other unfairly and to settle their arguments and disputes. If this (responsibility) is given to one who is worthy the duties of the office are satisfied and for that reason it is the duty of those charged with the selection to select a head of the nation.

20. The conditions to be considered in the selection are three:

First: Justice which is mentioned in the chapter on witnesses,

Second: Knowledge which is required of the ones who is worthy of this position,

Third: Opinion and Wisdom (Expertise ‘Honka’) which is to be expected of the one who is the most capable and most knowledgeable to conduct their affairs, the right person for his time.

21. The conditions required of him are two categories: traditional and these are mentioned in the chapter on bishops and logical which are four items:

(1) Wellness of the mind, (2) Wellness of the senses and organs without which he can not perform the job of the head person, namely, vision, hearing, tongue (speech), hands, and legs; (3) Free from diseases that can prevent his meeting with his subordinates like leprosy; (4) and fourth the required qualifications to lead his flock like good behavior, proper opinion, experience, and wisdom.

22. If those charged with the selection process find a group that satisfies these condition, they have to choose the most complete person in the group especially one whom the people are anxious to obey and if he asks to be excused, they have to find another from the group, but if none was found to satisfy the condition he should not be excused.

23. If two were found to satisfy the conditions, it is recommended to choose the older. It is permissible to choose the younger because there is no age condition. If one was more knowledgeable and the other more capable to manage, the needs of the times should be considered. In the times of heresies there is need to choose the more knowledgeable. In times that needs more managerial skills, the more capable to manage is to be selected.

24. If the nominees quarrel over the selection or others quarrel on behalf of one or the other, use the altar lot to select one or the other. But if the quarrel was found to cause them harm, select from others. The presence of the better one does not prevent selecting the other person if he satisfies the conditions. Because over qualification is not a condition for selection.

25. those who are charged with the selection must give this rank to the one who is worthy of it and anything else is a transgression.

26. It is not legal to give this head position to two individuals at the same time for the same chair. If it was granted to two individual at the same time in two different locations. The one that received the position in the place which is the customary place for holding the selection is the one who has legal right to the chair. If it was granted to two in the same city, the one that received first is the legal holder of the chair. If it was done at the same time they both are required to decline the position and those who are charged have to re-evaluate and determine who is more deserving of the two to give him the chair and if they were found equal (in every qualification) they should use the altar lot.

27. If the one on the chair recommends a person to follow him on the chair, the recommendation is not sufficient and he should be considered for the position with the others that are under consideration and the recommendation should be considered as part of his qualification if it did not through deception.

28. The flock should no the nominee by name and qualification but not necessarily by person. The ones charged to choose have to no each nominee in person. And once elected, he should be given authority over public affairs without objection.

29. He is required to maintain five of their affairs:

(1) First, to protect (sustain) the faith according to the established bases and what is proven to be the sayings of the Apostles, then councils, then the Fathers whose sayings are agreed to by majority. He also is required to stop heresies and clarifies dichotomies to safeguard the faith from any failing and protect the nation (flock) from any transgression.

(2) Second: He has to execute judgments and rule in disputes.

(3) Third: Determine the needs of the needy and dispense the funds neither wastefully nor tight handedly and do it at the proper time neither early nor late.

(4) Fourth: To give positions of leadership to those who deserve them and to appoint for charitable work those who are qualified and honest.

(5) Fifth: To directly manage the public affairs and also review private ones personally and should not satisfied with delegation in everything and do not be busy with pleasure or prayer because worship has its specified times.

30. He should seek the opinions of the people of science in his rulings, the opinion (intellectual) one in appeals and strong actions and if he continues to satisfy he requirements of his position he is to be obeyed, respected and honored more.

31. If he is stricken with mental illness, and if it was hoped that he can be healed they should wait. But if it was not hoped that he will be healed but the times of his loss of mental capacity are shorter than the times of normal mental ability he should not be denied his position of headship. But if it was longer he should be prevented. Not everything that disqualifies from accepting the position prevents from continuing I it. Because in the beginning one is required to be completely whole and condition for dismissal is to lack completely.

32. If he is taken as prisoner of war, the public should raise the funds necessary to pay his ransom and his headship is protected as long as his freedom is hoped for. If the time of his absence is long the ones who are charged to

choose can choose one to act in his place, and it is preferred if they can obtain his recommendation of who is to be chosen because he is acting in his place (deputy) until he is freed and able to return to his chair or until his departure (death) is confirmed in which case the deputy acts until he, the deputy, or another is selected to sit on the chair.

33. The rest of the qualifications of the patriarch are mentioned in the chapter on the laws concerning bishops, because he is the bishop of the city of his chair for that reason the patriarch of Alexandria does not appoint a bishop for the city of Alexandria.

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D.(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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## Chapter 5 Concerning Bishops

(Preliminary Translation)

1. The bishop is like a pastor as it was stated in the Descolia. There are three views to consider:

- 1- Before his ordination,
- 2- At his ordination,
- 3- After he is ordained.

1- First, the conditions which are required to make one worthy of becoming a bishop

2- Second, The reasons that prevents one from becoming a bishop,

3- Third, Things that do not make it and do not prevent it but still one is still eligible to become a bishop.

### **-3- The things required are eight:**

(1,2,3,4) First, Second, Third, and Fourth have to do with his reputation, his behavior, his age, and the manner of his election. Paul the Apostles said: “The word is in truth, if one desires the episcopate he desired something good and it is required that a bishop be found without blame, the husband of one woman, with live conscious, wise, loves the strangers, able to teach, does not drink wine in excess, and his hand is not quick to beating. But he should be humble, not quick to disagreement, not a lover of money, and able to rule his house well, raises his children well and teaches them obedience and all purity because if can not rule his own house how can he rule in the Church of God. he should not be anew convert because he might fall in the sin of conceit and receive the punishment of Satan. He should also have a good report from those who are outside our faith so he does not fall in the temptations and tricks of the devil.” (I Timothy 3:1-7).

4. The Descolia (3) says (on the mouth of the Apostles) we heard our Lord Jesus Christ saying: “The pastor whom you choose to sit as bishop on the Church should be without strong desire and without ailment and is pure from all injustice and his age should be not less than 50 years and if he can he should be full of all teachings and is fluent and literate in speech” . And if the chair was minor and they could not find one who is of old age they can accept a younger man who is proclaimed by those who live with him that he is worthy to be bishop and if he is doing in his youth what is expected of the elder and conducts his affairs with a smile take him and examine him and if he is as was said ordain him in peace. And if he was young or old let him be smiling, humble, and quiet because the lord said by Isiah the prophet: ”My eyes are on the humble and the fearful heart and the poor at all times.” (Isiah 66:2). Also the gospel says: “Blessed are the meek because they inherit the earth.” (Matt 5:5) He should also be merciful because it says: “Blessed are the merciful because they receive mercy.” (Matt 5:7). He should be a peace maker because it says; “Blessed are the peace makers because they are called the sons of God.” (Matt 5:9). And his reputation should be good and pure because it says: “Blessed are those who are clean of heart because they see God.” (Matt 5:8). He should be patient, has experienced the different ranks (of priesthood), does not get irritable, not a drunken, not stubborn, not a lover of money, and should also be blameless in things of this world because it is written that you should examine the one you desire to put on the chair to be sure that he is without blame and not driven to anger because the wisdom says that: “anger impairs wisdom.” He should also be loving because the Lord said: “By that they know that they are my disciples , if you love one another.” And this is the way those you choose should be, they should be over thirty years of age.

5. (Fifth): He must be a monk or one who has a rank of the altar (priesthood). A laymen is not fit for the task except if it was out of necessity and after he takes an oath of keeping all the holy laws. This is according to what was stated in the laws of Athanasios the Patriarch of Constantinepole and it is established likewise in our (Coptic) Church, I mean being a monk or a priest.

6. (Sixth): To work for approval by the people on whom he is made bishop and the approval of his patriarch (Descolia 36) He should be selected based on the approval of the people of the area by the will of the Holy Spirit.

7. If one desires the position of a bishop and was approved by all the people of the region but not by the metropolitan of that region, his episcopate is not permissible because it has to be his (the metropolitan) approval (Nicea 9). And if any one violates this law the synod shall anathematize him and his episcopate is avoided. But if a majority approve of him and he has the approval of the metropolitan and the patriarch he is approved.

8. The bishop is by the approval of the patriarch and the folks in his episcopate and his becoming a bishop is in the presence of two or three bishops.

9. The priest or deacon ordination is by the approval of the bishop and is completed by the blessing of one bishop.

10. (Seventh): The ordination of one as bishop should not be done hastily but after gaining knowledge about him, his faith, his reputation, and is commended and has been gradually elevated to the different ranks of priesthood. And if he has proven himself in every rank he achieved he is to be presented for the episcopate.

11. He should be recommended by a group of the believers, at least the recommendation of twelve men.

12. If the place is small and there is not twelve men to recommend him, they should write to the nearby churches asking them to send three of their selected believers and they shall examine the one that is recommended and if they find him fit for the position, worthy, and of good reputation and not unfair and not a hypocrite and able to interpret the book, they should recommend him.

#### **Conditions that Prevents It:**

13. 1-First, It is not permissible to elect a crazed person.

14. 2,3-Second, Third: It is not permissible to nominate a blind, a dumb, a stupid not because it is a deficiency but because he can not execute the duties and satisfy the needs of the Church.

15. 4-(Fourth): If one was unbeliever and was baptized (was converted) or one who was evil and repented should not be considered in the begging of his changed situation because it is a transgression to ask one to be a teacher before he reaches maturity in knowledge unless it is by a revelation from God.

16. 5-(Fifth): One who makes himself an Eunuch is not eligible, but one who was made eunuch by force is not to be prevented.

17. 6-(Sixth): If one objects to his ordination and states that he is not qualified, it should be postponed for three months in which time the allegations are examined and if they found to be true he is prevented, otherwise he is presented.

18. His foe is to be punished if the allegations were not true. If the foe was a priest he is to be separated and if he was one of the believers his punishment is decided as appropriate.

#### **Third- What Is Not Proper but Does Not Prevent It:**

19. One is not prevented from becoming a bishop if he was one eyed, or if he limbs if he is otherwise qualified because the deformity of the body is not a fault but the fault is that of the soul.

#### **Second View The Conditions at His Ordination**

20. (Descolia 36): The bishop is ordained on a Sunday and all the people (meaning majority) are in agreement about his ordination and the people and the priests testify to his worthiness and those who come to lay their hands

on him should wash their hands then consecrate him. The people should be standing with their hands lifted in awe and silence. The bishops lay their hands on him saying: “We lay our hands on this servant selected for God in the name of the Father and the Son and the holy Spirit to install him in a firm and righteous rank in the one without blemish the Church of the Living God the Unseen to do just judgment and holy witness, pure grace and teaching. Amen. This is the one who became for the Catholic (Universal) Church through the Holy Trinity by the mystery of the Cross. After that the first in the bishops (highest rank) lays his hand on him and recites the prayer of the ordination (The book of Church Offices). and all the people say: Amen. After that all the bishops embrace him (congratulate him) while the priests and the congregation is chanting worthy, worthy, worthy (Coptic: Axis, Axis, Axis). And they all embrace him and wish for him safety and then they read the appropriate passages and they complete the liturgy in an orderly fashion and he receives communion first and then he gives communion to them (meaning those below him in the ranks of priesthood) and he sends them in peace. They celebrate a spiritual feast for three days on the example of the one who was raised on third day.

21. (Apostles 52): If they all accept him, let the congregation, the priest, and the bishops gather together on a Sunday. And the highest in rank among them shall say: “Here is the one whom you all have nominated to be your leader.” If they say yes, he should ask them: “Is this one worthy of the great honored position and is his standing proper and there is nothing against him?” and if they say yes, this is in truth and without hypocrisy. He should ask them a third time: “Is he worthy of the position of leadership because every witness has to be confirmed from the mouth of two or three?” And if they say yes, they all should shake hands with him. When they do so in friendship they then fall silent. The deacons then take the holy gospels and place them on his head while they (the bishops) consecrate him and afterwards the bishops should seat him on an appropriate chair. And if they all accept him the Lord accepts him also.

22. (Descolia 46): A bishop is not ordained without the presence of the bishop of the region (his leader) and the leader should not be alone but bring with him at least two more bishops so that he is ordained by the participation of three bishops. He is ordained as follows: They place the gospel on his head and the highest ranking of the bishops prays on him. And when he finishes, he lays his hand on him, breathes (blows) on him to be filled of the Holy Spirit. Afterwards he embraced (receives a kiss) by all the clergy. But the laymen kiss his hands only. And no one kisses his mouth except the bishops and priests. Afterwards you complete the liturgy.

23. (Descolia 34): We command you that a bishop is consecrated by at least three bishops. But if for necessity, by two bishops. And it is not permissible for a bishop to be consecrated by one because the witness of two or three (no less) is confirmed.

24. (Apostles 56): If a bishop was ordained by one bishop, he should be separated. But if it was done because of persecution or similar unusual circumstances and they could not gather a congregation he can be accepted if this is approved by many bishops and they can allow by their authority if it seems proper to them.

### **The View Concerning What Follows Ordination: In Three parts**

#### **25- (First): What He Should DO Following Ordination:**

(Descolia 23): When he is ordained bishop he should fast for three weeks. Not eating anything except on the Saturday of every week if it was not the Pentecost season. He should continue fasting for a whole year, eating on the third day. The food the bishop eats in his year of fasting should be: bread, salt, oil, honey, beans, and he should not taste wine. But for the rest of his life he should fast according to his ability receiving food with measure according to necessity. He should not eat neat not because of cleanliness but lest his hear is hardened and his mind is dulled and he is not able to stay awake in the late hours (to pray) with comfort. Because the one who seeks to complete all these acts should choose weakness and the one who chooses the weakness of the body does not profit from what makes the body strong. If the bishop becomes ill in the year of his fasting, let him eat fish and take little wine to help him and not be laid down which will cause the Church to lose his leadership and teaching. He should work hard daily to be able to receive communion so that he can live by it every day.

26. (Apostles 35): The bishop should fast according to the same schedule (following his first year) of the congregation, because if one of the believers brings food to the Church (like in celebrations) the bishop has to eat with the congregation (sense of community, father with his children).

27. (Descolia 3): The bishop should eat only for sufficiency so that he does not neglect in teaching those who are in need of teaching. He should not spend to excess, he should not be lost (wondering), not a seeker of pleasure, and should not (desire to) eat the most desirable of foods. He should be live hearted in teaching. He teaches at all times, and studies the holy books of the Lord always, contemplating the chapters so he can interpret the books with contemplation (deep thoughts). He interprets the gospel and translates the laws and the prophets because the Lord said: “Examine the books because it gives witness to me!” (John 5:39). He should not desire the profit which can cause embarrassment especially with those who are outside. He should not desire the bigger portion. Should not extort. Should not be a lover of the rich and despiser of the poor. Should not be the cause of disputes. should not give false witness. Should not be provoked to anger. Should not cosign. Should not be desirous of higher positions. Not a double hearted. Not a double tongued. Not a one who listens (to one side). Should not attend the feasts of the gentiles. Not to lust. Not a lover of Dinaries (money). Because all these things are enmity to God and Communion with Satan. He should be wise, sensitive, teaches the bad and be weary of them. Friend of everyone. And everything that is good in people he should gain it for himself. Because if the pastor avoids injustice he makes his disciples to do likewise and he becomes their companion and they follow his good example and become worthy as Hosea said: “Because as the priest is, so likewise is the congregation.” (Hosea 4:9). And also Jesus our Good Teacher and Savior started to do and teach these good things and He said: “any one who does and teaches these things shall be called greater in the kingdom of heaven.” (Matt 5:19)

28. After his ordination, he should stay by the altar and dedicate himself to prayer night and day. If he prays for himself and for his flock every hour, he is doing a good thing. He also should be alone in a house by the Church. And if he has who can assist him, he should stay with him. One or two helpers with the same spirit to help him in performing his duties and in particular the prayers and supplications in one accord. Because the Lord said: “If two or three gather in my name, I will be in their midst” (Matt 18:20). If he can not pray always, he should at least do the prayers of the hours (Agbeya).

29. He should implore the Lord with great effort and the words he says should bring fruits in those who listen to him, the fruits of the Holy Spirit.

30. Everything he teaches, he should he should teach remembering that he practiced it first, before he taught it, so he will know what is saying thoroughly. Because if he knows what he is saying , those who hear him will understand what he is saying.

## **(2) Second, What He needs to do with His Flock and What Advise He Gets:**

31. Paul the Apostle said to Timothy: “I exhort therefore, that, first of all, supplications, prayers, intercessions, and giving of thanks, be made for all men; For kings, and for all that are in authority; that we may lead a quiet and peaceable life in all godliness and honesty. For this is good and acceptable in the sight of God our Saviour; Who will have all men to be saved, and to come unto the knowledge of the truth.”  
(I Timothy 2:1-4)

32. Be an example for the believers to follow in speaking and in action, in friendship and in faith, in purity and in the diligence in reading , in making requests and in teaching, and do not treat lightly the gift you have received. Keep yourself and your knowledge safe because by doing that your soul lives and also the souls of those who hear you. Do not admonish the old of age but call on him and treat him as a father. The young ones as your brothers, the old women and the mothers and the young women as your sisters with all purity. Honor the widows who are widows in truth. Do not approve of hearsay against a priest and any (accusation) should be by the witness of two or three men. Admonish the ones who transgress publicly so that the people are made to have the fear of God. Do not show favoritism. Do not lay your hands on anyone hastily. This way you do not share in the sins of the others.

33. Those whose thoughts are corrupted and lost justice think that goodness is a trade, stay away from them, because our trade is the fear of God by seeking sufficiency because we entered the world with nothing and we know that we will leave it with nothing also. For this reason we only seek food and cloths, but those who love riches and wealth fall in many disasters and the traps of the devil and many lusts immoral, dangerous, and drowns people in moral failure and destruction because the source of all evil is the love of money. And some people desired that and were driven away from the faith and put themselves in many tribulations. But you the man of God should escape from these things and be diligent in seeking righteousness and justice and follow after the faith, friendly pursuits, patience, humility, and fight the fight of good faith and reach for eternal life for which you were called. And advise the rich people of this world to not rely on their riches which are not to be relied on but on ‘Allah’ God who gave us out of his excess his riches for our comfort and to be rich in every good deed and to be quick to giving and sympathizing and to establish for themselves a good foundation to attach them to the true life. “O Timothy, keep that which is committed to thy trust, avoiding profane and vain babblings, and oppositions of science falsely so called: Which some professing have erred concerning the faith. Grace be with thee. Amen.” (I Timothy 6:20-21).

34. (Descolia 3,4): Bishop, pay attention to the word and if you can interpret the books every word. Fill the hunger of your flock and quench their thirst from the light of the commandments so they become rich by your excessive teachings. And you bishops should be watching your flock because the one who watches you is Christ. The Lord on the mouth of Ezekiel is saying to you: “So thou, O son of man, I have set thee a watchman unto the house of Israel; therefore thou shalt hear the word at my mouth, and warn them from me. When I say unto the wicked, O wicked man, thou shalt surely die; if thou dost not speak to warn the wicked from his way, that wicked man shall die in his iniquity; but his blood will I require at thine hand.” (Ezekiel 33:7-8). For this reason teach those who are without knowledge and those who learn affix them and lead the lost back to the fold and talk to them many times for their own reprieve. Bishop, make yourself pure in all your deeds and now your rank because you are the example of God for all the people: kings, leaders, priests, fathers, children, teachers, and all those under your authority. Make them sit in the Church and preach to them the word because this is your authority by which you judge the sinners, and because to you he said: “Verily I say unto you, Whatsoever ye shall bind on earth shall be bound in heaven: and whatsoever ye shall loose on earth shall be loosed in heaven.” (Matt 18:18). Rule with authority on the example of God. The one who repents accept him, because God is merciful. Admonish the one who transgresses and do not dismiss the one who repents. The bishop should care for the salvation of everyone because the Lord said: “Take heed that ye despise not one of these little ones; for I say unto you, That in heaven their angels do always behold the face of my Father which is in heaven. For the Son of man is come to save that which was lost.” (Matt 18:10-11). And learn that you will be asked to give answer more (than the others) because the one who is given more is asked to give more. Be without blame so no one will have a doubt concerning you. The laymen cares for himself, but you are carrying a heavy burden. It is written that the Lord said to Moses: “You and Aaron carry the transgressions of the people. The unaware, teach them. And know that you will have a great reward if you do that and you will receive a great punishment if you neglect to do it.” Ezekiel said about the bishop who neglects his duties: “And the word of the LORD came unto me, saying, Son of man, prophesy against the shepherds of Israel, prophesy, and say unto them, Thus saith the Lord GOD unto the shepherds; Woe be to the shepherds of Israel that do feed themselves! should not the shepherds feed the flocks? Ye eat the fat, and ye clothe you with the wool, ye kill them that are fed: but ye feed not the flock. The diseased have ye not strengthened, neither have ye healed that which was sick, neither have ye bound up that which was broken, neither have ye brought again that which was driven away, neither have ye sought that which was lost; but with force and with cruelty have ye ruled them. And they were scattered, because there is no shepherd: and they became meat to all the beasts of the field, when they were scattered. My sheep wandered through all the mountains, and upon every high hill: yea, my flock was scattered upon all the face of the earth, and none did search or seek after them. Therefore, ye shepherds, hear the word of the LORD; As I live, saith the Lord GOD, surely because my flock became a prey, and my flock became meat to every beast of the field, because there was no shepherd, neither did my shepherds search for my flock, but the shepherds fed themselves, and fed not my flock; Therefore, O ye shepherds, hear the word of the LORD; Thus saith the Lord GOD; Behold, I am against the shepherds; and I will require my flock at their hand, and cause them to cease from feeding the flock; neither shall the shepherds feed themselves any more; for I will deliver my flock from their mouth, that they may not be meat for them. For thus saith the Lord GOD; Behold, I, even I, will both search my sheep, and seek them out..As a shepherd seeketh out his flock in the day that he is among his sheep that are scattered; so will I seek out my sheep, and will deliver them out of all places where they have been scattered in the cloudy and dark day. And I will bring them out from the people, and gather them from the countries, and will bring them to their own land, and

feed them upon the mountains of Israel by the rivers, and in all the inhabited places of the country. I will feed them in a good pasture, and upon the high mountains of Israel shall their fold be: there shall they lie in a good fold, and in a fat pasture shall they feed upon the mountains of Israel.” (Ezekiel 34). If one sinned and you separated him for his sin do not keep him outside the Church but bring him back. And if one is lost look for him and the one that is hopeless because of his many transgression do not let him reach complete destruction. And if the bishop can, he should carry the sin of the sinner on himself and makes it his own and say to the transgressor come back and I will accept death in your place as my Lord the Christ who died for me and for everyone. Jesus said: “I am the good shepherd: the good shepherd giveth his life for the sheep. But he that is an hireling, and not the shepherd, whose own the sheep are not, seeth the wolf coming, and leaveth the sheep, and fleeth: and the wolf catcheth them, and scattereth the sheep. The hireling fleeth, because he is an hireling, and careth not for the sheep.” (John 10:11-13). The Lord also said: “... What man of you, having an hundred sheep, if he lose one of them, doth not leave the ninety and nine in the wilderness, and go after that which is lost, until he find it? And when he hath found it, he layeth it on his shoulders, rejoicing...” (Luke 15:3-7). The bishop for the sinners is the like the physician to the sick he is careful and sharing in his pain. Because “But when Jesus heard that, he said unto them, They that be whole need not a physician, but they that are sick.” (Matt 9:12) and He said: “For the Son of man is come to save that which was lost.” (Matt 18:11). Do not love those who seek (benefits) and those who kiss up (‘Mutlaheseen’). if you see a sinner (one acting badly?) cover for him inside (the Church) and order him (privately) to leave and send the deacons to catch up with him outside and ask them to cover for him and bring him back and to inquire about him. Afterwards give him as a law fasting according to the magnitude of his sin: 2, 3, 4, 5, or 7 weeks. And make him understand that he needs to be disciplined according to the degree of his sin and be generous with him and teach him to have humility for his own self.

35. You bishops should make our Lord and Savior Jesus Christ the one who watches you and follow his example by being merciful, not speakers of improprieties, not conceited, and do not bring shame to the honored name of God but accept it as good representatives of God. As if you are answering to Him about the duties your are given. And let the bishop be interested only in sufficiency (basic needs) in food and cloths as is appropriate for the need of celibacy because the laborer is deserving of his wages. He should not decorate his cloths but to take only what is needed to protect his flesh no more. You are now the priests the leaders of the your flocks and you are the levites the servants of the holy dome which is the Holy Catholic (Universal) Church. You are the fathers of the laymen which are under your hands and leaders and providers for them. You are the intermediaries of God and trustees carrying the sins of all and are their spokesmen (advocates). You also have a great reward from God and an honor which is unspeakable in its glory if you serve the Holy Church well. And as you carry the burdens of everyone, you also receive your food, cloths, and your needs from everyone. Be knowledgeable like the silver smiths, and this is what the bishop must do: The better people he brings close to him. And those who have the hatred and sin he treats their illness as a physician. If the illness is without cure, he keeps them away but not totally. He should not trust their care to anyone else. And he should not believe every witness. And be like the man of God long suffering and do not be lenient in accepting those who falsely accuse their brothers for jealousy or evil desires. Those do not let peace to continue so contemplate (think deep thoughts) and be worry of them lest you punish the innocent. And if you find what they say to be correct do with it according to the teachings of the Lord. Take the one that was conspired against aside and scold him in private between you and him so he can repent. If he does not accept, take with you one or two and let him know what he needs in a pleasant teaching way and if he accepts he will receive good things. But if he stays in his condition, the congregation should deal with him. And if he does not obey the Church he should be to you like a publican or idol worshiper (Matt 18:15-17). And he should not share in the communion until after he repents. And after his repentance he comes to the Church to listen to the word and should not participate in the full service but should leave after the reading of the Gospel to make him feel sorrow for what he did and until he shows fruits of repentance. And anyone who sees them in this condition will feel sorrow for them and will be afraid to receive what they received. And if one sinned once or twice do not reject him and do not prevent him from sharing in the communion of the Church, and you share with them in eating (in group agape) and help them and support them (not in sin but in repentance of course) and accept one that repents as a son who felt sorry and returned to his father and lay the hand on them instead of baptism (they already have been baptized) because by the laying of our hands on those who believe and accept the works of the Holy Spirit we are bringing them back to their original place and this is the way to treat (as a soul physician) those who sin. Make for them medicines that are flexible and sweet and strengthen them with the words of preaching and clean their wounds and if the wound was deep and full with substance clean it with a sharp medicine which is the words of chastisement.

Afterwards the words of sympathy and if he persists use an iron and cut the disease off. And if there still is no cure consult with the doctors of the Church, and if there still is no cure you have to sadly cut him off because if the corrupted organ remains in the Church it might corrupt the rest of the body because it is written: “. Therefore put away from among yourselves that wicked person.” (I Corinthians 5:13). Do not be quick to cutting off and not aggressive and do not reach for the saw with large teeth. If the accusation was false, do not accept it because the punishment out of your mouth will return on you. So, if you rule without favoritism you will know if one is accusing his companion falsely. And this one, if his false accusations becomes known, you have to punish him publicly and do to him what he intended to do to his companion. and make him known among the flock as a killer of his brother. And if he repents you have to require of him a fast and afterwards you lay the hand on him and accept him on the condition that he will not go back to causing discord again. And if he does not stop his evil ways you should cast him out as an evil doer lest he corrupts the Church of God. Do not use the same method of ruling in every incident, because there is a difference between sins of doing, sins of speaking, and sins of repute. For some people you have to only break their horn (Meaning defeat the false pride?) and others are taught by having to give to the poor. Others should be required to have a law of fasting, and still others need to be cast out of the Church for a time according to the magnitude of their sin because the commandment does not require one punishment for all transgressions. Because the punishment of one who sinned against God, against the bishop, or against the priest is different than that of one who sinned against the king or one of his companions. And the judgment against one who unfairly deals with his friend is different than that for unfairly dealing with parents or relatives. And one who deals unfairly willingly is different than that for unwillingly dealing with others. Some deserve the judgment of death, others by whipping, others by paying penalty, and others have to be treated the way they treated the others. So learn the different punishments for the different transgressions so you are not thought of as unfair and hence you are judged as you judged.

36. If the bishops asks for peace for others, he should himself have peace because how can one give others what he does not have and this is the will of the Lord Christ that many be saved and to the knowledge of the truth are brought. And no one should be cast out and it is written: “who does not gather with me, he is casting away what is mine.” So, if you are one who is casting away the sheep, you are an enemy of God and one who is destroying the sheep to whom the Lord became the shepherd. So, by your deeds you are scattering what we gathered from many nations and many tongues with tiring labor, fasting, night watch, sleeping on the ground, persecution, hiding, imprisonment, suffering, until we satisfied he will of God by making his house full by those who sit in and are called to him which is the Holy Catholic (Universal) Church.

37. Bishop, stretch your right hand and take care as lieutenant of God to care for the needs of the widows and orphans, these who are without shelter, those in distress, and the poor by caring for their children and caring for the sick of them.

38. Let the orphans be your companions and care for feeding them and do not let them be stumped in any thing. The young woman, the virgin, care for her until she reaches marriage age and find for her the one that can be her husband from the believers. Also, the young men care for them by teaching them a trade and give him livelihood until he can care for himself by his trade/profession.

39. He should care for the education of he laymen lest foul language comes out of their mouths. And to care for everyone clergy or laymen alike.

40. A bishop who wears fine cloths or silk and adorns his dinner table with diverse foods and the poor of his town are hungry is not a bishop.

### **(3) Third- What The People Are Required to Think Concerning Him and What to Do with Him:**

41. (Descolia 6): The bishop is your father after God. He gave birth once more through the water and the spirit. He is your God? on earth after the Lord (Allah) the true God. The Lord said on the mouth of David the prophet: “I have said, Ye are gods; and all of you are children of the most High.” (Psalms 82:6). And he also said: “Thou shalt not revile the gods, nor curse the ruler of thy people.” (Exodus 22:28). Those are the bishops.

42. Because of the bishop, the Lord called you a son. For this reason know the value of your honor and honor the one who is an intercessor for you to achieve this great position. And if the bible says concerning your father in the flesh: “For God commanded, saying, Honour thy father and mother: and, He that curseth father or mother, let him die the death.” (Matt 15:4). and if one speaks evil against his father he surely dies, how much more you should honor your spiritual fathers because they are your intercessors in front of God, they gave you second birth by the water and the spirit and nourished you with milk which is the words of teaching and strengthened you by their laws and made you worthy to receive the body of salvation and the precious blood which are of Christ. They are the ones who absolved you from your transgressions and made you worthy for the holy grace and to share in His inheritance. Fear them because they are give the authority of life and death from God to judge the one who sin. And cause them to receive eternal punishment in the eternal fire. Whosoever repents they forgive him his sins and make him live again. For this reason you should love the bishop like a father and to fear him as a king and to honor him like a Lord. You should give to him, and he should mange what he receives well. Because he is the leader whom God has chosen to manage the works of the Church and you should not ask account of him.

43. The rest of this is in the Chapter on Giving.

44. Each village shall give blessing (alms) to the bishop as they can afford, the priest brings it over every year. The same for the people of he cities so the bishop can care for his affairs.

45. (Descolia 4): One who follows a bad shepherd his death is clear in front of him.

46. (Apostles 51): A bishop who accepts to be of little knowledge or one who despises (others) is no bishop but a false name and he is not of God but of people.

#### **(4) Fourth-His Relation with Priests and Arch-priests:**

47. Especially with priests, Paul the Apostle said to his disciple Timothy, learn that I begat you in Crete to correct the missing order and to ordain priests in every city from those who are blameless.

48. The rest is mentioned in the chapter on priests. It was mentioned in the chapter on liturgy, he (the bishop) stands in the front of the altar and his name is mentioned in every prayer (Church service).

49. (Apostles 49) He should not feel he is above the deacons or the priests.

50. The bishops gives blessing, and he is not to be blessed (by anyone because of his higher clerical position). He ordains people, and receives the bread of blessings from other bishops but not from the priests (because he gives it to them). He has the power to cut off priests that deserve to be cut off, but he can not do the same to another bishop, acting alone (it requires a synod action).

51. He should know and record the names and ranks of all the priests under his authority so there will be no mix up in their rank and not to get them mixed up with those of the Roman Catholic (non-orthodox) priests.

52. Relation with Arch-priests and his Equals:

(Descolia 8) Bishops, be together with one heart sharing in each others pains, and loving the brethren and pastor the flock in one accord and with honesty and teach them by one (united) will. Be one spirit and one body ready in one mind (accord) and one opinion as the Lord commanded us.

53. (Apostles 13) The bishop should not leave his chair and his work (duties) and go to another city except if he asked by other bishops for the spiritual/religious benefit of the other city/cities and stays for a period only to complete the specific task/need.

54. (Nicea 6) No bishop is permitted to accept one who is anathematized by another bishop: Neither a priest, nor a monk, nor any of the laymen. He does not unbind one who is bound by another bishop and he does not offer request

of mercy on behalf of such person so that he does not cause any one to belittle what the other bishop has determined. But if the bishop (who gave anathema) was evil or known to be unfair, it is possible for the metropolitan or patriarch or other in the higher positions after they write (communicate) to the bishop to unbind the one that was anathematized.

55. A bishop does not leave the city or town he was ordained for to another because of the small size, small number, or limited income. In other words, seeking a better situation is not permissible. But for everyone his portion from God. This is measured the same as we said about marriage which states that a man is not permitted to leave his wife for another, without her committing adultery or the likes, just for a better situation for himself. Also, the bishops or priests who seek a better situation for themselves are not permitted and we (the Apostles) did irradiate this bad habit. But if the bishop has a compelling reason to move to another city and he has no choice but to move out of his original place, and if the people of the new city find in him purity, good policies, and god religious life and do not mind his move, he can be made bishop for the new and better place because it was not through his own choice.

56. If a bishop because of lack of knowledge puts another bishop ahead of himself and the other stays in that episcopate a longtime he should not mock or put down the bishop who is on that chair and should not bless those who come to receive blessings priests or laymen because the blessings should come from the one who is on the chair lest they mock him or put him down. He (the visiting bishop) should not be late for his own Church and should not let the other place occupy more than one third of his time.

57. (Apostles 70): Do not accept the witness of a heretic against a bishop.

58. Do not accept the witness of one bishop against him.

59. First: The congregation of bishops should meet twice a year, and they should discuss/negotiate what happens in their Churches, and help anyone of them who has difficulty in interpreting particular topics, and to solve the problems related to doubt concerning (the teaching of) the Church, and to resolve disputes among them. The first meeting should be in fourth week of Pentecost. The second should be on the 12th of Babah.

60. Second: The bishops of a region should meet with their Metropolitan or Patriarch twice a year. The first meeting before the lent season to remove all evil and enmities so that the offerings of fasting be pure and honored offerings to God. The second meeting should be in the Fall season after the feast of the Cross because most sickness and the plague of death increase in the Fall and Winter seasons so they have companionship and peace before death to be pure when they meet Christ. They should look into the problems of those priests and others who were cast out by their bishops lest they are unfairly or through (unholy) anger they were cast out. If he did evil against the bishop, he should be punished severely and prevented from entering the Church and mixing with the believers. If the evil came from the bishop, the bishop should be prevented from doing (that again) and the group should scold him (the bishop) for his transgressions. If he (the bishop) confesses his error he should ask and be forgiven but if he uses jealousy and abstinence to cause others harm he should loose his rank (as bishop).

61. Any bishop called to this congregation/council should go without delay and if he can not attend for a strong reason, he should write apologizing and asking to be excused.

62. When they congregate (meet) with their patriarch to examine and rule in what needs to be examined no one is allowed in the meeting other than them (the bishops) or whom they absolutely need in the meeting because of his (extreme) religion or knowledge. No one should stay close to them, and they put in the front of the room a chair (table) on which the holy bible is placed. The patriarch sits in front facing the bible and they close the doors and they all stand for prayer and then return back to their seats. They examine the subjects they congregated to examine in secret. And when they make their decision or determine the ruling they should do it with kindness and at that time they can inform the person(s) with their binding decision publicly in the way God wants them to announce it.

63. -6- (Sixth): The position of bishop is not to inherited, willed, or given as a gift to a relative or stranger because priesthood can not be inherited.

64. -7- (Seventh): There should not be on a city two bishops, because if a matter is discussed there should not be a division because of one group going with one bishop and another with the other. Because if they have nothing against their first bishop to cut him off, he should remain on his chair. And if there is he should be replaced with one who is without blame. And the first is anathematized (is removed).

65. On the villages there should not be bishops, but ‘eprotos’ (meaning ‘Khory Episcopos’ or assistant bishop) and he is the one to represent the bishop, but if there is a bishop for the village already the situation should be left alone and everything should be by taking his opinion and his approval.

(Eighth): The Reasons for a Bishop to Loose His Rank or be Cut off: 25 Reasons:

66. 1,2,3,4 First, Second, Third, and Fourth - One who accepts the position of bishop through bribe, influence/favoritism, trick or gives it (priesthood) by accepting bribe.

67. Bishop, priest, or deacon who achieves his rank through bribe should be cut off. Also the one who gave him the rank is cut off as well. As it was done to Simon the Sorcerer by me Peter.

68. If he uses the rulers of this world against the Church or to take a Church by force, he and those who helped him should be cut off and exiled from the Church.

69. If he promised to pay a bribe to reach this position through deceit, his leadership is refused and if he uses tricks he is cut off and he should be to you like a publican or idol worshipper and he should be exiled from the Church. You should avoid socializing with him or talking to him as I Peter avoided mixing with Simon the Sorcerer and exiled him from the Church of God by the command of the Holy Spirit.

70. A bishop who accepts a property from another to ordain him should be anathematized.

71. This Simon mentioned in the Laws of the Apostles was mentioned by (St.) Luke in the book of (Epraxis) He said: When Simon saw that by the laying of the hands of the Apostles the gift of the Holy Spirit is received, he offered him (Peter) large amount of silver (money) saying: give me also the power to impart the gift of the Holy Spirit by the laying of my hands. Simon (Peter) answered him saying: Let your silver be with you for damnation because you thought that the gift of God can be bought with silver, but you have no part or lot in this trust because your heart is not straight in front of God. But repent from your this evil and ask God that He might forgive you for your unclean heart.

72. -5- (Fifth): Any bishop who who seeks the help of those outside the faith or the rulers of this world in running his affairs and by doing such he seeks to oppress the congregation and boast on them or one who brought a Church which is not his to submission by force is anathematized. He and all those who helped him.

73. -6- (Sixth): If a bishop received a bribe, from a priest or deacon to keep him in his rank and he is convicted, he (the bishop) is cast out.

74. -7- (Seventh): A bishop, metropolitan, or patriarch, because their situation is similar, asked to be relieved of his chair even for one day or one hour and escaped from his chair he is to answer to the people of his episcopate. If he answers (well) and returns to his chair it is accepted, otherwise he is kicked out from the place he desired to stay and is not allowed to mix (socialize) with the congregation. If he does not return to his episcopate after being kicked out of the other place, it is up to the congregation. If they still like him they can continue to mention his name and if they dislike (‘karahoooh’) him (because of what he did) they can stop mentioning his name. Because they pray for him if he prays for them!

75. -8,9- (Eighth, Ninth): Any bishop, priest, or deacon who was ordained twice (for the same rank) shall be cut off, he and the one who ordained him (the second time). Except in the case that ordination (meaning first one) was done by heretics.

76. Also, if he was married to two women before his ordination, he and the one who ordained him are cut off. He is cut off alone if the one who ordained him did not have knowledge of the situation.

77. -10- (Tenth): Any bishop who is provoked by jealousy or quick to anger so that he binds and unbinds all the time and refuses to leave this way and have self respect should be dropped from his rank. also all of his is anathemstized???

[Original Footnote: Objects to the secon sentence]

78. (Descolia 5) A bishop who makes an unfair decree/ruling against anyone, the wrath from his mouth is on him personally.

79. The leader should punish the (guilty) of the people with the Cross (meaning spiritual exercises) not by anathemas. He should not anathemastize anyone unfairly. If he binds and/or anathemastize unfairly for the purpose of revenge or for forcing them to submission he is the one to be bound and/or anathema from God. The priests should rise against him for due fairness. And if dealing with him was difficult for them, they should present their complaint to the metropolitan or patriarch and they should rise agains him for fairneess and should not allow his agression against the congregation to continue because they are the lambs of Christ whom He bought with His precious blood. And such action will drive them to using the name of God in vain and to speak evila against the holy faith. Such (bishop) should no be allowed to continue to rule between people and should be removed from the position of authority. The believers who accepts his unfair rulings to maintain the peace in the Church should know that God will judge him for his unfairness.

80. -11- (Eleventh): A bishop, priest, or deacon who neglects to teach his priests! and congregation to serve God and fear him shoul be let go (not serve anymore) and if he continues in his negligence he should be cut off.

81. He should work and teach.

82. (Luke): Like the Apostles because they continued every day in the temple and in the homes teaching and preaching the people.

83. Also, Like our Lord he continued to work and teach.

84. And as (St.) Paul commanded his disciple (Timothy) to teach without ceasing.

85. -12- (Twelvth): Any bishop or priest who does look the other way concerning the poor in the priests and does not sympathize with them shall be separated. And if he continues , he shall be cut off as the killer of one of the brothers.

86. -13- (Thirteenth): Any bisop or priest who does not accept the sinner after he repents shall be cut off because he did not follow the saying of Christ: “There will be great happiness in heaven for one sinner who repents.” (Luke 15: 7,10).

87. Also, the lOrd did not come to call the righteous but the sinner to repentence.” (Luke 5:32).

88. -14- (Fourteenth): Any bishop, priest, or deacon who is used to drink (Alcholic) and evil and continues to neglect good deeds, or asks ussry from those who lends money to, or gives a false witness, or causes enmity between people, or uses an upturned attitude with people and sees himself s better than they are and looks down on the flock of God, shall not have good mention in his life and no mercy after his death.

89. -14- No one should be leader in the Nazarene (Christians) or given to conduct their affairs if he does not know the commandments, traditions and follow them and if he disobeys such he should be removed from leadership by force.

90. (Nicea) One who lives with a foreign woman or one whose status is causing dispute should be exiled and he should not socialize with women to not cause faith to go down in the priests (clergy) (not be stumbling block for them). He also should be kept away from (female) eshpeenes because Satan is charged with fighting the Nazarenes (Christians) and especially their leaders because he knows that they are close to God and he (the devil) wants to separate them from God especially those in the ranks of the clergy.

91. -15- (Fifteenth): Anyone who was ordains priests outside the region of his chair and without the opinion (approval) of the one on the chair of the region should be cut off.

92. If he is comes through a town of another and ordains priests or deacons even if he had another (bishop) with him without a written permission from the metropolitan or bishop of the region, the ones whom he ordained loose their ranks (received false priesthood) and he is cut off.

93. -16- (Sixteenth): If a bishop casts out a priest and another bishop takes him in knowingly, the bishop shall be cut off.

94. (Nicea 54): It is not allowed for a bishop to absolve one who was bound by another bishop as long as the one that bound him is alive. If the one who bound dies, it is permissible for the one that follows him to absolve (unbind) the person. But the patriarch can absolve all those bound (by those under his authority) because he is in the position of the master of the house.

95. (Apostles 76): It is not allowed for a bishop to leave his duties as bishop and engage himself in a position of (civilian) authority, but if he insists he should loose his rank because the Lord said: “No once can serve two masters, because he must please the one or drop the other.” (Matt 5:24).

96. -18- (Eighteenth): Any bishop or anyone in the service of the Church who goes to see the king (ruler) without permission from the one above him and in writing is to be cast out, and prevented from mixing (socializing) with the believers and from the honor he had before.

97. (Apostles 18) -19- (Nineteenth): Any bishop, priest, or deacon who beats a believer or non-believer when they do wrong intending by that to put fear in the others shall be cut off.

98. (Peter 16) -20- Twentieth): Removed from authority any one who relies on the calculations of the stars (astrology), sorcery, magic or one who accepts the word of such people.

99. (Apostles 44) -21- (Twenty First): Any bishop, priest, or deacon who accepts the baptism of heretics or approach their qurabeen (offerings/communion) shall be cut off.

100. (Apostles 43) If he joins them in prayer he shall be removed.

101. (Ancra 17) -22-(Twenty two): Anyone who became a bishop on a town and was not accepted by its people or a majority of them and his situation caused a division and there was a desire because of him to form another chair (episcopate) shall be removed. But if he accepts to become priest like he was before being ordained let him and he keeps the honor of that of a bishop and he should be given favor in the meetings only. But if he rises against the one that became bishop after him in that town he should be removed from the rank of priesthood also.

102. (Apostles 66)-23- (Twenty Three): If there was legitimate complaint against a bishop, he should be called by the (congregation) of bishops, synod, for investigation. If he comes and admits his guilt he should be scolded and punished by the bishops for the wrong he committed. If he refuse they send two bishops as messengers to ask him to appear, if he refuse they try again a third time through the messengers. If he does not appear, the congregation (synod) shall make a order that he is cut off lest he thinks that he can benefit by escaping from the synod (See Matt 18:15).

103. (Nicea) -24- (Twenty Four): If a bishop is away from his chair for more than six month without a good reason and without permission from the patriarch and if he celebrates the feast of resurrection as a result away from his chair he is cast out from the priesthood.

[Original Footnote: There is no basis for this rule]

104. (Apostles 12): -25- (Twenty Five): Any bishop who accepts a priest who comes to him from another episcopate, as one of his priests after his bishop asked for his return, shall be separated (meaning the bishop).

105. (Apostles 52): If one gives the rank of bishop as a gift he is separated and the one that received has received nothing.

106. All of the above is in addition to what is mentioned in the chapter on priests and the rest of the chapters.

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

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## Chapter 6 Concerning Priests

(Preliminary Translation)

1. From a general view it is divided to six categories: requirements, worthiness, ordination, rank, advice, reasons for cut off (removal), and things that do not prevent him from serving.

### **(First) Requirements to be Worthy:**

2. (Paul the Apostle said to his Disciple Titus!) Learn that I begat you (the rest is quoted from KJV) “For this cause left I thee in Crete, that thou shouldest set in order the things that are wanting, and ordain elders in every city, as I had appointed thee: If any be blameless, the husband of one wife, having faithful children not accused of riot or unruly. For a bishop must be blameless, as the steward of God; not selfwilled, not soon angry, not given to wine, no striker, not given to filthy lucre; But a lover of hospitality, a lover of good men, sober, just, holy, temperate; Holding fast the faithful word as he hath been taught, that he may be able by sound doctrine both to exhort and to convince the gainsayers.(Titus 1:5-9)

[The same instructions were given to Timothy: I Timothy 1:5-9, I Timothy 3-1-7 and was mentioned in the chapter concerning bishops. Please note that bishop and priest is used interchangeably in the Epistles of St. Paul. Paul himself was not married, but Peter was, both are Apostles]

2. If one is under 30 years of age, he is not ordained priest even if he was worthy of the rank but they should be patient and wait for him to reach that age because our Lord Jesus Christ was baptized at age thirty and he began his ministry and began to teach (at that age)

[This rule is followed in selecting bishops but not for priests, see the previous chapter]

3. No one is to be ordained priest if he does not know the words (meaning) of the holy books and in particular the Gospels.

4. No one is ordained priest if he does not have the recommendation of at least five men.

### **(Second): His Ordination:**

5. If the bishop chooses to ordain a priest, he puts (lays) his hand on his head while the other priests are all touching him as they stand and he prays on him in a way similar to what we said concerning (the ordination) of bishop. [different prayers same type of ritual]

6. No priest or deacon is ordained without the opinion (approval) of the bishop who has authority on them (bishop of the episcopate of their previous rank or place of service).

7. He is ordained by one bishop (only).

[Very important one bishop only ordains a priest. Two or more bishops ordain a bishop]

### **(Third): His Rank:**

8. (Descolia 4): The priest is like a teacher.

9. Let the priests be for you like teachers to teach you the knowledge of God and you accept from him the words of the Orthodox faith and knowledge of the truth which they preach you in our behalf as it was handed to us from the Lord (Jesus Christ) when he sent us to preach saying: “go thee and preach the whole world and baptize them in the name of the Father and the Son and the Holy Spirit and teach them to observe everything we commanded you to follow.” (See Matt 28:19,20)

10. The priest has only one authority (task), that is to teach, baptize, offer communion (Eucharist), and bless the people (the congregation).

11. He appears with the bishop in the ruling council.

12. He blesses and is not blessed by those below him in rank and he accepts ‘Eulogia’ the Eucharist from the bishop and from his companion the priest. He puts his hands on the heads of the people. He does not ordain anyone, he does not cut off anyone and what is not proper should not proceed out of him (his mouth).

**(Fourth): Concerning The Advice He Receives (What He Is advised to Do):**

13. (St.) Peter said in his first epistle: “The elders which are among you I exhort, who am also an elder, and a witness of the sufferings of Christ, and also a partaker of the glory that shall be revealed: Feed the flock of God which is among you, taking the oversight thereof, not by constraint, but willingly; not for filthy lucre, but of a ready mind; Neither as being lords over God’s heritage, but being ensamples to the flock. And when the chief Shepherd shall appear, ye shall receive a crown of glory that fadeth not away.” (I Peter 5:1-4).

14. The priest should dress like elders. They also should have reached the point of not touching a wife (controlled their sexual desires?) and are partners with the bishop in the mysteries (mysteries of the Church) and be of help to him in everything and to gather with their pastor (their bishop) in love for him. And when they gather with him, the ones to his right should care for the service of the altar to honor those who deserve to be honored and dishonor those who deserve to be dishonored? The ones to his left should care for the crowd to be quiet and not impatient being made to be polite and obedient.

15. (Peter to Clement): The dress of the priests for performing the duties of priesthood should be different from that of the laymen. His robe should be flowing without pockets. And he should have on his head ‘taylassana’ a head dress that is circular and open broad in the lower part with three stripes and also the sleeves of the robe circular and have three stripes on each sleeve because this is the manner by which our Lord was tied his legs together in his arms (three stripes) and there should be crosses on the hat above the stripes and it should have a part flowing down to his shoulders because this is the symbol of the robe that was put around the neck of our Lord when we was caught and dragged by it!

[Best of my ability in translating old Arabic words: ‘azar musallabah’, ‘tylassanah’, ‘modaower moquaar’, ‘flawniah’ .. etc. can use some help!]

16. It is not permissible for the priests to walk in front of the bishop(s) as they circle the altar. They should not enter the altar room in front of him, and should not sit down around the chair of the bishop until after he sits. They should enter the altar room following the bishop, and sit around him after he sits and if he was sick or on travel it is up to them.

[the order they do these things in his absence, should also follow the rules of seniority and/or age. Intended to teach showing respect]

17. (Council 7?): A priest should not attend a celebration for one who married two sisters because by sitting and eating with such, one needs repentance and how could it be that a priest joins such celebration.

[Translator Remark: Notice that he did not mention performing the wedding, because he is not supposed to. So if they marry outside he is not party to the wedding sermon, he is not part to their celebrations either.]

18. No priest should lace heavy burden on the congregations beyond the commandments of our fathers the Apostles.

19. (Luke: meaning from the book of Acts): “Now therefore why tempt ye God, to put a yoke upon the neck of the disciples, which neither our fathers nor we were able to bear? But we believe that through the grace of the Lord Jesus Christ we shall be saved, even as they. ... “ (Read Acts 15:10-29)

20. A priest should not get naked in front of anyone, except for necessity. And if he has to go to public bath, he should go with those of his rank without laymen present.

[One necessity would be in sickness in the presence of medical professional like medical examination and/or treatment including surgery]

21. (Nicea 47): The priests shall meet with their bishop three times a year and they should discuss all their needs/concerns (in these meetings).

**(Fifth): Reasons that can Cause him to Loose His Rank:**

22. Some of these are already mentioned in the chapter on bishops. He looses his rank if he received through bribe, influence (favoritism), tricks, promise of bribe, received two separate ordinations (same rank), married twice, neglects teaching his people, neglects the poor of his people or does not sympathize with them, or does not accept the repentance of a sinner. Also if he is known to give false witness or known to cause strife between people. If he uses upturned attitude. Also if he does not know the commandment or does not follow it. He is removed if he drinks excessively, evil doer, or asks usury from those who borrow from him. If he lives with a woman that is a subject of desire even if she was his eshpeen (a spiritual mother?) or even if he mixes (socializes) with such type. He is removed if he sees the king (those in authority) without the permission of the one above him, if he beats anyone to put fear in the hearts of people, or if he uses astrology, or believes in what sorcerers and magicians say. He is removed if he accepts the baptism of the heretics or approached their ‘Qurbaan’ (had communion with them) or prayed (worshipped) with them.

{See paragraphs 86:99 in chapter 5}

23. Also some is detailed in chapter 10, on clergy in general, and it is summed up as follows: he is exiled or cut off if he made himself eunuch, found in adultery, false witness; or believed in prohibiting marriage, eating meet, or drinking wine. Also if he eats in public places ‘Hawaneet’ or drinks in public drinking places (bars/pubs) or if heats what the meet of dead animals or that which was savaged by lions (wild animals). Also, if he enters the place of worship of the Jews to pray. Also if he enters the Church of heretics to prays or seek healing. If he fasts or feasts with the Jews or accepted honor (alms) from them on their feasts or if he accepts or give honor (alms) to the heretics or any of the unbelievers. One who talks to, travels with a person who is prevented without the opinion (advise) of his bishop is exiled or cut off as well.

24. In this chapter we mention ten reasons:

25. -1- (First): If the priest or deacon send his wife away for the excuse of service to God, and if he refuses to accept her, he is cut off.

26. Also if he sends her away with the excuse of celibacy or free will poverty.

27. -2- (Second): Any priest or deacon who was cut off because of a proven transgression and dares to serve in the rank in which he was before his punishment should be cast out of the Church completely also those who mix with him knowingly.

28. -3- (Third): If a priest or deacon belittles his bishop and started his own altar (service without permission) and if the bishop called him two or three times and he did not respond, he should be cut off from his rank and all who follow him.

29. -4- (Fourth): (Apostles 14, Nicea 14): If a priest or a monk chooses to leave his place of service no one should accept him anywhere else. He should be made to return back to his place of service and if he refuses he should be cast out and no one should mix with him.

30. If he chooses to leave his original place and was hated (out of favor) with the people in the new place and wanted to return back to the original place that he left, he should be put out of his priesthood in both places.

31. Especially if his bishop asked him to go back to the original place and he did not listen.

32. -5- (Fifth): (Nicea 27): A priest should not prevent any of the believers from receiving communion because he is angry at him or for any of the things related to the affairs of this world. If he does, he falls from his rank of priesthood and should be prevented from mixing with the believers.

33.-6- (Sixth): If one became a priest without careful examination and afterwards he admitted to sins he committed which denies the ordination, he loses the priesthood.

34. -7- (Seventh): If he does not admit his transgression and was scolded to change his stand and still did not he should lose all priestly service (includes service as deacon). If he admits on his own, he can only make the offering (liturgy, meaning not allowed to teach or preach).

35. -8- (Eighth): (Nicea 29): A priest should not get himself involved in a bail and should not be a witness to a dispute between others (laymen) and should not seek to be a party in an accusation against anyone to the kings (rulers) and should not cause an enmity between people, or cause evil to befall any of the believers and anyone who cause any of these things shall fall from his ranks and be exiled from the group.

36. -9- (Ninth): (Nicea 29): If any of the priests or deacons goes out of bounds drawn by the Church by allowing a woman in her menstrual period in the sanctuary (Meaning holy place for communion) or offers her the communion during her menstrual period time he falls from his rank even if she was from the family of kings (rulers).

37. -10- (Tenth): (Nicea 15) Priests and deacons if they depart their Church, they should not be accepted by any other Church. They should not give them any duties or responsibilities until they return to their home (meaning own Church). But if they leave and don't come back they should not be allowed to participate. And if he quits his Church by his own will without the approval of the bishop his ordination is valid no more.

**(Part Six: What Does Not Prevent His Service and Rank):**

38. When his wife gives birth, his service is not prevented (during the time of her prevention).

39. If he goes and lives in other places and was accepted by the clergy of that place, they have to ask his bishop lest he has escaped (meaning if it was by the approval of his bishop he can serve). If the city (of his ordination) is a far away place they should test him and if he proves his worth he should be allowed to share in the service and given more honor.

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## Chapter 7 Concerning Deacons: Five parts

(Preliminary Translation)

### First: The Conditions for Being Worthy:

1. Paul the Apostle after stating the conditions for becoming priest (bishops), gave the conditions for deacons as follows: “Likewise must the deacons be grave, not double tongued, not given to much wine, not greedy of filthy lucre; Holding the mystery of the faith in a pure conscience. And let these also first be proved; then let them use the office of a deacon, being found blameless.” (I Timothy 3:8-10).
2. ‘Let the deacons be the husbands of one wife, ruling their children and their own houses well. For they that have used the office of a deacon well purchase to themselves a good degree, and great boldness in the faith which is in Christ Jesus.’ (I Timothy 3:11-13).
3. (Apostles 15): (St.) Matthew stated: “The deacons should be chosen as it is written: On the mouth of two or three witnesses every word stands, and they should be examined by in all services and should have the witness of the congregation and should be the husbands of one wife and raised their children in righteousness. They should be kind, humble, not complaining, and not speaking from both sides of the mouth and not driven to anger. Because anger drives away wisdom. And they should not take by the appearance of the rich and should not be unfair to the poor and should not drink wine in excess. They should labor for the good qualities. They should stay close to the brothers who are in abnormal circumstances and sympathize with those who are in need and help them in paying what they owe. They also should give honor to the congregation with honor, modesty, and fear.
3. The deacons should be seven if the city is great (large) as is stated in the book of Acts (Acts 6: 2-6).
4. (Nicea 62): They should ordain as many deacons as the Church is capable to withstand, no more than seven receive their wages from the service of the altar and the rest are volunteers.
5. The deacon is required to have the nomination of three.

### (Second): Concerning His Ordination:

6. (Apostles 53): And the deacon ordain him (speaking to the bishop) and lay your hand on him and pray while the priests and other deacons are standing (in prayer).
7. He should be selected and only the hand of the bishop without the priests on him because he was not to be given to the spirit of greatness? by the participation of the priests??/ but he is to obey the orders of the bishop.

### (Third): His Rank:

8. (Descolia 34): Let the deacons be blameless like the bishop and be given many honors and be counted from the priests (clergy) of the Church and to be depended on to do the labor of the Church without seeking honor.
9. The deacon serves the bishop with purity in everything without any desire as if he is serving Christ and should not do anything of his own will without the blessing of his father the bishop.
10. Bishops, let the priests and deacons attend with you the ruling councils.
11. The deacon as a servant of God serves the priests and the bishop in everything (meaning serves with them) not only during the liturgy but also serves the sick of the people those who have no one to care for them and lets the bishop know so he can pray for them or gives him what covers their need to give it to them not only that but serves

the widows and orphans and completes every service because this is the way a true deacon should be those about whom Christ said those who serve me will receive honor from my Father.

12. He or the priest reads the Gospel and he visits (observes) the congregation in the service lest one falls asleep or laughs or engages in improper talk with his friends (during the service) and the rest of the prohibitions mentioned in the chapter on liturgical service.

13. He carries the cup if there is not enough priests.

14. He brings the people forward if given permission.

15. The blessing bread is accepted from his hands in a party if a priest or bishop is not present.

16. (Descolia 34) The deacon does not have the authority to teach, baptize, make offerings, or give blessings but he should limit his service to what the bishop or priests requires him to do and complete the service of deaconea.

17. (Apostles 57) He does not give the bread of blessing but accepts it from the bishop or priest and does not carry offerings (body) but if the bishop or priest has need he can carry the cup not because he is a priest but the servant of the priests.

18. He does not lay his hands and does not bring forward those who are higher in rank than he is but he can give commands only to those who are below him in rank

19. (Nicea 17) Deacons are not allowed to sit in front or next to the priests in the altar (room) or outside it except by their permission.

20. The Arch-deacon stands next to the bishop in prayer like a successor and like one who brings attention to all the prayers and the affairs of the Church. If there is disputes among the deacons below him in rank he resolves the disputes and he should not bring any of it to the attention of the bishop because they are under his rule and he is the head of the service and on his hands all the affairs of the Church should be conducted lest they loose the respect.

[Translator Footnote: Does not make any sense!]

21. No one higher than the arch-deacon except for the khory episcopose, because he and the khory episcopose are like the two hands and the two wings for the bishop and if the bishop walks in the Church the arch-deacon should be on his right side and the other on his left side and the bishop is like the father walking between his two sons. The bishop should not bring forward anyone for the priesthood except the arch-deacon because he is the son of the city (episcopate) and he is familiar with the people and the leaders of the prayer (service) and all the affairs of deaconea.

#### **(Fourth) His Advise:**

22. The deacon should do all that is required and present the bigger affairs/problems to the bishop to manage them with his own opinion. The deacon should be like an eye, and ear, and a mouth for the bishop. He should be with him with a single heart so that he does not need to worry except for the bigger problems as Jethro the father in-law of Moses advised him concerning running the daily affairs of the Israelites and he accepts his advise and was thankful for the (good) results. (Exodus 18:1).

23. Deacon, you must visit those in need and inform your bishops with these needs because to the bishops you are the soul and senses and in everything obey them and follow their commands as fathers, leaders, and teachers.

24. (Descolia 7): If the bishop give one of the needy tightly and hide it from the bishop he can cause an uproar and a rising against the bishop but even against God, he will hear what Aaron and his sister (meriam) heard when they spoke against Moses: “why you did not fear (God) and spoke against my servant Moses.” ((Exodus 12:8).

25. (Apostles 17) Let the deacons be doers of good deeds night and day everywhere and if one serve’s well and without blame he will assure himself a place good pasture. (Matt 25:14-) and (I Timothy 3:13).

**(Fifth): Reasons That Can Cause Him To Loose His Rank:**

26. Some of the reasons are already mentioned in the chapters on bishops and priests and the summation is that a deacon is cut off if he received his rank through bribery, influence, tricks, promise of bribe, received two ordinations (for same rank), married twice, excessive drinking or evil doing, continues to neglect good deeds, asks usury from those who borrow from him, known to give false witness, uses an upturned attitude, leaves with a woman that can be the cause of strife, goes to see the king/ruler without permission from those above him, beats one to put fear in people, accepted the baptism of the heretics, or their communion, or prayed with them, sent his wife away using the service of God as excuse, sent her away using celibacy or free choice poverty as excuse, was legally cut off and dared to continue in the service, made fun of his bishop, was called by his bishop and did not respond, or moved from his Church to another without permission and returned back. Also if he went on travel or joined a monastic order without the permission of his bishop which is preferred in writing and especially if he did such while he was prevented. Also if he brings a woman in her menstrual period to the Church or brings her forward for communion. Also if he married in secret and this is beyond what was mentioned concerning priests.

27. Some was mentioned in this chapter which is two things:

28. (First): (Ancara 10) If he was ordained deacon without being married he has to stay without marriage. If he marries after his ordination as deacon he is cut off from deaconea.

29. (Second): (Nicea 12) If he admits after ordination to transgression he committed before ordination which denies one the rank of deacon he should not participate in any of the services related to the offerings (Eucharist) but if he denies it and was scolded for it by a congregation (ruling council) he should be reduced to the rank of epodeacon (subdeacon).

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## Chapter 8

### Concerning Sub-deacons, Aghnostos, Apsaltos, those who keep order (‘Quayem’) and Deaconesses (Female Deacons) Five Parts

(Preliminary Translation)

#### First, Conditions for Worthiness:

1. The Apostles said (Apostles 14): The Aghnostos rank is given to one after he is tested and he should not talk much, should not be driven to drinking, should not joke a round. He should have a good reputation, lover of good deeds, and hurries to the meetings of the congregation in which the name of the Lord is mentioned, and be obedient and a good reader knowing that the best place to be is when one does according to what he reads because if one fills the ears of the listeners with the word of what they ought and ought not to do and does not know (do according to) what is reading he is transgressing in front of God.
2. Paul said in his epistle to Timothy: After he mentions the conditions required in male deacons (I Timothy 3:12-13). Let the deacons be the husbands of one wife, ruling their children and their own houses well. For they that have used the office of a deacon well purchase to themselves a good degree, and great boldness in the faith which is in Christ Jesus.” that the wife should be: “Even so must their wives be grave, not slanderers, sober, faithful in all things”
3. The female deacons should be widows over the age of 60: “Let not a widow be taken into the number under threescore years old, having been the wife of one man, Well reported of for good works; if she have brought up children, if she have lodged strangers, if she have washed the saints' feet, if she have relieved the afflicted, if she have diligently followed every good work.” (I Timothy 5:9,10)
4. (Desolia 34): The bishop should select saintly women, and ordain them Deaconesses for the service of women because it is not proper for male deacons to serve the needs of women in the congregation and it is the shop of female deacons to fulfill such needs. And when a woman is baptized the female deacon anoints the different parts of her body with the oil after the male deacon (meaning priest/bishop) anoints her face because it is not allowed for men to admire women or touch them except for the laying of the hands (by the priest/bishop) on the head.

#### Second: Ordination:

5. (Apostles 26): The Aghnostos is ordained by being given the readings book by the bishop so he can read in the Church without the laying of hands. The same for the sub-deacon but they are given names and allowed to follow the deacons. If he was not married when he was ordained, he has to have witness that he does not follow after women (not a womanizer?). The Apsaltos (singers) also are blessed by the bishop. They do not lay a hand on a virgin (celibate woman) but her reputation as celibate is what makes her a virgin.

#### Third: Their Ranks:

6. (Desolia Opening ‘Fateha’): Sub-deacons ‘epi-deacons’ are aides (assistants) to deacons. Aghnostos are readers, Apsaltos are singers of the psalms and songs.
7. The Aghnostos stands at the podium (high place) to read, and when they read the Old Testament they read from each book two chapters at a time! and the Apsaltos sings the psalms of David. But the keepers of order ‘Quamyah’ stand at the doors that are for the men to keep order.
8. The assistants are not to take the place of the deacons at any time and should not touch the instruments of the Lord (meaning vessels of the Eucharist). The Sub-deacons, Aghnostos, Apsaltos have to wear their vestments with its flag ‘badrasheen’ when they serve. And the assistants should never leave the room while the service is in progress.

9. The assistants should not touch the cup (only deacons for necessity as was explained in chapter 7).
10. (Apostles 59): The Deaconesses (female deacons) are not allowed to bless or do any of things priests or deacons do. They watch the door on the females side, help with baptism of women, and serve the needs of the female members of the Church because this is the way it should be!
11. (Desolia 6); Let the deaconess be honored among you, she should not talk too much and should not do anything without consulting the deacon and no woman should inquire about the bishop except when the deaconess is present.
12. (Descolia 34): She should teach women good behavior, be merciful and helpful to them.
13. Women should not seek the priesthood, they should not open the prayer or close it in the Church.

Fourth: Reasons that can Cause Deacons to be Cut-off, other than what was mentioned previously:

14. If an aghnastos steals, he should be cast out for a year and is not allowed to read from the podium for that period and after his repentance he comes back as aghnastos but never achieve the rank that follows because he was found in error in the rank he was in and is not to be trusted in the higher one.
15. If he learns to play the flute (meaning musical instruments other than those used in the Church) he is punished for seven weeks. If he returns back to this habit he is cut off and exiled from the Church.  
[This is harsh and not necessary, not applicable to our situation]

**Fifth: What They Can Legally Do:**

16. An aghnastos or Apsaltos can marry without losing his rank if he was not married previously.
17. If the wife of an aghnastos dies, he is permitted to remarry. This also applies for apsaltos and those who guard the doors ‘quayem’

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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## Chapter 9 Concerning Priests (Clergy) In General and What In Their Group, Other Than What Was Mentioned Previously Five Parts

(Preliminary Translation)

### First, What Is Permissible After Priesthood and What Is Not Permitted:

1. (Apostles 71): With us the person who wants to fill our hands (grease our palms) with money to achieve his desire is not allowed to achieve his desire.  
[See Chapter 5:67,69 and the footnotes about Simon the Magician]
2. (Nicea 19): One who was circumcised or made eunuch (neutered) by force, or due to illness in which case it was performed by a legal physician such is acceptable by the Church to join the priesthood if otherwise, they are found worthy. But those who do it by choice are not permitted to join the priesthood.
3. (Apostles 77): Slaves are not to do any of the services of priesthood except by the approval of their masters because this can cause the masters unhappiness and the slaves destruction of their home lives. But if the slave is fit for priesthood like Anasimos was and his masters give him his freedom and let him go with unrestricted public freedom and he is fit for the priesthood, he should attain it.
4. (Apostles 24,71): The confessor if he was put in bondage for the sake of the name of the Lord, they do not put the hand on him for the ranks of deacon or priest because he achieved the priesthood through confession (suffering in the Name of Christ). If they make him a bishop, they put the hand on him. But if he did not get brought in front of rulers, was not punished with bondage, was not in imprisonment, and was not in tribulation but only was punished by his master in his home for his faith, and is qualified for priesthood, he is deserving of all the ranks by the laying of hands.
5. No one should be turned away from ordination because of a deformity of the body for example the loss of one eye, or limping, or deafness as long as they are capable to perform the offerings services and are worthy of the priesthood. Anyone who dares to turn them away should be cast out until he accepts them.
6. A layman who has witnesses that he is worthy of the priesthood should not be turned away because of his nationality. Because the Church gave birth to all of them through baptism and especially those who kept all the teachings as Paul the Apostle testified that all those who received baptism are one in Christ.
7. (Apostles 15,16) One who married a second time after baptism, or had a kept woman publicly or secretly, or married a widow, or one that was accused and proven adulterous, or slave, or goes to nigh places, or divorced, or under financial bond; is not allowed to become bishop or priest or deacon or any of the ranks of clergy.
8. (Apostles 56): Any believer who was accused and found to have committed adultery and was reprimanded for it should not become in any of the ranks of priesthood. And one who is possessed with a devil is not to become a clergy or pray with the believers (position of leadership) but if he is freed he can be brought in and if he is worthy of the priesthood he can receive it.
7. (Nicea 2): If one is new in the faith, he should not become priest until after he is preached to and his reputation is examined and his faith is carefully examined and found to be proper because Paul the Apostle said: he should not be new plant lest he fall in the traps of the devil: “And let these also first be proved; then let them use the office of a deacon, being found blameless.” (I Timothy 3:10). If he was in the faith a longtime, but it became clear that he has sins of the soul like weak faith, weak following, sayings contrary to the faith, or neglect of what is a must he should not be considered for any of the ranks of the priesthood.

8. Righteousness is good but those who have it should not be brought forward for the ranks of leadership unless they have achieved wisdom/understanding in addition because I know many people who have imprisoned themselves the whole time until their souls were humbled with fasting and being in their condition they did not care for others and in the eyes of God they are not small, but when they were brought forward for the priesthood they could not handle the failings of others and one of them could not handle it at all and escaped (ran away from the duties of the priesthood). And others were forced to stay and their loss was the greatest loss. No one should achieve the priesthood only based on having spent many years in the lower ranks unless he is deserving of it.

### **Second: Ordination:**

9. (Descolia 34): We command you that a bishop is ordained by three bishops, but for necessity he can be ordained by two bishops, but the ordination of a bishop by one bishop is absolutely not permitted, because the witness of two is or three is firm and more clear. But the deacon, priest, and the rest of clergy is ordained by one bishop. The priest or deacon is not permitted to ordain any of the laymen into the priesthood.

10. No one is ordained without recommendation.

11. (Nicea 65): Those who are tested (recommended) by the congregation to become priests and come forward for the blessing of the bishop should see first the Arch-deacon and Khory-episcopose and they examine them first and make sure that they are skilled in reading the books (of the Church) and also experienced in the commandments of the priesthood and know the rights of the Church (meaning body of believers). And if it was proven to them that they possess the knowledge and worthy of the priesthood they pray on them and then bring them forward to the bishop, and he is the one that puts the hand on them and blesses them and makes them priests. If they were to become deacons, the Arch-deacon presents them to the Khory-episcopose and he in turn will advise them not to serve the offerings but to serve in the (public) prayers until they learn the commandments of the priesthood (they then are brought forward for the priesthood). The Arch-deacon is the one who knows the affairs of the city and he leads the (deacons) prayers and all the affairs of deaconea. The Khory-episcopose is responsible for the services of the village(s).!

12. (67): The number of priests in the Church should not be small lest the prayers and services are reduced and the chair (of episcopate) is belittled. They also should not be too many because this can put a strain on the financial affairs, and the financial managers of the Church determine these things.

### **Third: Their Ranks:**

13. The Apostles said in the opening ‘fatehat’ of the Descolia: We the apostles met in Jerusalem and decided these being the teachings of the Lord and named the ranks according to their worth like those of the heavenly likewise is the Church let everyone be placed in the rank that was ordained for him from the Lord and give thanks to the bishop as the pastor. (Priests) as teachers, Deacons as servants, episcopos (sub-deacons) as assistants/helpers, Aghnastos as readers, Apsaltos as singers, ‘Quaylonion’ as ‘quayem’ (Keepers of the order and guards of the doors. The kings in the old cared for the affairs of the soldiers and went to war and sought peace to save the bodies but the bishop received the priesthood from God to save the soul and body from destruction. And as the soul is better than the flesh also the priesthood is better than the kingdom. He binds those who deserve punishment, and absolves those who deserve absolution.

14. If one who cause uprising against a king is deserving of punishment even if he was his son or friend how much more the one who cause uprising against the Church. And as the priesthood is higher (in honor) than the kingdom so is the punishment of those who oppose it is higher than that of those who oppose the kingdom. None of them can escape punishment. Because Epsaloom (II Samuel 3:3) and Amenadab (He means Adonia, I Kings 1:5) did not escape punishment. Neither did Koresh (Numbers 16:1, 26:9), Dathan (was with Koresh), Abiroom (Numbers 16,26, Deuteronomy 11:6). the first group against David the King and the second against Moses and Aaron.

15. (Apostles 70): Let every one stand (serve) in the rank that was given to him and do not take by force ranks not given to you lest you get the wrath of God like the sons of Koresh and Azariah the king (II Kings 15:2-26) because

they (sons of Koresh) took the priesthood by force without the will of God and were burned by the fire. Also king Azariah was stricken with leprosy in his forehead. In his time, Moses was the only one to whom the Lord spoke and put limits of what should be done concerning the high priest and concerning the priests and the Levites. And he (Moses) assigned to each what is proper for (his rank). And if any one went beyond the limits of his service which he accepted was punished by death.

16. (71): If the commandment did not make the ranks different, the whole creation might as well all have the same name but we have never known such thing from the Lord in the past. But He made us into bishops for the headship of the priesthood, priests for the priesthood, and deacons for serving with them. Those who (by force) change the ranks are not resisting us (the Apostles) but resisting the bishop of the entire creation the Son of God the Highest Priest.

**Fourth: In Two Parts, One on Their Advise:**

17. (Descolia 22): The Lord said: “If you enter a house say peace to those in this house, if the people of peace are there your peace will fall on them. Otherwise it will return to you.” (Matt 10:5-15). If the greeting of peace returns back to its sender because it could not find one who is worthy of it, curse (damnation) will return much more on the head of those who returned it unfairly, because every one that curses unfairly he is cursing (damning) himself only as Solomon said: “As the bird by wandering, as the swallow by flying, so the curse causeless shall not come. A whip for the horse, a bridle for the ass, and a rod for the fool's back. Answer not a fool according to his folly, lest thou also be like unto him.” (Proverbs 26:2-4)

18. (Desolia 34): For this reason, each bishop, priest, deacon, or anyone who has a rank of priesthood should not defile himself with a curse instead of a blessing lest he inherits the curse in place of blessings. Let everyone keep his place and complete his work with politeness and everyone should have the same mind and same spirit.

19. (Apostles 49): The bishop should not think himself above the deacons or the priests. And the priest should not think himself above the congregation because if the Church is one against another and there is laymen no more, whom the bishop or priest will have as subordinates. (Romans 13:15,16; Phillipians 2:3,4).

20. (Council 3): The good deeds of the priests benefit many in the congregation because they do likewise, and their transgression cause apathy in many concerning good deeds.

21. The priests and clergy should not take (steal) from donations because this will bring shame to the rank of clergy.

22. It is not permissible for a priest to impose a share of giving for himself or for another including his own children or anyone else and should not be pleased with such things and should not make it a give right above what he has because such things can cause shame for the children of the Church. (Phillipians 3:7).

23. (54): It is not proper for the priests, the servants of the Church, and elders of the believers to view any of the things that takes place in weddings but they should go in and complete the services and leave before the entertainers are brought in.

[This is a problem today as well! because of entertainment that does not agree with our Christian way of living]]

24. Everyone shall meet at the crow of the cock and start the prayers with the psalms and reading the books, and prayers as the Apostle advised saying: “pay attention to reading until I come back!” Anyone of the clergy who is late without sickness or travel excuse shall be separated. But the trip of the sick to the Church is a healing for them. But those who are really sick should be visited by the clergy who know him everyday.

25. No one in the clergy should accept usury of any kind.

26. (59): He should not swear outside the commandments of the Church.

27. (60): He should not get angry at all and be patient.
28. (61): He should not speak evil against anyone before he hears what is said because it is written that the one who speaks first before listening is ignorant and a shame.
29. (63): He should not be enslaved to anyone because those who received liberty from God should not put it down by becoming slaves to any people.
30. (64): He should not be a cause of stumbling for anyone because if he becomes a cause for evil people will blaspheme against God because of our (evil) deeds and hence we become the cause of evil doing.
31. (66): The clergy should not lie at all.
32. (72): He should not conduct the prayers of second (illegal) marriage - (73) Should not enter the congregation (temple) of the Jews (to pray). (78): Should not accept the invitation of the heretics or the likes.
33. (84): If one is ordained (priest) he should not practice his previous profession, If he was a physician he should stop doing circumcisions, if he was a jeweler or sculpture he should stop making idols (statues).
34. (86): The clergy should not accept being a deputy/manager for anyone’s affairs because if he gains grief (losses) he will be adversely affected in his priesthood for those who are lower than he is (in the ranks of priesthood).
35. (87): Does not engage in usury (money lending) but learn a trade and live from the works of his hands.
36. (93): All the rulings against the clergy should not be handled by ‘arahkenah’ leaders of the congregation but be brought to the attention of the bishop or the head priest to rule because it is not the leaders of the laymen but the Church that rules concerning everyone.

**Part Two (Of Part Four): Advise to the Congregation to Respect the Clergy:  
And What They Should Consider in Dealing with the Clergy**

37. (Desolia 6): As the stranger who was not one of the levites was not allowed to carry or enter with any of the things of the altar without the presence of the priest, so you also should not do anything without the bishop otherwise you will be like Saul (I Samuel 22:18) and Ahasuerus (II Kings ) who did what the priest do and he was not a priest and was stricken with leprosy for his transgression. So likewise every layman will not escape punishment from God if he dares and took the honor of the priesthood to himself by force and did not follow the example of Christ who did not give honor to himself to become head priest but waited patiently until He heard the words of the Father saying: “The LORD hath sworn, and will not repent, Thou art a priest for ever after the order of Melchizedek.” (Psalms 110:4). So if Christ did not accept glory without His Father although He is equal with the Father and one with Him in everything, how can it be for anyone to take the priesthood without receiving it from the one who is higher than he is. Did not the fire burn the sons of Koresh (Numbers 15) and they are from the tribe of levy when they arose against Moses and Aaron and sought what is not theirs!

And if those who serve the devils are honored by their friends and do not do anything even though it is all shameful without the (idols) priest and they think that these stones have tongues and all he commands them concerning the honor of these statues of stone they do! How come we who have received the faith which enlightens and the honest hope and eternal promise awesome and filled with glory and without fear do not honor the Lord our God and his priests not considering that the bishops are but the mouths of God. And if Aaron the brother of Moses when he (Moses) coached him in what to say was called a prophet and Moses was called the Lord (God) of pharon which means king and arch-priest as the Lord said: “Moses, See, I have made thee a god to Pharaoh: and Aaron thy brother shall be thy prophet.” (Exodus 7:2) so why you not think of your intercessors as prophets and serve them as (good) servants of God should. The deacon is now presented to you as Aaron, and the bishop like Moses and if the Lord called him ‘god’ so ye shall honor the bishop as ‘god’ and the deacon as a prophet.

38. (7): If one says an evil word against his bishop he sinned against God because he should hear the Lord saying: “Do not say anything evil against the gods” and this commandments was not made for idols but was made for the priests and rulers to whom He said: “I will make you gods and the children of the most high you will be called” Also Moses said to the people who rose against him that you did not repel against me but against the Lord God. And if one who says to a layman ‘rocca’ or ‘you ignorant!’ does not escape punishment because he defamed Christ what then will befall those who speak against the bishop on whose hand the Lord gave you the Holy Spirit.

39. (Apostles 10): My son the one who speaks to you the word of God and became for the reason for (eternal) life should be honored by you as you honor the Lord from your wealth, the sweat of you labor, and the works of your hands. So, if the Lord concerning him made you receive food of the body and spirit and eternal life, you ought to offer to him the food of this vanishing world because it is written: “, Thou shalt not muzzle the mouth of the ox that treadeth out the corn. Doth God take care for oxen? Or saith he it altogether for our sakes? For our sakes, no doubt, this is written: that he that ploweth should plow in hope; and that he that thresheth in hope should be partaker of his hope.” (I Corinthians 9:9,10)

40. (Descolia 21); We command that none of the laymen should do the works which are of the clergy which are the offerings ‘qurbaan’, baptizing, laying of hands, ordination neither the small nor the big.

#### **Fifth: What They Are Punished For:**

41. (Apostles 19): Any priest who bails out a person should be exiled from the Church.

42. (22) Any priest who makes himself an Eunuch should be cut off from his rank. And any believer who does the same should resign (his service).

43. (42) The priest who repels habitually should be cut off if he does not stop, so also the believer.

44. (52) Any priest or layman who makes fun of a dumb, blind, one eyed, or crippled should resign the priesthood.

45. (Apostles 16): If one was stricken with adultery, stealing, or false oath he should be cut off from the priesthood and should not be exiled because God does not punish for the same transgression twice.

46. (Apostles 46): If one abstains from marriage, eating meat, drinking wine thinking that it is defiled or a sin and made himself better than the others should be cut off. But if anyone leaves any of these things as an act of asceticism and increased worship it is allowed to do it!

47. (49) If one eats in the public restaurants and drinks in the bars/pubs he should be kicked out.

48. (58) If he eats the dead animals or what was killed by wild beasts he should be cast out.

49. (60) If one enters the temple of the Jews to pray or the Church of the heretics for healing or prayer he should be cut off and exiled from the Church.

50. (65) Also if one fasts with the Jews or celebrates feasts with them or accept honors (gifts) of their feast like unleavened bread and the likes if he was a priest he should be cut off and if he was a layman he should be separated.

51. (Apostles 66): Also if he sends to the temples of the Jews, or places of unbelievers, or Churches of the heretics honors (gifts) he should be exiled from the Church.

52. (Apostles 49): One who does not the holy forty (lent) , or Friday, or Wednesday he should be cut off unless he has a physical reason like sickness.

53. Any priest who marries after he accepted the priesthood should be cut off.

54. (54) If a priest has to drink (alcohol) (during the day!) he should do it in his home or in the place he is in and should not go out (until he is sober) lest he becomes a stumbling block for the congregation, so if a priest drinks and gets drunk and his nakedness is shown he should be cast out seven weeks and stays in a lower rank for a year because he shamed his rank of priesthood. And if he was a deacon, he is cast out five weeks and should serve for one month as sub-deacon (lower rank). And if he was an aghnastos or door keeper ‘quayem’ he should be cast out three weeks and beaten forty lashes less one by the order of the priest.

55. (57) No one from the clergy should say a word of insult in the midst of the clergy or the laymen, he should not speak evil of another, or make remarks about features of his body as a put down, like saying: you blind, or you dumb, or you deaf, or you slave, or invalid, or exiled, and the rest of it. If one is like that, curses people he should be punished as a little boy. And if he was long in the clergy he should be cast out until he accepts wisdom.

56. (69) If he made a false witness against anyone, he should be cut off or punished and should suffer the same punishment he tried to cause the other person.

57. (71) If one wants to cast out his wife and the clergy put his signature on the divorce papers (unlawful signature) he should be cast out until they are reconciled.

58. (76) If one is causing strife among the clergy, he should be taught once and twice but if continues in this habit he should be placed in the lowest rank until he stops this habit but if he does not stop he should be cast out.

59. (79) If he laughs while making the offerings, the punishment is one week.

60. (80) If he wear a crown on his head, his punishment is four months if he was a priest, two months if he was a deacon, the others are punished as the priest sees fit.

61. (81) The clergy who speaks blasphemy should stop or be cast out lest anyone is lost because he sees him impolite or not able to control his tongue.

62. (83) If the clergy swears by words of faith or empty words he should be punished for his benefit. But if one swears by Christ or the creator Christ, if he was a layman he should be cast out and if he was a clergy he should be cut off and denied communion.

63. (89) Should not swear by any thing other than that stated in the holy books.

64 (90) If the deacon resists the priest his punishment should be set by the bishop up to seven weeks. If the priest caused mocked the deacon he is punished by the punishment set for the deacon. If the aghnastos resists the priest and does not obey him his punishment is set by the priest without need to involve the bishop.

65. (91) If a clergy cause enmity with one of his companions the clergy they are both cast out until they make peace.

66. (Peter) One with leprosy should not serve the altar of God not because he is unclean, because he is cleansed through baptism but to keep the clergy above reproach. The same for one with other contagious skin disease because it is not proper for such to serve the house of God.

67. It is not permissible for a priest, a monk, or any of the servants of the Church to leave his place on travel or celibate order without the knowledge and permission of his bishop, his prayer, and his orders in writing as a proof of his true faith and proper rank in the priesthood.

68. (Apostles 12): If he does not have in writing the order of his bishop, he should not be accepted as clergy. If he was accepted, he and the one who accepted him should be exiled. And if he went out while he was cut off, the length of his exile should be increased.

69. (10,11) If one speaks to a person who is cut off or cast out he should be exiled from the Church.

70. No One should have doubt about a priest or condemn him except his leader:

**(Biblical Reasons):**

71. The biblical reasons are that priests are of good reputation and for that reason they are respected and honored by agreement. But if he was of bad reputation and it was proven to the leaders, the leaders will condemn him according to the commandments. But for the congregation, our Lord told them about the likes of that priest: “On the chair of Moses sat the scribes and Pharisees, everything they tell you to do, do it, but do not do like them.” (Matt 5:13). But if his transgression is not proven, the one that wants to condemn him should be careful if he was truly a good person because of the saying of our Lord: “Judge not, that ye be not judged. For with what judgment ye judge, ye shall be judged: and with what measure ye mete, it shall be measured to you again.” (Matthew 7:1,2). and His saying also: “and ye shall not be judged: condemn not, and ye shall not be condemned: forgive, and ye shall be forgiven: Give, and it shall be given unto you; good measure, pressed down, and shaken together, and running over, shall men give into your bosom. For with the same measure that ye mete withal it shall be measured to you again.” (Luke 6:37,38). Also his saying: “And why beholdest thou the mote that is in thy brother's eye, but perceivest not the beam that is in thine own eye? Either how canst thou say to thy brother, Brother, let me pull out the mote that is in thine eye, when thou thyself beholdest not the beam that is in thine own eye? Thou hypocrite, cast out first the beam out of thine own eye, and then shalt thou see clearly to pull out the mote that is in thy brother's eye.” (Luke 6:41,42).. Paul the Apostle in this regard said: “Therefore thou art inexcusable, O man, whosoever thou art that judgest: for wherein thou judgest another, thou condemnest thyself; for thou that judgest doest the same things. But we are sure that the judgment of God is according to truth against them which commit such things. And thinkest thou this, O man, that judgest them which do such things, and doest the same, that thou shalt escape the judgment of God? Or despisest thou the riches of his goodness and forbearance and longsuffering; not knowing that the goodness of God leadeth thee to repentance? But after thy hardness and impenitent heart treasurest up unto thyself wrath against the day of wrath and revelation of the righteous judgment of God; Who will render to every man according to his deeds.” (Romans 2:1-6)

**(Logical Reasons):**

72. The logical (reasons of the mind) are that priesthood is a power of God which descends into the mind of the priest which enlightens his mind and gives him the support of God for the purpose of benefiting the congregation and leading them to righteousness on his hands. And if the purpose of giving him the priesthood is the benefit of the congregation most likely he will act accordingly and no fear in his righteousness and for that he receives double his reward. But if he stripped himself of it (righteousness) he stripped himself of the priesthood and is deserving of double punishment. But if he cared for his own without caring for the congregation, he deserves punishment like the servant who took the talent and hid it and he was punished because he took it and did not do with it what he was supposed to do although he did not spoil it or loose it. But if he cares for the congregation but fails to care for himself he receives the punishment of one who did not care for his own end and there is no blame for him concerning the congregation or the congregation concerning him. (St.) gregorious ‘theologos’ the speaker of divine things in his fourth ‘maymar’ essay about baptism used the analogy between the congregation and the candles and the priests as two groups (types) one with a ring of gold and the other with a ring of iron, both rings have the seal and the image of the same king. When the candles are stamped by the rings there is no difference between the candles which are sealed by one or the other, but the difference is between the candle that accepts the seal (good believers) and the ones that do not accept (bad believers). Also the priest with bad reputation is like the candle, the fire is his priesthood. By the fire the candle is burned (consumed) and the people are enlightened without being harmed by the fact that I burns down. We gave another example in the same meaning, two people one is good and the other is evil, they both have request to a king through two ministers (aides) one is evil and the other is good. Let us also say that the good asked the intercession of the bad aide and the bad asked the intercession of the good aide. But since the king is just and knows the condition of the two requesters, there is no difference in the outcome because although the good sent his request through the bad aide he gets the reward he deserves although the aide is

bad. Also the bad gets his punishment although it came through the good aide because his evil is what determines his outcome, and if the outcome of that one is good this would be rare and God only Knows.

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

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## Chapter 10

### Concerning Monks, Virgins, Widows, and Ascetics Nine Parts

(Preliminary Translation)

#### (1) First, Their Description:

1. Monasticism is the philosophy of the Christian Faith. Monastics are angels on earth and humans in the heavens, followers of Christ as they can master energy in all their behaviors are the likes of His apostles in leaving behind the things of the world and putting down the desires and rejecting everything even their own self because of their love to obey Him and love Him, doing according to His commandments which He commanded those who want to seek perfection to do. To love Him more than parents and children, spouses, and money because they are blessed to rest from all their troubles and cares of this present world and to be saved from eternal damnation and are blessed for the homes prepared for them in heaven instead of the worry about things of optional and temporal nature.

#### (2) Second, The Conditions of Qualification:

2. Our Lord Jesus Christ said: “And he said unto him, Why callest thou me good? there is none good but one, that is, God: but if thou wilt enter into life, keep the commandments. He saith unto him, Which? Jesus said, Thou shalt do no murder, Thou shalt not commit adultery, Thou shalt not steal, Thou shalt not bear false witness, Honour thy father and thy mother: and, Thou shalt love thy neighbour as thyself. The young man saith unto him, All these things have I kept from my youth up: what lack I yet? Jesus said unto him, If thou wilt be perfect, go and sell that thou hast, and give to the poor, and thou shalt have treasure in heaven: and come and follow me. But when the young man heard that saying, he went away sorrowful: for he had great possessions. Then said Jesus unto his disciples, Verily I say unto you, That a rich man shall hardly enter into the kingdom of heaven. And again I say unto you, It is easier for a camel to go through the eye of a needle, than for a rich man to enter into the kingdom of God. When his disciples heard it, they were exceedingly amazed, saying, Who then can be saved? But Jesus beheld them, and said unto them, With men this is impossible; but with God all things are possible.” (Matthew 19:16-26)

3. (St.) Basil in his monastic writings said: “it is required above all things that anyone who desires to receive this virtue to have a fixed (non changing) mind to complete what he promised to do lest he slides back and he has to complete the obedience to his leaders and examine what is for his own salvation”

4. (Nicea 1): Anyone possessed with an evil spirit should not join monastic life.

5. (15) If one seeks to join a monastic order without the permission of the bishop of his region should not be permitted lest he has attachments to a wife, mother, child, or the likes.

6. If one left behind children and refused to support them or parents and refused to support them with the excuse of joining monastic life, he should be cut off.

7. (Nicea): Monasticism is a free choice calling, so if one goes to a monastery to become monk he ought to be examined carefully by the head of the monastery: who his father is, what business he was engaged in, for what reason he wants to join, does he have a wife or children that he wants to escape from, is he a slave of one of the believers does his master agree to let him go, if he was free but under age does his parent or guardian approve of his decision to join monastic life. If there is an objection he should refuse his request. But if he left those related to him and lived alone for a long time, he should accept him. If he had a wife and she refused to let him join he should be refused admission. But if he was in trouble and harm because of her he should be accepted. If he killed unintentionally like in self defense and he wanted to join the monastic order for repentance he should be accepted. And if the relatives of the victim come to take him by force for revenge, the head of the monastery and all his relatives should work hard to save him because the killing was not intentional and the situation turned against what

he was hoping for not by his own choice and because he turned to God for repentance and monastic life for his desire to protect his salvation he should not be cut off.

-Third- What One Should Do with His Wealth Once He Is Prepared for Monasticism:

8. If one desires monasticism and was without children, he can author a will for those whom he wants to inherit, everything not in the will goes to the monastery after his death.

9. Because our Lord said: “go sell all your possessions and give to the poor and needy and make for yourself a treasure in heaven and come and follow me” (Matt 19:28-30). I see that the one who leaves the home of his relatives and enter into the worship of God, he should not reject his possessions any way possible because it became a property of God, but to manage it carefully as the will of the Lord leads either by his own direction if he can manage it well or through selected people who showed skill in managing wealth and honesty in doing such knowing that it is a danger to leave it to his relatives in the flesh if they had no need and it is even worse to leave it with those who are not competent in such affairs. And it is written: “Cursed are those who do the works of the Lord carelessly.” One should be careful because we might through carelessness be found in transgression concerning the commandment because of trying to complete another. For this reason also we should not meet enmity caused by money with enmity or confrontation.

#### **Fourth- Requirements (Six in this Section):**

9. (1) First, Leaving marriage, one who never married or others who were married then separated. The first are those whom the Lord spoke about saying: “For there are some eunuchs, which were so born from their mother's womb: and there are some eunuchs, which were made eunuchs of men: and there be eunuchs, which have made themselves eunuchs for the kingdom of heaven's sake. He that is able to receive it, let him receive it.” (Matt 19:10-12). The two groups selected to be in this world as the Lord said about the coming age: “For when they shall rise from the dead, they neither marry, nor are given in marriage; but are as the angels which are in heaven.” (Matt 12:25). They also are following the example of Paul the Apostle who said to the people of Corinth: “Now concerning the things whereof ye wrote unto me: It is good for a man not to touch a woman. Nevertheless, to avoid fornication, let every man have his own wife, and let every woman have her own husband. For I would that all men were even as I myself. But every man hath his proper gift of God, one after this manner, and another after that. I say therefore to the unmarried and widows, It is good for them if they abide even as I.” (I Corinth 7). In this chapter he spoke about how celibacy is a better state, because if one does not have a wife or a widow he cares for the things of the Lord and how to please him (9), but if he is married he has to care for needs of his wife. For that reason there is a big difference between those who are married and those who are celibate. Also for women, the one that remains without marriage cares for what brings her closer to her Lord and how to keep herself clean in body and spirit. But one who has a husband has to care for her husband and the things that makes him content. So, if one is free not to marry and is able to keep his celibacy he has done the best there is. And if the spouse of a woman passes away, she is free from that responsibility and blessed is she if she remains like him (Paul the Apostle) without marriage because Paul concludes: “But she is happier if she so abide, after my judgment: and I think also that I have the Spirit of God.” (40).

10- (2) Second, Leaving the relatives in the flesh, possessions, worldly desire behind as explained before.

11. (3) Third, Living in the wilderness and wearing wool (rough) cloths and girdle (tight belt) at the waist and follow the example of John the Baptist in conduct.

12. (4) Fourth, Leaving behind the desire for meat and wine and limiting the food (diet) to the absolute essentials only.

13. (5) Fifth, The brothers in the congregation of monks as Bassellious stated in his essays on monastic life said: “one spirit, one mind, and their bodies although many are like one instrument put together for that one spirit in the bond of love and everyone of them does not live for himself but being (alone) or in a communal life he is doing it to please God. They worship together as equals and having a choice and for that reason they are in peace (grabbing

every virtue they can achieve) and none of them is unfairly treated. For that reason they steal the kingdom of heaven and their hearts are in complete obedience to God. They live the life of the coming age (here on earth).“

14. (6) Sixth, To spend the whole life in fasting and prayers. Also in the works of their hands and the mentioning (praising) of the Lord and reciting His (holy) books and understanding the meanings thereof, reading the stories of the saints to do like those who loved Him and to think about his perfect qualities, His great creations, the good order of His universe and its accurate arrangement which He made to be in a condition that is without fault. And by keeping themselves busy in what was mentioned they can save the body from all that causes acts of disobedience and their tongues from anything that benefits not the one who speak or the one who hears and their senses from bringing in what causes one not to think good thoughts or speak good words or do good deeds. And also they are able to keep the subconscious feelings from thinking or imagining other than the good things above mentioned.

**Fifth: Concerning the Head of the Monastery, His Disciple, The keepers of the Stores and Gates:**

15. (Nicea 79) The monks of a monastery are not permitted to select a head (leader) without the permission of Khory-episcopose (bishop in charge). And if a leader recommends in his life one to take his place after him and was not from his race (meaning not related to him in the flesh) and he made sure to make the recommendation known it should be followed. The departed head will receive the good reward for choosing wisely and his choice is for the common benefit when done in purity and fear of God and the two of them are blameless and the new head should be as was recommended without objection.

16. (Nicea) No one should rue over a monastery except one that grew up in the monastery and is knowledgeable of its affairs and the life of monasticism and is not ignorant or weak in opinion and is blameless inside and outside the monastery. He should be of good reputation, skillful, knowledgeable of civil rules, understanding of how to resolve disputes, and puts the effort to carry the leadership responsibility and was accepted by the leader before him. So, if the congregation of monks witness to these qualities without hypocrisy he should be made head.

17. The head with the brothers should be like an obedient father with his children and the teacher with his pupils because the father will desire that his children be righteous, wise, modest, humble, because the honor of the children rests on their parents. Also the teachers would want their pupils to gain good knowledge and work in the professions of their desires. And through the gifts of knowledge from the teachers the pupils are honored because this is their desired goal. For this reason a spiritual father who teaches the things concerning God should have as his goal and desire for his students to be: gentle, wise, good in the strive for worship, victorious over spiritual enemies (the devil and his powers) so he can receive from Christ the crown of glory because through good effort he made them close to Him (loving Him) doing according to His will. And he deserves honor from them because through his teachings he made them the brethren of the Lord, because the lord through his extreme generosity said: “Who he does the will of God is my brother.” But if they were not straight in their worship to god because he leads them astray, or not good he will be punished on the day of judgment. But in this age if the children are bad, they are like being poisoned or throwing poison on their parents. The leader should manage the affairs of each one according to his specific needs in terms of the kind and amount because they are different in age, types of work, comfort and discomfort in professions, their different body builds (statures), differing habits, differing physical and mental health. And there is no law that fits all these different conditions, so those in charge have to manage each one according to his condition to satisfy what is written that they gave each according to his needs. But they need to make sure that no one eats with pleasure or in excess and because the subordinate follow the leader example he has to have perfect reputation in all the commandments of the Lord lest anyone think that the commandment of the Lord are not possible to achieve. Finally, through his appearance (example) and works he should convince them more than through his speech.

18. (Nicea) He should obey the bishop and Khory-episcopose.

19. (Nicea): The disciple, and servant of the head of the monastery should follow the example of his teacher, like Elisha the Prophet who was the son of one of the Great people of Israel and did not mind serving Eliah the Prophet and he was but a villager from Gelaad and did not say in himself how can I serve this villager and come in the midst of Israel be shown serving a poor stranger. But instead he saw that in these countries where his teacher went

no one was deserving to be servant or disciple for his teacher (he thought highly of his leader). By that way of thinking each disciple should think of his teacher, and when they become even better than their teachers in position, they should say, woe to us because we could not reward our parents in the flesh for what they did concerning raising us, and how much more is the reward of our spiritual fathers.

20. The leaders should do for their obedient disciples what job did for the members of his household, he made offerings daily concerning his off-spring, wife, and servants. Likewise the spiritual leader should pray daily for their disciples to the merciful God, and this should be with no restriction.

21. The head of the monastery should look for one who is a good manager and has the fear of God in him to make him manager of the affairs (‘aknoom’, also called ‘robotah’) and its finances and to care for the financial needs of the brothers without favoritism because of age and does not displease God by acting with partiality. The person should be honorable, honest, free of evil and greed. He does not desire to acquire material things, and does not eat, drink, or sleep in the ‘qulayah’ place of residence of one who is under suspicion. And he should not favor any of his friend or relatives with any of the things that belongs to the monastery, but always doing what bring praise to God so in him the following saying will be complete: “Blessed is that servant who when his master returns finds him doing as he was commanded.”

22. The keeper of the stores of the monastery should be religious, good steward, fills the requests with pleasure and straight heart. He should inquire about the one who are troubled and care for the sick and should not be lover of rest, food, or drink but to have his meals on the table of agape which is in the middle and known to all. He should not make fun of anyone who comes to the monastery but to offer them food from the stores of the monastery and to give the food that might spoil if kept longer to the poor and strangers because if it spoils and is thrown away it is counted as sin for him. Especially if it spoiled for his greed and jealousy which please the devil and denies the benefit of the servants of God, his brothers the poor who come to the door of the monastery (to seek help).

23. The door keeper should talk softly to those who come to the door of the monastery the close and the stranger alike. He should be very humble, able to withstand insults and arguing without shouting and he should not make fun of a poor person and quick to answer the knocking on the door giving each the honor of his rank. And if he hears some of those who are coming or going speak evil of the head of the monastery, he should not be quick in reporting such insults lest he saddens him and disturbs the residents of the monastery but should wait for the proper time to tell his leader. and he should tell it to him with simply and kindly as if he is looking for excuse instead of fixing a blame. He also should let his leader know who honors and loves him and who dishonors and hates him because this is part of being a disciple and a duty of the service he was appointed to carry. The head of the monastery should not show (his feelings) to the door keeper.

24. The door keeper should not allow any of the monks to exit or any visitor to enter without the permission and signature of the head of the monastery. He also should not allow the brothers to gather near the door to joke around or engage in empty talk. He should not accept anything from any of the brothers or do any safekeeping in secret. And if a stranger leaves an object with him for safekeeping he should not open or search it. And if he was informed that the monastery is low on supplies, he should send the visitors away gently. He should not endear himself to the people by doing what is despised by the head of his monastery because by doing such things he becomes like Judas who objected to his master because of the woman who anointed the Lord with precious ointment and in his (wrong) objection used the poor and needy as an excuse.

#### **Sixth-Their Advise and Management:**

25. (Nicea) The congregation of brothers (monks) should continuously pray, fast, and read the holy books as the head of the monastery commands them to do. They also have to take turns in the service week by week inside the Church and outside which includes clerical services, and services of the flesh. And if a strange monk visits them they should honor him and give respect to him and make them join their food table, but the laymen who visit should eat separate from the monks but some of the laymen might eat at the table of the head of the monastery if he is in for something that will bring benefit to the monastery.

26. (81) They should behave nicely towards each other and with everyone else. They should not be roaming the markets and streets and should not speak words of mockery or joke around laughing and fooling around, but they should practice silence and humility and when they are with those who are not in the faith they should be adorned with the things that give them beauty (meaning good and friendly conduct towards strangers). They should keep away from women and should not eat meat inside and outside of their monasteries and should not use thing of beautification or ointments (perfumes/makeup). They should wear heavy tight belts around the waist, and their cloths should be rough (virgin) wool the cloths of ascetics and also their appearance and should avoid wearing the cloths of laymen and their habits should be like those of the forefather from whom we learned virtue and generosity and they were monks in the true meaning of the word and thought of themselves as dead (concerning the things of the world).

27. About estimating the amount of food, drink, and cloths: If the majority of the congregation of the monastery are farmers (do farming chores) they should be fed twice a day once after the sixth hour (12:00 Noon) and once at the end of the day. If they were not farmers they should be fed once a day around the Ninth Hour (3:00 PM) or at the end of the day and they should sleep on the floor of their ‘qulaia’ But the head of the monastery and those who are sick can if they choose sleep on beds because of their age or illness and do not have to remove their cloths. When they sleep they should not loosen their belts and they should not sleep two on the same bed or close to each other but be always prepared for prayer and staying awake like a soldier who prepares for the day of war and the hour of battle.

28. If they exceed in the work and labor for the weak and needy they should be given rest for a while to complete the required prayers. The healthy ones should work for their cloth and should be given the winter cloth after the feast of the Cross and when the winter comes they should store the summer cloths in the stores of the monastery with their names written on their summer cloths. Likewise they do with the winter cloths when the summer comes.

29. In the Summer, they should start the workday early and in the middle of the day at the heat of the day they should stop to perform the mid day prayers and eat and afterwards rest until the heat of the day is down. And when it cools off they should return back to work until supper time, they should perform the evening prayers and given supper. They should divide the day three parts, part for prayer and reading, part for food (eating) and part for working and to rest in between.

30. But concerning drink, they should drink the absolute least amount for the benefit of the body as (the Apostle) Paul commanded his disciple Timothy.

31. (Nicea) If engaging in commerce is not considered good for laymen (engaged in the service of the Lord) who much more it is for monks.

32. It is not proper for the monastic to desire to become a priest or a head of a monastery because the love of higher positions is an illness of the devil and anyone who falls in this illness will despise those who are worthy of the priesthood or leaders and will want to speak evil and wish the death of those in the ranks so he can take their place and when they are making recommendation he will be troubled concerning them so it is advised o stay away from this (unholy) desire.

33. When it is the Lord’s will to choose leaders, He knows whom to be chosen.

34. He should stay away in his heart from his parents, relatives, and laymen friends as the dead is separated from the living, but if any one them achieve the virtue (of monastic life they are again his relative. Not in the ranks they were in but in the ranks of monastic brothers. Because the true father of all is the Lord the father of everyone, second to Him is the spiritual father the head of this virtue (monastic life).

35. But concerning the relatives in the flesh, he should pray that they have good life of worship to God. But to care for them or inquire about the affairs of their lives, it is not permitted otherwise we let the forbidden enter our hearts and the bad thoughts and the worries of this world which we are supposed to leave come back into our lives and we become like idols (statues of stone) in the monastic shape but have none of the virtues of monasticism. And our

Lord did not permit the disciple, who wanted to follow him, to say good bye to the people in his house hold or to bury his dead father because we are not supposed to look back.

36. Those who enter this communion have nothing to call private even his own self because it became God’s. And everything they had before because a private thing of God. None of them has any authority to do any works that can help his relatives in the flesh or his own self, but only his brothers the monks because they are the same kind he is. And those have no authority on themselves to break the bond of spiritual brotherhood as the organs can not separate and the married can not separate except through death. If one says that the brothers are bad, we say not all of them. And the Apostles did not cast out of their congregation anyone except Judas and his crooked ways did not defeat the straight forward ways of the rest and did not deter any of them from completing their obedience to Christ.

37. True monasticism is to control what you see and what you hear lest things that can spoil your soul, mind, and tongue enters you and you start doing what defiles the senses.

38. You should select from foods and cloths the easier to obtain.

39. Remember the voice of the Lord who said: “I fill heavens and earth, I am nearby and not far away.” He also said: “If two or three gather in my name I will be in their midst.” For these reasons we should complete everything as if the Lord is watching us and that is how we can have His fear (in us) and complete His will and do not disobey the commandments in order to please men.

40. Living in a congregation (communal living) is good for many reasons. One is not only satisfied to care for himself but he cares for others as well because the Christian love and the commandments of the Apostles require that one should care not for his benefit alone but for what benefits his companions. The solitude does not know what he is missing and if he occupies himself in completing one of the virtues he misses on another. For example if he visits a sick (brother) he misses on accepting the strangers. And how can he receive the gifts of the Holy Spirit which for the most part are give for the service of others (because if he receives it, it remains hidden because there is no one to benefit from it). And he does nor benefit from the gifts of others but in the congregation each one benefits from his own gifts and the gifts of the others. If the (solitude) sleeps he does not find who can wake him up and no one is around to encourage him to be steadfast. Also, when he receives praise from the brothers he will think that he reached the fullness of all virtues and if he has not reached perfection and needs to practice humility or mercy he has no one to humble himself to or have mercy on. How can be patient if he has no one to oppose him (give him the opportunity to practice patience). And if he says that the books will teach him all virtues, he is like one who learned commerce and never had a chance to put it into practice.

[This paragraph is opposed to life of solitude which is a higher calling in monasticism!]

41. (Nicea) If you eat meat in your sickness, it is offense to you but not a sin. You should be saddened because this is a decrease in your virtues. And if you have to bathe in a bath during your sickness, it ought be once or twice at most. But if you were healthy, you have no need to bathe. You should not weep more than the limit and should not cry at all.

42. Sing the hymnals by measure so not to bore the brothers. When everyone is alone in his private place after the public prayers, if you can complete the commandment of the Apostle, Colossians 4:2 ”Continue in prayer, and watch in the same with thanksgiving;” please do.

43. If one desires perfection, he has to withstand all the pains (tribulations) which comes to him for the sake of God and be prepared for death at all times. Because he must be tempted like our Lord was tempted by hunger, high living, and the love of money and if one is not awake every hour he will fall in the worship of idols which is high living.

#### **Seventh- Things That They Should be Punished For:**

44. (Nicea) If some of the brothers get into the habit of being absent from the public meal table and they are having special arrangements made special for them, the head of the monastery should advise them to the join the group

meal and if they refuse, which is because of desire and lust (for special foods) they should receive the punishment they deserve.

45. If two brothers get into a dispute and one of them beats another. If the one who was beaten forgives the other, the congregation should recognize the rights of the one who forgave and the other brother should be cast out for 40 days, and if the other returned beating for beating he also should be punished the same.

46. Any brother who extends his hand to beat the head of the monastery, should be whipped forty lashes, and is exiled to another monastery for a whole year to repent and should be in isolation all that time and then he returns to his monastery. And if he was one of the elders of the monastery before, he returns to the lowest rank in the place.

47. Any brother who speaks evil about another should be cast out of the monastery and should not stay there if he is known to do such thing.

48. Also anyone who hurts the brothers or cause disturbances or one that does not listen or does not obey or neglects the daily work or does not do it on time or wastes the food of the brother should be cast out.

49. Any brother who is found drunk will be forgiven once, twice, and a third time. If he repents he is punished for his deed and is not allowed to use wine at all.

50. Any brother who is complete in body (healthy) that refuse to work should be given the least amount of food to eat alone. Also, anyone who exceedingly falls asleep in prayer.

51. Any brother caught in transgression is forgiven once and is to fast and be cast out for forty days and is required to repent for one year.

52. Any brother who is unable to live monastic life and gets bored and leaves the monastery for a village or town to live, he should be treated like a layman, not like a monk, because he might not be able to behave like a monastic and will cause monastic life to be blamed and give it a bad name and this should be done without reservation.

53. If one of the monastics lives with a woman and does not see the harm it caused, both are cast out because the book says: “who can take the fire in his bosom and does not get burned by it!” and the holy books teach us that avoid getting close to women repeatedly, and to avoid talking to them repeatedly!

#### **Eighth- Concerning Female Monks, Widows, and Female Monastic:**

54. (Apostles 16) Peter said that the widows should be divided into three groups, two should be dedicated to worship and prayers praying for everyone who is in tribulation and to ask for signs of what will be! The third group should stay with those women who are afflicted with sickness to serve them well and be awake and inform the priest of their conditions. A widow should not desire riches, not a drunker lest she starts to lax (neglect) and does not stay awake for the night service!

[Do not understand, who is Peter that is referred to. There is no biblical reference! Speaking about widows who joined nunnery, monastic life for female believers! Is that where the tradition of having nuns as nurses came from?]

55. (25) If the widow is selected (to join the order) she is to be called by name (usually receive a new name as sign of dedication) and is not by the laying of hand. If her husband dies long ago she is called, but if his death was recent she is not trusted (meaning has to wait to be examined and for her to examine her desire for celibacy to be sure that she is going to be able to continue). If she was an old woman, she is examined for a period of time and then selected by being called with a new name and she is to join the other widows and no hand is laid on her or any one in this order because the laying of hands is for the raising of offering and the ordination is for the clergy but the widow is for prayer (worship) and this is for all (female monks).

56. (26) No Laying of hands on a virgin (nun/female monk) but her reputation is what makes her a nun.

57. (Desolia 19): The widow to be dedicated to the service should be at least sixty years of age, so that she will be firm in her desire to dedicate her life to service and not desirous of getting married again which will bring shame to the rank of dedicated widows. So, for the young widow, she should not be anxious but stay firm in the faith because not to make a promise is better than promising and not fulfilling . So, for the young widows it is advised not to desire the rank of dedicated widows lest the weakness of their nature (as human) make them marry again and this will make the devil mock the order of widows!

[In the Coptic Church, these are the conditions for calling a widow a deaconess, an order which was revived by His Holiness Pope Shenouda III in the late 1970's]

58. The honor of the (dedicated) widow is in exceeding prayers, fasting and service o the sick.

59. It is required that nuns (virgins) be in the first rank and widows be in the second. If the husband of one died she is in the rank of widows. And if she marries again after she chose the rank of widows it is a transgression with great punishment. Widows should not be jokers/laugh loudly. And should not stay in a place where men other than her brothers or father reside. It is not proper for the widow or virgin to care for the things of the body desires. And hey should fast everyday to be able to extinguish the fire of desire which is her means to resist in the war.

60. The virgins should be more careful in their conduct. If she walks alone, she is getting herself closer to adultery. Virgins should not appear in the public after sunset. She should not drink wine except in sickness caused by exceeding monastic practices. And should not give her body rest through much food because food is the weapon of desire and the bond of purity requires life of solitude.

61. Those who travel from place to place, the eye can not escape, the ear hears, and the tongue speaks about they bring to the heart desire!!!!!! They should avoid idleness and laziness. And those who defile their tongues with disputes and decadent speech are not to be called widows or nuns.

62. It is not proper for a nun to raise her voice when she speaks or to engage in enmity or dispute because of any of the instruments of this world because she refused the world and she is a servant of God and for that reason she should not be enslaved by any of the things of this world It is sufficient for her to do the works of her hands for her sustenance alone in her house.

[Translation Footnote: Could be talking about ones who dedicated their lives and longer associated with the nunnery, to continue in their calling alone because this will be more pleasing to God to Whom they dedicated their lives!]

63. She should not get involved in any of the affairs and worries of this world, should not attend weddings, or socialize at all.

64. She should make her tongue used to reciting the psalms and should be pure, obedient, humble in her speech, humble, polite in facing evil, exceeding in monasticism, wise in all good deeds, dedication in prayers, and being awake (to worship) in the nights. sleep is natural for the body, but excessive sleep is not natural.

65. A parent should not choose for his daughter the habit of nuns (meaning should not force them to become nuns) but she wears it herself (meaning her own choice) so that if she fails to complete the way it is her own fault and returns on her alone.

65. (Desolia 19) The widows should be without anger, little in conversation, and do not speak evil or hear bad words.

66. (22) The virgin should be clean in soul and body because she is a temple of God, house of Christ, and a rest for the Holy Spirit.

### **Ninth- Life of Monasticism and What Can Happen in Monastic Life:**

67. Monasticism is a calling and is not required of all Christians. But it is more like a promise which one makes to God the Al-Mighty. The monastic chose this calling and offered everything they posses including their own lives to God, a holy ‘qurbaan’ offering. For that reason they have no control on their bodies or spirits except in obedience to God and his servants (their leaders) like offerings once it is promised to God can not be claimed for any thing else except God and his servants. Anania and his wife Saphira when they dedicated the price of their field to God and kept part of it for themselves, the Apostle (Peter) punished them with destruction (death) for their transgression (Acts 2:44), so much more is the transgression of one who dedicate his life to God and returns back to the world. Because when he defiles his celibacy and returns back to the world he enters into marriage which is but adultery and apostate. Because any one who leaves the communion of Christ, his angels, and his saints and breaks the promise which he made to Him in front of the altar and in the presence of his servants and communes with a woman he denied the truth and is a hypocrite towards Christ and has followed the ways of the devil. The laws concerning this situation are many.

68. But the widows and those who promised to remain unmarried and changed their mind, Paul the Apostle said “But and if thou marry, thou hast not sinned; and if a virgin marry, she hath not sinned. Nevertheless such shall have trouble in the flesh: but I spare you.” (I Corinthians 7:28). They have transgressed against Christ and they desire to marry there punishment is awaiting because they abandoned their first faith (promise).

[It is better not to make a holy promise than to promise and not fulfill the promise we made]

69. Concerning virgins and hose who became celibate, St. Bassellious said in his fifth law: “If one made a promise to remain virgin and afterwards desires to marry, her marriage is repulsive.”

70. St. Api-phanos in the thirty sixth of his laws said: “Every layman who promised monastic life and recanted should be denied ‘qurbaan’ communion for six months. This is because he did not enter under the order of monastics but only made a promise. But if one already was given the angelic appearance of the monks and became one of the heavenly soldiers and he had previously examined himself as a novice for many years, his taken off of the heavenly appearance of the monastics is taking off the faith and his repentance is not accepted until he returns back (to monasticism). Like the apostate their repentance is not accepted until after they return to the faith and denounce what caused them to deny the faith.”

71. The fathers (of the Church) instated laws concerning anyone who does such thing. But the three hundred and eighteen (318 who met in Nicea) wrote in the twelfth of their twenty laws the following: “ If a man received the grace of God to leave the world and join the life of monasticism and refused all the desires and gains of the world and desired the life of worship to God and recanted from his monasticism he is like a dog who returns back to his scum (throw up), we command that he is treated like the keepers of the door for ten years and before that he only is a listener for three years. It is required that they are be examined and visited to make sure that they have repented and returned to their monastic life they can mix (socialize) with the believers in prayer, and it s left up to the bishop.”

In the eighteenth law of (the council) of Ankra it says: “Anyone male or female who promised to be celibate and not marry, if he/she recants the promise is required to offer repentance exactly like one who married two and was with both of them the same time, they are under the punishment of adulterous because they were the brides of Christ. And do you see any way for one who marry two except for leaving the second! So, also the adulterous there repentance is not accepted except after they leave the sin and separate themselves from it. By this measure, one who becomes a monastic and recants, his repentance is not accepted unless he returns back to monasticism and entering again under its yoke like the rest of the monks.”

73. One should examine himself first, and train it in diverse exercises of the soul and the body before he enters under the yoke of monasticism because after he enters there is no way to leave it or resign from it.

74. The Lord gave an example concerning this (choosing/calling) of the person who desired to build a tower. He has to examine himself first, can he complete it lest the devil laughs at him (makes a fool of him) and the people make a mockery of him.

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

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## **Chapter 11**

### **On The Laws Concerning Laymen**

(Preliminary Translation)

Note: Paragraphs Are Numbered As in Arabic Original. The entire chapter is 63 paragraphs. This was posted before for those who are keeping track!

1. First, Christian teachings mentioned in the Gospels, Epistles of the Apostles, are in the forty fifth Chapter.
2. Second, What was mentioned in the Cannons (of the Church) which includes the introduction to the Descolia, Remember you children of God, to do everything which leads you to the obedience to the Lord.
3. If anyone seeks to sin, he is (acting) against the will of God and should be considered one of the disobedient gentiles.
4. Remove from you injustice and the love for larger inheritance. Do not add good to the good which the Lord gave you when you were born.
5. Do not let the hair of your head grow long, do not keep it un-cut and groomed so it will bring loose women to you (to desire you).
6. Do Not wear fine clothes, because it brings temptation.
7. Do not wear shoes which are brightly dyed (flashy) or gold rings in your finger, because these are signs of fornicators.
8. Do not make your hear wetted or bridled and do not take from the hair of your beard which changes the figure or spoils it from it natural (appearance) because the commandment (of Moses) forbids such things.
9. If you rich and do not need a profession for living, do not neglect wisdom (meaning not to idle and instead spend your leisure time doing useful things).
10. When you go out (of the house), associate with believers and speak with them the words of living.
11. You must remove the evil from among you, and forgive your brothers quickly. We do not say that to the rulers (meaning that the ruler might have to condemn and convict evil doers to keep order in society). We advise you to do good always, to receive from God unlimited rewards. And if through the will of Satan you get angry, do not the sun set on your anger. Solomon said: “The souls of those who remember evil shall receive death.” The Lord commanded us to love our enemies, how then can we despise our friends.
12. If you desire to become Christian, follow the Lord’s commandments and absolve all the tie of evil.
13. Those who make hatred or judgment, or enmity are strangers to God, because He is God of Mercy. From the beginning, He called all the tribes of the earth to repentance through the godly, the prophets, and the righteous. Because those who lived before the flood had the examples of Abel, Seth, and Anoch who was taken (up to heaven). Those who lived at the time of the flood were pre-warned by Noah. Those who were in Sodom, were warned by Lot who received the strangers (angels). Those after the flood were taught by the example of Malchesadeque and the Fathers (meaning Abraham, Isaac, and Jacob) and Job. The Egyptians were pre-warned through Moses. The Israelites were taught through Moses, Joshua son of Nun, Kaleeb, and Phenhass. Those who lived before His (Christ) coming, were taught by John (the Baptist).his forerunner. Those after His coming, He (Christ) preached to them concerning Himself when He said: “Repent, because the kingdom of heaven is near by.”

Those after his suffering in the flesh were preached to by us, the twelve Apostles, and Paul who became a vessel for honor.

14. That who busy himself with food and bath (material things) day and night and neglects the infinite (that which is not without beginning or end, the Lord), how can one not say to him the gentiles are made more righteous than you are, as the Lord scolded Jerusalem saying that Sodom became more righteous than you (because you received me not).

15. What do the Lord say to those who come to Church late. They make the practices of faith last thing, and their work is their God to worship. Instead, do as the Lord said and make the worship first and the work last. Do not labor for the food which vanishes, but for the food which is life everlasting. He also said: “This is the work of God, to believe on the one whom He sent”

16. It is unlawful for us, the believers, to be vulgar, or to tell secrets, but we must be steadfast in our search (of the holy words) because the Lord commanded us saying: “Do Not throw your jewels in front of the pigs” If the non-believers, hear our witness concerning Christ, they because of their lack of faith might mock us saying it is not true, but He said: “Woe to them who blaspheme against His holy name”

17. Every one who swears, he is swearing against himself.

18. We know that the widows and orphans receive what God sends their way with the fear of God and thanksgiving.

19. Separate yourselves from those who commit killing or adultery, so no one would say that Nazarenes (‘Nassara’ meaning Christians) joy in acts against the commandments, and (know) that Christ does not need us, we need Him. He asks of us to be comforted in the faith and doing His will.

20. We advise you our brothers, and companions in the service (of God) to escape from words of falsehood, bad words, drunkenness, and lust for food. All together, it is unlawful for you to speak idle words or do which is not useful. Especially on Sundays on which you should be enjoying spiritual happiness.

21. (St.) Peter said: “Do not speak evil of others, Do Not do evil, Do not be double hearted, or speak from both sides of the mouth. And do not desire higher positions. And do not give an evil advise”

22. Andrews said: “ Do not envy, do not be stubborn, do not desire to fight, and do not be easily brought to anger, because anger can lead to killing.”

23. Philip said: “ Do not lust, because lust leads to fornication. And if the devil of anger connects with the devil of lust, this (combination) leads to destruction of those who follow them. The place of the evil spirit is the sin of the soul, and if he (the devil) finds a small place to enter, he enlarges it and brings with him all the evil spirits and enter into this soul. He will not let this person rise again to see righteousness.

23. James said: “My son, do not speak about the signs (of the times), do not offer incense (to idols), do not follow the hours or stars (horoscopes), and do not desire to do so, because these are signs of idol worship”

24. Nathaniel said: “My son, do not be a liar, or lover of gold (money), or lover of false pride, because all these things lead to stealing. Also, do not be a grumbler, because grumbling leads to blasphemy. Do not be buffed up, but make your fellowship with the righteous and the humble and every thing that befalls you, accept with thanksgiving”

25. Receive the communion from the hands of the bishop, but the breaking of bread afterwards is blessing (‘luqmaat Barakka’) and not offering (‘qurbaan’). If the bishop is not present, accept communion from the priest. If not present from deacon (The Church does not allow deacons to celebrate Eucharist, an arch-deacon may help with giving communion, but even this is rare today). The layman shall not give communion. (There must have been times when highly regarded deacon, gave communion because of shortage of priests)

26. Eat and drink (body and blood) orderly, do not drink until you get drunk (meaning only a small amount only when you receive communion) so people will not mock you.
27. It is not proper for a Christian (‘Nussrany’) to sing or clap when attending a wedding, but to eat in order as befit the saints.
28. It is unlawful for believers to drink in the houses of evil repute, or those of the ungodly, because these are drinking outside (not obeying the commandments).
29. My beloved, do not act with carelessness, do not roam around aimlessly. Do not desire silver or gold, but desire sufficiency of food and close within limits.
30. The laymen may engage in business, if he could not labor or farm (they considered working with ones hands to be more honored than business which is considered manipulation rather than labor).
31. Give all people more honor than yourself, make peace with everyone and do not desire enmity. Do not hit anyone, except the little ones (children) for teaching and punishment (necessary). And this you do sparingly and carefully, lest you cause big harm, because (if you are not careful) you might cause death.
32. We must be awake always, Do not close your eyes, because we might sleep, the sleep of carelessness. Do not be comfortable in being baptized and receiving the Eucharist, and do not say I am Christian (‘Nussrany’) while you love material things and do not follow the commandments of Christ. This is like one who entered the bath full of dirt, and exited without rubbing, so his dirt was poured on him once more. These are mocked even by Satan, because their mouth said we cast you away Satan, but they hurried back to him quickly by their bad deeds. Those who call themselves Christian and are not dressed with (good) deeds, they are called by the Lord and by people, Satanic. Because they did not desert the acts of evil but affixed themselves to it, he (Satan) gets their names here (rules them on earth) and in the other place (in the thereafter), if they die in heir sinful ways. Because the Christian must be like Christ in everything. Not desirous of what leads to destruction. Not distributing his inheritance to what is not leading to salvation. Not doing what is not right. Not short on mercy. Not lover of women, but to marry one woman only, raising his children in the fear of God. Not escaping from tribulations, reading and contemplating what he hears. Paying what he owes and no be lazy. Not neglecting of his slaves (servants), but treating them like his own children. Not difficult in dealing or negotiating. Not neglecting of offerings (‘Qurabeen’), first fruits (‘Nezoor’). If a Christian person is affixed to all these (good) things , this is the one who is like Christ, and he will be on His (Christ’s) right hand praising with the angels and will receive from Him the crown of eternal life.
33. Do not love silver (money), the love of money is the source of all evil. Let us desire sufficiency in food and cloths, because it is written for us put your burdens on him and He will care for you.
34. Be deserving of hurrying up to the Church with a full desire (for being in the Church) without hypocrisy and do not neglect the works of your hands so you and the poor of your people will have sufficiency.

**(Duties of Parents Towards Children and Children Towards Parents):**

35. Parents: teach your children by the Lord and raise them in politeness and the knowledge of Christ. Teach them trades appropriate for the words (meaning worthy trades or hard work), lest they desire idling. If you neglect in admonishing them when need be, they will grow to be cruel and not capable of doing good. For this reason, do not be afraid to teach and admonish them because this will not kill them but gives them life. Because Solomon said: “He that spares his rod hates his son, but he that loves him chastenth him” (Proverbs 13:24)
36. Teach your children the fear of the lord and crown them with (necessary) spanking, they will obey you from childhood.
37. Teach them all the Holy Books of God, and do not relent, lest they disobey.

38. Do not let them go with peers to public drinking places, because this would lead them to evil doing.
39. If they commit wrong with the approval of their parents both parents and children shall be punished. For this chasten them.
40. At the proper time for marriage, find for them the good spouses.
41. It is not required of children to give gifts to parents, but for parents to give good gifts to their children.
42. Children obey your parents in the Lord, because it is good to do so. This also is the first commandment: Honor your father and mother so your days on earth shall be longer. Parents do not provoke your children to anger but raise them in the nurture and admonition (teachings) of our Lord.
43. Children obey your parents because this is seen as good by the Lord. Parents do not get upset unnecessarily with your children, because this can cause them grief.
44. Teach your children the prayers of the hours with all purity.
45. Honor your parents in the flesh because they brought you to the world.

**(Husbands and Wives):**

46. Paul the Apostle said in his epistle to the Ephesians: “Wives, submit yourselves unto your own husbands, as unto the Lord. For the husband is the head of the wife, even as Christ is the head of the church: and he is the saviour of the body. Therefore as the church is subject unto Christ, so let the wives be to their own husbands in every thing. Husbands, love your wives, even as Christ also loved the church, and gave himself for it; “ (Ephesians 5:23-26)
47. (St.) Peter said: “Likewise, ye wives, be in subjection to your own husbands; that, if any obey not the word, they also may without the word be won by the conversation of the wives; While they behold your chaste conversation coupled with fear. Whose adorning let it not be that outward adorning of plaiting the hair, and of wearing of gold, or of putting on of apparel; But let it be the hidden man of the heart, in that which is not corruptible, even the ornament of a meek and quiet spirit, which is in the sight of God of great price. For after this manner in the old time the holy women also, who trusted in God, adorned themselves, being in subjection unto their own husbands: Even as Sara obeyed Abraham, calling him lord: whose daughters ye are, as long as ye do well, and are not afraid with any amazement.” (I peter 3:1-6)
48. And to the men, live with your wives fully minded that they are weaker vessels and honor them because they inherit with you eternal life.
49. Listen all ye servants, sons of God, every male person should bare his wife, and do not be buffed up or two faced towards her, but be kind and straight forward. Be fast at pleasing her, and do not desire another woman, otherwise you are forcing her to do likewise.
50. Woman, fear your husband, be mindful of him, please him only after pleasing God. Give him comfort and serve his needs.
51. A wise woman shall do every good thing for her husband. She shall care for all the affairs of her servants, and her hands serve all that is good. Her fingers are on the weaving machine. She gives to the poor, and she sews cloth for her husband and herself. (See Proverbs 21:10-)
52. If you walk in the way, cover your head with your robe, and with your purity. This will save you from the staring of evil people. Do Not put make up on your face, because no part of you needs it. Let your face always look down, and you are covered all around.

53. A free woman shall not let her hair down in the Church. She shall not leave her Children with baby sitters, she shall not cease the service of her household, and she shall not talk back to her husband.

**(About Slaves/Servants):**

54. Paul said in his epistle to Colossians: “Servants, obey in all things your masters according to the flesh; not with eye service, as men pleasers; but in singleness of heart, fearing God: And whatsoever ye do, do it heartily, as to the Lord, and not unto men; Knowing that of the Lord ye shall receive the reward of the inheritance: for ye serve the Lord Christ. But he that doeth wrong shall receive for the wrong which he hath done: and there is no respect of persons.” (Colossians 3:22-)

55. Masters be fair to your servants and treat all of them the same.

56. Forgive your servants their sins against you, so the Lord will forgive you your sins, and He does not take by the face (has no respect of person).

57. The Christian does not put his slaves (servants) down, but treats them like his own children.

58. He should give them rest on Sundays and Holidays.

**(Concerning Satanic Acts):**

59. Those who practice witchcraft, horoscope, soothsayers, and interpretation of dreams, interpreters of needs, operators of houses of entertainment, shall all be separated.

60. Those who follow the teachings of Pharisees (‘Hounaffaa’) or teachings of the Jews shall be warned first then they shall be separated.

61. Those who are false priests, meet with doers of magic, or devil priests or servants shall be separated .

62. Those who tie or loosen or do call on spirits (‘mandaal’) shall be separated.

63. Those who follow maggots, or contemplate the phase of the sun or the moon to do certain things, and those who tie robes, or dance, or chant for casting the devil shall also be separated.

(This section is admonitions against all the works of Satan, even small acts which might sound like fun and games are dangerous. Separated here means are no longer counted with the believers. They need to repent, and then they can be accepted back to the fold of believers.)

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## Chapter 12

### Concerning Liturgy

(Preliminary Translation)

1. (Descolia 10, Nicea 62) You should stand in the Church quietly, with purity and full attention to hear the words of the Lord standing straight. Everyone in his rank like the heavenly host. The bishops in front of the altar as managers/providers. The priests next as teachers, The Arch-deacon to his side, and the deacons next to the priests as servants. The rest of the congregation following. The youth in a place by themselves if there is a place for all of them together. Young boys stand near their fathers. The women are in a separate place: The married in one corner and the girls in another and if there is not enough space they stand behind the women. But the virgins, nuns, widows (dedicated to service) ahead of all women in the place to stand and prayer.
2. Kings stand in the altar room with the leaders and providers (bishops).
3. (Descolia 10) The deacon makes sure that everyone is in the place of his rank. And the deacon checks on the congregation to make sure that no one is falling asleep or laughing, or arguing/chatting with his companion.
4. If one laughs (audibly) in the liturgy, his punishment is one week if he was a priest, but if he was a layman he should leave the Church that instant and not receive communion that day.
5. (96) No one is to talk around the altar or outside the altar except for absolute necessity. No one should spit (clear his voice, blow his nose) except for absolute necessity.
6. No one is to talk (chat) in the Church at any time because it is the house of God and is not a place for conversation but a place for worship in fear. Any one who talks in the Church should leave and not receive communion that day.
7. No one should leave the Church during liturgy from the time of reading the gospel to the end of raising the offerings (liturgy) and receiving the blessing from the priest to leave.
8. (Apostles 7) Anyone who enters the Church and listens to the books and does not stand until the end of the service should be separated.
9. The cloths to wear for liturgy service should be white worthy of the priesthood and not the colorful types. Our Lord when transfigured appeared in white apparel as light. White is the color of the angelic appearance in which they appear to people when they bring them news (visions). And it is the color the Lord commanded Israel to appear in when He spoke to them.
10. (Clement ) The dress of the priest in liturgy should be distinguished from that of the laymen. His robe should be one piece without pockets, and a round hat (‘Taylassana Modaowra Moquara Falwnia’) on his head, it should be wider at the base and has three rows of embroidery on it. The robe should be rounded (flowing) and the sleeves long rounded and flowing because this is the image of our Lord with his hands and feet tied with ropes. The priests hat should also have flowing from it a piece covering his shoulders with crosses at the shoulders because this is the image of the rope that they placed around his neck. when they captured him.
11. This cloth should flow down the legs and the priest has on his shoulders wide piece of cloth. The cloths of the service should be kept in the place where they keep the cloths of the service or books inside the Church and not kept outside of the Church. No one wears shoes inside the altar room as Moses was instructed by God almighty saying: “Take your shoes off because the place you are approaching is holy unto the Lord.” These were also the instructions given to Elisha the Son of Noon and his disciple (Elisha).
12. They start with the pre liturgy (psalms, praises, raising of incense) until the congregation is all present.

13. The deacon bring forward the ‘qurban’ offerings and if the bishop is present the priests stand to his right and his left as his disciples.
14. (Nicea) It is not permitted for a priest to make offerings without a deacon with him to warn the people concerning prayer and calls them to show respect and honor and he has to do it audibly.
15. (Descolia 10,23,38) The liturgy starts with the prayer of thanksgiving, followed with interpretation of the word of the holy books. Afterwards the priest carries the bread and cup of thanksgiving while the bishop carries the censor and they go around the altar three times to honor the holy trinity. The bishop then give the censor to the priest to go out to go around all the congregation and when they finish singing the deacons read from the words of the Apostles and sing the psalms. Afterwards they read from the holy gospel, either the priest or deacon does the reading while the congregation stands in silence (to listen to the holy gospel).
16. When they complete the reading of the holy gospel, if the bishop is present he holds the gospel hands and starts to speak to the congregation giving them the interpretation of the chapter that was read on them. If he is not present the priest that knows how to interpret does it.
17. (I Corinthians 14:17) If you say a word in a strange tongue, and no one to translate, how can anyone know what your as saying and you are speaking in the air (to no one).
18. (18) If one speaks another translates because if their was no one to translate they should keep silent in the Church those who speak in strange (unknown) tongues.
19. (Descolia 38) After the interpretation of the gospel they pray for the sick, stranger, those in difficulty, the air (winds of heaven), fruits of the land, the kings (rulers), those who departed (died), those who bring offering to the Church, and those who offer them, the ones who are being preached to, safety of the Universal Church, the bishop, the clergy, and the entire congregation. The bishop will perform the liturgy while he is standing at the altar and the curtain open and the priests and deacons inside the altar room around him moving fans on the symbol of the wings of the two Cherubim (in the holy of holies of the temple).
20. (Apostles 52) Two deacons should stand near the altar with a hand fan waving it to keep the flies away lest any of it falls in the cup!
21. (Descolia 10) The deacon standing next to the head priest in the service should call on the people warning them not to have hate or hypocrisy toward one another. Then each of the men will kiss the other with a holy kiss.
22. (Apostles 31,52) The women give a holy kiss to other women, but men should not kiss women. The deacon brings water for the priests to wash their hands and they sing ‘eprivaria’ the intercession.
23. (Desolia 10) After the head priest says the intercession for the congregation they complete the liturgy and all the people standing in silence praying.
24. Those who sing at the altar do not sing with pleasure but with wisdom.
25. The body is broken slowly piece by piece and to be careful none of it is dropped. It should be cut to pieces according to the number and not considering who is small and who is big and it should fill the mouth of the one who receives it while being able to move it in his mouth. And on each of the jewels (of the body) should be the sign of the holy cross.
26. (97) When the all the prayers of the liturgy are complete the priests shall profess the holy trinity and the whole congregation be awake and recite together the confession of the holy trinity, and the priest says on the mouth of the first deacon!: if one is holy he should approach (holies unto the holies ..) and if anyone is not holy he will be burned

by the fire of the divine. If one was in disagreement with his companion, if one has thoughts of adultery, or if one was drunk with wine he should not approach.

27. It is not permissible for a priest who did not attend liturgy from the beginning to break the body or take the body in his hands (he can have communion like one of the congregation in this case!)

28. In the Coptic Orthodox Church it was arranged that three liturgies can be recited on the holy body: Bassellious, Gregorious, and Kyrillos and we depend on those three liturgies.

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## **Chapter 13** **Concerning ‘Qurbaan’ Offerings**

(Preliminary Translation)

1. The priest does not enter to the altar with milk, honey, bird, or any other animal. And any priest who enters with anything other than what the Lord commanded shall be cut off. Only oil for the oil lambs and incense during the holy liturgy.
2. On the altar they can only offer bread of pure wheat and grape juice and the wine can not be replaced with wines that goes one to get drunk or cooked on a fire and they bring the grains of wheat and the grape fruit in the beginning of its season to the altar.
3. The offerings should be prepared from the treasury of the Church, but if it had no money it prepares what is brought in.
4. (Desolia 38) The offerings shall be made weekly on: Sunday, Wednesday, Friday, Saturday, and any feast in between.
5. (14) They should not raise the offerings of the unbelievers, the heretics, the killers, the adulterers, idol worshippers, thieves, makers of idols, drunkers, those who are tight on widows and orphans, the unjust collectors of taxes (the fair ones are OK!), the unjust soldiers who disturb the lives of the poor, one who imprisons people unfairly, those who treat their slaves unfairly, those who cheat in measures and weights, merchants who own places for public drinking places who mix wine with water and sell it!, and everyone who does not follow the commandments of the Lord because the Lord despises the offering of the hypocrites as the wise Solomon said (Proverbs 15:8, 21:27).
6. (Descolia) Priest, do not sell your right of first born by accepting any of these unlawful offerings.
7. (Descolia 30) Do not accept also the offerings of those whom the church has bound.
8. (Descolia 38, Apostles 34) An unbeliever or one who is cast out is not permitted to approach (II Thessalonians 3:6, 5:9-12).
9. (Desolia 13) Any believer who was cast out and was not permitted who is close to death is not to be denied receiving the ‘Qurbaan’ (Eucharist). And if he recovers from his sickness he can have communion in the prayers with the believers and not treated as a cast out anymore (does not give him the right to return to any of the ranks of the clergy, only to have communion and join in the prayers).
10. If one goes crazy, he should be given the offerings in the feasts if he does not get mixed up when he is stricken (safety and keeping the offerings from being defiled)
11. (Desolia 35) The deacons should write down daily the names of those who bring offerings life or dead (meaning if the offerings in behalf of a dead person) and remember them in the prayers and readings and those at the curtain (near the altar) and the congregation should ask (the lord) for them.
12. The bread used for ‘Qurbaan’ should be baked the same day and should not be kept for a following day. [We differ in that than other Churches who use dried bread or bread wafers and store large amounts for long periods]
13. It should not be broken when it is brought in but free from any fault.
14. They put the wine in cup and is examined (visually) and do not offer except the premium quality.

15. And the one that prepares the cup should not use wine alone but mixes it with water and the water should be no more than one third the cup and if the wine is still more than it should they add water one tenth more and these measures shall be done without using a measuring scale and if any one dares to changes these ways shall be cast out.

16. (Apostles 44) The cup should not be filled to the rim so that none of it is spilled on the ground.

17. (Apostles 43, Peter) No one receives communion if he was not fasting (abstained from food) and pure and if one broke the fast, man or woman, and received communion as n act of carelessness he should be exiled from the Church of God for ever.

18. Every believer should make it his first desire to receive communion before he tastes anything else especially in the days of fasting and if he had faith when he receives communion nothing will harm him even if he was given deadly poison.

19. (44) Everyone should care to make sure that no one of the unbelievers receives the mysteries (communion).

20. If anyone is offering his sacrifices on the altar and remembers that he is at owe to his brother, he should leave his sacrifices on the altar and go make peace with his brother and then he can came and offer his sacrifice (Matt 5:23,24).

21. (Corinthians 14?) “Wherefore whosoever shall eat this bread, and drink this cup of the Lord, unworthily, shall be guilty of the body and blood of the Lord. But let a man examine himself, and so let him eat of that bread, and drink of that cup. For he that eateth and drinketh unworthily, eateth and drinketh damnation to himself, not discerning the Lord's body. For this cause many are weak and sickly among you, and many sleep.” (I Corinthians 11:27-30)

22. If he raises offering, bishop or priest, and does not approach to receive from it, he has to give the reason and if he gives the reason he is forgiven and if he does not give the reason he is separated because he became a cause of doubt for the congregation because he is carrying the sacrifices in impurity.

23. (Apostles 52, Nicea 17) The bishop will approach (receive the sacraments) first then the priests and deacons and afterwards the rest of the congregation. After the male members, the females receive the communion and they should sing hymnals until everyone has received communion.

24. (Apostles 52) The priest shall say when he is holding the body: “This is the body of Christ, He gave it for our sins”. The one who receives communion says: “Amen.” Also the one who carries the cup says: “This is the blood of Christ which He Shed for Us.” and the one who receives communion says: “Amen.” And they receive communion with great purity (reverence)..

25.(Apostles 52) The priests and deacons should be very careful not to have any left over from the ‘Qurban’ offerings because they receive great judgment.

26. No matter how much is left of the cup the priest and deacons serving at the altar receive it.

27. Everyone should beware that nothing is left over to be used later as food for the flesh, because if they do they are deserving of the punishment of the sons of Aaron and the sons of Eli the high priest when they disgraced the altar of God.

28. (Apostles 52) When the psalmists finish singing the hymnals the deacon says in a loud voice: “We received the honored body of Christ, let us thank him who made us worthy to receive Him.” Afterwards the bishop prays : “Let us give thanks to the Lord because He permitted us to receive the holy mysteries.” And when the bishop concludes his prayer of thanksgiving, the deacon says: “Bow your heads in awe and worship to the Lord to receive His blessings.” Afterwards the bishop says the blessings and afterwards he says “Go in peace.”

29. The cup should not be kept for one who comes after communion to receive communion.

30. No one should keep the ‘Qurbaan’ after the completion of the service. The covering of the mouth is not to hide it but to make sure that none of it is thrown out of the mouth.

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D.(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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## Chapter 14 On Prayer

(Preliminary Translation)

1. Prayer is Speaking to God Al-Mighty by Thanking and Praising Him and Acknowledging His Lordship and confessing to Him our sins and asking Him to give us what is acceptable to Him.

### 2. Conditions for Prayer:

(First) Standing Up because our Lord said: “When you stand up for prayer ..” (Matt 6) and as David (the prophet and king) said: “I stand in your presence and You see me..” (Psalm 5:3)

3. (Second) Girdling oneself because our Lord said: “Girdle yourself...”

4. (Third) Turning your face towards the East, because this is the direction Christ the Lord said He will appear in His second coming. Also because David the prophet and king said: “Praise the Lord who is above the heavens. His voice from the east like many waters..” Also we have to stop looking around because this is the command of the Lord to the Israleites.

5. (Fourth) With the fingers, make the sign of the cross from above down and from left to right. Making the sign of the cross is to cast the devils away because Christ said: “(if) by the finger of God I cast out the devils...” It is from above down because He came down from heaven. It is also from left to right because He transferred us from the left (evil) to the right (righteousness). Also, we make the sign of the cross because the cross was the tool by which Christ completed our salvation. And remember as you make the sign of the cross the grace given to us by Him who was crucified for us.

6. Our fathers the Apostles commanded us to make the sign of the cross on our foreheads with a pure heart always to make the devil flee from us. The Apostles made this sign on us to protect us from the corruption of the devil as the blood of the Pascal sacrifice was a sign on the homes of the Israleites to protect them from death of their first born which rule on the Egyptians but not the Israelites (who had the sign).

7. The time for making the sign of the cross is at the beginning of prayers and when the name of the cross is mentioned.

8. (Fifth) Recite the words of prayer with fear and trembling, while the soul is moved towards the creator. (Pray) either in spirit (silently) or by the tongue (audibly) in which case let the tongue translate (express) what the conscious (spirit) feels.

9. (Sixth) Kneel and prostrate yourself in prayer, because the Lord commanded: “Kneel to the Lord your God and to Him only give worship..” Also the Gospel reminds us that in the night he was betrayed: “He knelt down and prayed..”

10. Kneeling should be by the Spirit and in Truth.

11. The time to kneel is when the name of the Lord is mentioned in prayer (and service) and should be either one time or three consecutive times to be repeated at the end of each prayer or the end of each Psalm or Praise.

12. Some (believers) make it kneeling and others make it prostrating themselves (leaning forward in awe and reverence) according to their physical ability.

13. But there are times in which we are commanded not to kneel like the Pentecost Season, the feasts of the Lord (“Ayaad Saideiah”) and after receiving communion.

14. Prayer also requires raising the hands with opened palms especially during the times of intercessions, supplications, and requests as the Apostle Paul advised Timothy (I Timothy 3) Also as David the Prophet and king said: “Rais you hands in the evenings ....” (Psalm 133).

15. Raising the eyes up high as our Lord to Whom is Glory taught us when He raised Lazarus from the dead. And also as David the prophet and king said: “I lifted my eyes up to you O’Lord...” (Psalm 122)

16. Beating our chests asking the forgiveness from God for our sins and transgressions and the years we wasted without good fruits as the tax collector (publican) did when he beat on his chest saying: “forgive me Lord, I am a sinner.” his prayer was praised more (than that of the pharisee).

17. Weeping for thos who can (weep) they will be like David (the prophet and king), the prophets, the saints, and the fathers the saints.

18. Prayer includes reciting what the Bible and Cannons (Laws of the Church) determined to be used in prayer which includes: The Lord’s Prayer,

19. The Profession of faith (Nicean Creed),

20. Praying day and night the Psalms, Praises, Glorifications, Confessing God the Omnipotent, and confessing our sins.

21. In the morning prayer recite psalm 62 and in the evening prayer recite Psam 142.

22. The priests are to pray the praise of the three young men everyday and close with praising the Lady (The Theotokos) everyday.

23. On Mondays they sing Moses and Merriam his sister, On Tuesday the second praise, On Wednesday they use the praise of Hannah the Mother of Samuel, Thursday the praise of Hebquq, On Fridays the praise of Isiah, on Saturday the priase of Jonah, and on Sunday the say all the praise mentioned before.

24. The fathers of the Church prepared prayers based on these and other priases to be followed.

25. The prayers required of all believers are seven.

(First) The Morning prayers are to be done after the washing of hands and before getting involved in the other activities of the day

(Second) The Third (Hour) Prayer

(Third) The Sixth (Hour) Prayer

(Fourth) The Ninth (Hour) Prayer

(Fifth) The Sunset (Evening) Prayer

(Sixth) The Sleep (Compline) Prayer

(Seventh) Midnight Prayer, after the washing of hands with water, if water is not available at this time one blows in his hands and uses the dampness.

26. If one is married, they pray together. If she is not a believer yet, one prays alone.

27. Married people should not delay prayer, they do not need to bathe, except for the washing of hands because mariiage is purified.

28. Prayers are seven because David said: “Seven times every day I praise you ..”

29. Morning Prayer is because God gave us the light and allowed the night to pass away. Third Hour is commemorating the judgment against our Lord by Pontius Pilate. In the Sixth (Hour) He was crucified, in the Ninth (Hour) He surrendered the Soul, Night (Hours) to thank God for giving us rest after the labor of the day. Let us thank the Lord in all these times in which He endured the betrayal, judgment, cross, death, and His being brought down from the cross in the evening. Midnight is because the bridegroom will come in it. Also, because David said: “I get up in the middle of the night to praise you ...” Also, at midnight Paul and Silas were praying in the prison. Also our Lord prayed at midnight three times in the night of his suffering and He said be awake and pray so you will not enter into temptation. He also said be alert because you do not know what time the son of man will come...

30. Let Morning and Evening Prayers be conducted in the Church, especially on Sundays and Saturdays. Those who are late (not able to attend) for sickness, let them be. But the sick who are able to attend will benefit healing through the water and oil of the prayer. Those who do not attend for good reason need to be reminded by their acquaintances to attend every day.

31. The third (Hour) can be conducted at home. If the believer can not pray where he is, let him pray it in his heart.

32. The clergy are charged with certain prayers which are ordained in the Church: Baptism, Holy Communion, ordination of priests and Churches (meaning the bishops are charged with this), marriage, absolution, unction of the sick, and prayers for the dead when they depart and after.

33. The praying on oil and first fruit and every prayer on everything and let them close the prayer with Glory be to the father and the Son and the Holy Spirit forever Amen.

34. But the prayer of baptism and bathing (for children) should be according to what is in the Liturgy concerning such things.

35. Prayers which are not required (but done willingly) are the prayers of the ascetics and monks because they pray day and night as in the sayings and the teaching of the Lord and as the Apostle said: “Pray always without ceasing”

36. Early morning prayer should be performed at the crow of the cock. As the Apostles said wake up early and profess to the Lord.

37. Pray also before and after receiving your food. Before eating you pray so the Lord may bless the food. You pray after so the Lord may keep your body healthy to be able to perform your practical worship always. When the priests are present at the table, they can pray while everyone is sitting down as the Lord blessed the five loaves (while they were all sitting down).

38. The prayer for the travelers is like when Paul prayed when the people of Ephesus sent him off. Also like the prayer when Paul traveled from Ciseria to Akka.

39. There is also a brief prayer for the monks when they enter or exist any place.

#### **40. Prayer for distress is two kinds:**

(1) The person can pray for his own situation because the Apostle said: “If any in difficulty, let him pray” Paul, Jonah, The Three Young Men all prayed in their distress and were saved. Our Lord taught us to do that as he prayed in the night of his suffering.

(2) The prayer of others for one in difficulty is because the Apraksees teaches us about the prayer of the whole Church for Peter when he was in prison. Also, Paul said: “pray for me so I also may be saved”

41. The prayer for the forgiveness of sin as the priests pray for the congregation as Moses, Aaron, and Phenhaas did.

42. Also prayers for needs which are not against the law like asking for having offspring and asking for wisdom. Hannah prayed to have an offspring and was given Samuel and we know the prayer and praise of Hannah (the mother of Samuel). Also, as the Apostle said: “He who is lacking wisdom let him ask with faith and without doubt, and the Lord will give him what he asks for...” Also as the Lord said: “Everything you ask for in prayer with faith, you shall receive it.”

43. The prayer of spiritual fathers for their children is like the prayer of Paul for Timothy and the command of Paul to timothy to conduct such prayers.

44. It is not lawful to conduct prayer with an excommunicated priest or a non-believer even if it was in a home. Everyone who participates in such prayer will be excommunicated.

45. Brothers, pray always for those who are unlawfully angry so they will depart their anger.

46. If one favored, or even stranger comes in (during the sermon), the bishop shall not stop the service, but let the deacon take him in and find an honored place for him so he can participate in a service acceptable to God.

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## Chapter 15 On Fasting

(Preliminary Translation)

Note: Paragraphs Are Numbered As in Arabic Original. There used to be more restrictions than is allowed today. Tried to preserve the meaning of the original. Repetition was very common. The Arabic word “Youktaa” is translated excommunicated. “Yokhraag” or “Youzaal” translated separated.

1. Fasting is to abstain from eating for a specified period as the law commands in obedience to Him who made the law. Fasting gives us the opportunity to examine our sins and reap our good rewards.
2. The purpose of fasting is to weaken the power of desire in order for the body to obey the spirit.
3. All Nazarene (‘Nassara’ meaning Christians) are required to fast the holy forty days (lent) which is followed by Paschal Week fast ending in Friday of Crucifixion (Good Friday). This fast is to be abstention to the end of the day (sunset around 6 PM). One should neither eat meat of any kind, nor meat by-products. Also all Christians are to fast on Wednesdays and Fridays of every week except in the Pentecost season, and the feasts of Christmas and Epiphany if any happens to be on either day. These two days are to be fast until the ninth hour (3 PM).
4. There is other fasts in the Coptic Church (‘Bayaa Keptiaa’) includes Hercules Week (The Week before lent), Nenevah 3-days fast, and the day before Christmas (‘paramoon al-milaad’) and the day before Epiphany (‘paramoon al-ghotaas’).
5. Other fasts are in the rank of Wednesday and Friday fast like the fast before Christmas which begins the second half of Hathor and ends on Christmas; and the fast for the Apostles which starts after Pentecost and ends on the 5th of Apeep, the feast of Peter and Paul.
6. These added fasts were practiced by our people with many of our Patriarchs, and they are beyond what the Councils of the Church ordained, so we have to keep them without reduction.
7. There is other fasts kept mostly by ascetics and virgins like the fast for our Lady (The Theotokos) which begins on First of and the feast of our Lady is when it ends. (please note the big shift, the fast of St. Mary is now observed by more people than any other fast including non-Christians in Egypt).
8. The above group of fasts are to the ninth hour (3 PM) and one should abstain from meat with the exception of fish (permitted to eat seafood in the group in 5 .. 7).
9. If one can fast more than what is ordained, he will receive his reward.
10. No abstention on Sundays or Saturdays.
11. Fasting is giving of the needs of the body, as giving is a sacrifice of the material wealth.
12. The commandment concerning fasting is to make the physical nature (desire) under the control of the spiritual one. Also, through fasting we control the power of the anger of the mind.
13. One of the benefits of fasting is to become like the Spiritual beings, this allows us to connect with the spiritual.
14. Also, when we feel hunger, we become kind to those who hunger.
15. Also, by fasting we receive communion with a great desire both physically and spiritually.

16. Fasting is worshipping through the physical nature (‘Hayouaniah’) as prayer is worship through the intellect (mind).

17. Let the Forty Day fast be honored among you, and start it on Monday the first day of lent, and end it on the Friday of the Completion of fast (‘Khattam Al-Soom’).

18. (About the Pascal week), we fast all six days including Friday for the betrayal and Saturday for the Salvation (death and burial). We end the fast on the seventh day (Sunday) at the Crow of the Cock. The Saturday of the Pascal Week is the only Saturday we abstain. But all other Saturdays are without abstaining because Saturday signifies the day on which the Lord rested. But this Saturday and the early part of Sunday (resurrection) is because the Lord was buried. (remember that according to Jewish tradition, the day was counted evening to evening, for this he calls the hours on Saturday of light after sunset Sunday).

19. During these 6 days (Pascal Week), you eat only bread and salt with water. No meat or wine be consumed in these six days, because they are days of sorrow. But for Friday and Saturday, those who can, fast them together as one day. But if you can not fast the two days, be sure to fast the Saturday because the bridegroom is taken, and when he is taken they fast weep. Fast these days to the night as we did (meaning the Apostles) when He was taken away from us.

20. (Confusing Arabic prose) meaning that after you fast fifty days (lent) fast another week meaning Pascal week then no fasting for fifty days (meaning Pentecost Season) including no fast on Wednesdays and Fridays during Pentecost, with a reminder not to forget the Wednesdays and Fridays fast afterward. Also a reminder to combine fasting with giving to the poor.

21. If Wednesday or Friday is a feast, you go for prayer (liturgical) and communion and communion breaks the fast, so no abstaining.

22. If one was sick during the Pascal week and did not fast, let him fast for a substitution week afterwards, but not during the Pentecost season.

23. A priest (clergy) who does not fast the lent and Wednesday and Friday should be excommunicated (‘Youktaa’) and the lay person who does likewise should be separated (‘Youasaal’)

24. A priest (clergy) who celebrates the Paschal Week with the Jews should be excommunicated (‘Yoktaa’) and if he fasts Saturday or Sunday, except for the Great Saturday of the Paschal week should be excommunicated (‘Yoktaa’) also.

25. During the forty days (lent) they should not celebrate the martyrs on week days, but to do those remembrance only on Saturdays and Sundays.

26. During the forty days (lent) there should be no wedding, no celebration, and no sitting to drink (parties or social gatherings).

27. No priest (clergy) is to drink wine or bathe (these restrictions existed, the meaning is to be involved more in spirituality) during the forty days (lent).

28. No one is to touch his wife (sexual relations) during fasting days.

29. If a day of fasting is the feast of a martyr and if a bishop or a priest breaks the fast because of the feast, he shall be excommunicated (‘Youktaa’) because he became a stumbling block for many souls.

30. Also if the people break the fast for the feast of a martyr, let the bishop or the priest separate them, because it is not proper to break the fast when the martyrs died through hunger, thirst, or by burning in fire.

31. But on the day of Christmas and the day of Epiphany, the Council at Nicea ordained that they break the fast at night.

32. During the forty days (lent) they fast until sunset, meaning the eleventh hour (5 PM), but in Paschal week till the stars are bright (the dark of the night) and no one is to put on makeup and women should not wear their jewelry during these days. And no one is to touch (have sexual relation) with his wife. Woe to them that do that particularly during the Paschal Week.

33. If we do our pleasure during the forty days (lent), how can we enjoy seeing His resurrection.

34. Fasting is not the abstaining from food and water, but a fast acceptable to God is a pure heart. If the body goes hungry, but the soul is occupied with evil desire and the heart is defiled with high living, fasting benefits you nothing.

35. Fasting the forty days (lent) is to be with humility and avoiding the lusts of the body. It is unlawful to have weddings. And in Paschal week it is unlawful to have baptism or funeral prayers. On Paschal Thursday, it is unlawful to have ordination or baptism, but to stay in the Church (‘Bayaa’) the whole week.

36. On Palm Sunday is when they do he funeral prayers, Psalm, Gospel reading, and absolution (in advance) for the souls of those who depart during the Paschal Week. On Thursday of Paschal week no kiss or prayer for the departed (‘tarheem’) or go in peace. They do them all on Saturday: Tarheem, absolution, and raising of incense. On (Easter) Sunday no funeral or weeping.

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasize. Also, repetition is caused by multiple sources of same cannon (law)).

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## Chapter 16 On Giving

(Preliminary Translation)

Note: Paragraphs Are Numbered As in Arabic Original. There are rules for giving to be followed in terms of types of giving and priority as you will see. We as a society neglected many of the rule of giving as was ordained by our Lord and the Apostles. Read carefully. The entire chapter is 59 paragraphs. This is the first part.

1. Giving is a form of mercy. It is one's generosity with his wealth towards those who are in need. It is not for seeking a reward but as an obedience to God who said: "Sell your possessions and give alms, and gather for yourselves treasures in heaven that does not rust or fade away." Also His saying: "If thou wilt be perfect go sell all you have and give it to the poor, and thou shalt have treasure in heaven .." (Matt 19:21).
2. By giving, one becomes like his creator to the level of his ability, because mercy (giving) and generosity are some of the qualities of God, because the Lord said: "Be merciful, as your heavenly Father is merciful"
3. Giving is lending unto God. It is also a Godly business guaranteed to produce profit. It is a deposit by the wise with his God until a time of need. It is the offerings raised on the live (human) altars. Allah (God) says: "I desire mercy, not sacrifice"
4. Giving makes fasting acceptable (to God) as the prophet (Isiah 85:7) said.
5. Giving makes prayer acceptable as it was said to Cornelious (Acts 10:1-8).
6. Without it, celibacy will benefit nothing as it was said to the five foolish virgins.
7. The commandments and examples concerning giving are very many in the Holy Books. As in the Lord's saying: "If one asks you, give him" and His saying: "Blessed are those who have mercy, because they shall receive likewise" and His saying to those who have mercy: "Come you blessed of my Father inherit the kingdom prepared before the foundation of the world." (Matt 25:34)
8. Giving (Mercy) has to be considered from different view points, because it requires both rich and poor to give, each according to his ability.
9. The reward (of giving) is according to the intention of the heart, and not according to the amount large or small::
10. As for the rich; He said: "he who has more, is required to give more" Also His saying: "he who loves more, is forgiven more" Also His saying: "give and it shall be given unto you, good measure, pressed down, and shaken together, and running over, shall they place in your bosom. For with the same measure you give, tit shall be measured back to you again." (LK 6:38)
11. Paul the Apostle follows (the sayings of Christ) by saying: "he which sowe sparingly shall reap sparingly, and he which sowe bountifully, shall also reap bountifully." (II COR 9:6,7)
12. Also he said to (his disciple) Timothy: "Advice the rich of this world to not be buffed up and to trust not in uncertain riches, but in the living God, who gives us richly all things to enjoy. .. Laying up foundation against the times to come that they may lay hold on eternal life" (I TIM 6:17-19)
13. As for the poor, God (Highly Is His Name) said about the woman who gave two pences that she gave more than all of those who gave alms on that day, because she gave willingly, she gave everything she had, she gave out of need but the other gave out of excess. See LK 31:1 ...)

14. He also said: “ Anyone who offers you a glass of cold water in the name of Christ, Truly I say to you his reward is preserved in heaven” (Mark 9:40)

15. Also the Lord said on the tongue (mouth) of Isiah: “Divide your bread between you and the hungry” (Is 58:7)

16. The Apostles told us in Descolia (Cannons of the Apostles): “Give to the Lord from your money which He gave you, as you can afford, and what you can afford put in the offering plate even a pence or two or three or more. And share your money, particularly, with the strangers.”

17. But the bread which is taken (given away freely) from the widows is pure alms, and even if it was little (because of their poverty) it is acceptable (to God).

18. Those who have nothing (to give), let them fast (not eat), and give have the price of the food they did not eat) to the Saints (meaning Church or Poor).

19. Giving is two types: openly and secretly. Secretly to the poor, hungry, naked, stranger, sick, prisoner, and those under arrest (like war prisoners). The secret giving is better because He (Christ) said give in secret and your father who sees in secret will reward you openly (Matt 5:6). Also, His sayings concerning those who are on His right hand (Matt 25:34-40).

20. Paul the Apostle said in Hebrews: “Don’t forget the love for strangers, by which some hosted angels without knowing, and also remember those in chains as if you are imprisoned with them. See Hebrews 13.

21. Openly, is what we do when we come to the priests (clergy) and offer our tithes (1/10th), First Fruits (‘Bekoor’), and promises (‘Nezoor’). Because the Apostles in Descolia said: “tiths, first fruits, and promises which the believers bring into the Church shall be distributed to the men of God (servants) but those which are specifically brought for the poor shall be distributed, as good agents, to the orphans, widows, those in hardship, the strangers, those in need knowing that you will give account to the Lord about these things. Do not waste the Lord’s possessions, do not eat it or waste it away, but guard for yourselves and for those who are in need, so you can be straight in front of God.”

22. Listen to what was said early on, and let us repeat it for your benefit: “tiths , first fruits, and promises was made first to the High Priest, Christ, and those who serve him.”

23. Also, tiths, first fruits, and promises which you are required to offer, bring it to him (the priest) and he will distribute it to everyone according to need so no one will receive two portions in one day or one week while another receives none at all.

23. Also, your grain, the works of your hands, bring (to the priest) so he may bless it for you, and give him your tiths, first fruits, and promises, and gifts which are the first grain, first fruit, first wine, first oil, first wool, and the first of everything God give you, because he is a priest of God so your offerings are acceptable unto God and your incense becomes good (‘tayeab’) to the Lord your God. And He (the Lord) shall bless all the works of your hands and increase the bread of the earth because blessings will fall upon those who give. [ Number 23. is repeated twice?]

24. Giving to some groups has priority over giving to other groups, although giving to all the needy is acceptable, as follows:

25. Highest priority in giving is to the (families of) the martyrs, then to the priests (full time clergy), then to the (needy) relative who are believers, then to the (needy) relatives who are non-believers, then to needy believers, then to any other in need even they were non-believers. If there was a widow who is not in need, let her not ask for alms, but she should be satisfied with what she has. But, if there was a widow in need because of physical handicap, or sickness, or raising of children these deserve giving more.

26. If one pays to support the poor, out of pure hearted motive, is considered a perfect man. That who support the martyrs (families) are even more so.
27. If a believer has widows (in his family), it is his duty to support them with his giving; otherwise they become a burden for the Church, which is served better if it supports the true widows (ones without any support).
28. Concerning priests, those with good repute (‘Youhssenoun Al-Seerah’) deserve more honor, especially those who work hard at teaching and preaching. (out of place maybe!)
29. If a believer does not care for his relatives, especially the ones who are believers, he is worse than the non-believers.
30. Now as long as we are in this world, lets do good to everyone, especially, those who are in the faith (Gal 6:10).
31. The reason giving should not be done discriminating between believers and non-believers is because our Lord said: “Give those who ask you, and those who ask you, do not turn down, .. and be like your Father who makes his sun to rise on the evil and the good and sends his rain on the just and unjust” (Matt 5:44,45)
32. Hurry to help the needy, even before they become Christians.
33. There are times to encourage giving more than other times, but it is favored any time.
34. The more liked times for giving are Sundays and Feast days. This is because in the Old Testament (‘Torah’) it was said, on your feast do not to come to see my face with empty hands, but bring as much as you can afford, so the Lord your God will bless it all for you (Exodus 23:16).
35. Also (at certain times) as the Apostle said exalting the Galatians for collecting (for the saints in Jerusalem) so do you likewise. He said that they collect (on Sundays) every time they congregated, so it will be ready when he (the Apostle) came to their town. (Gal 6:10).
36. And giving is desired at all times because the Lord said: “give those who ask you” and the Apostle said: “As long as you have opportunity”
37. Also the Apostle said do not neglect to give as long as you have something to give because the day of the Lord is becoming closer.
38. Also, giving is preferred to those mentioned above, and not for some others because the Apostles said: if one misuses his money, or a drunker, or lazy, is not deserving of your giving.
39. Also, giving is preferred for those who are in need, and those who receive shall pray for the giver. Also, they said: those who are not in need are not deserving of giving and should not take, because blessed is indeed those who can care for themselves, so that they do not take away from the real needy: the orphans, the strangers, and the widows. And it is more blessed to give than to receive. And also, Woe to those who take when they are not in need, the Lord will judge them on the day of judgment. But if one accepts giving because of real need like aging, or sickness, or caring for large family, blessed are those, the Lord will honor them, because they cause offering (‘Qurbaan’) to be offered to God, and this offering will ask (intercede) at all times for the giver. But remember the saying of the Apostle: “Those who do not desire to labor, do not eat”
40. Also, giving cleanses from sin and absolves from bad deeds, and saves from evil, and is rewarded many times over. And those who neglect to give while they are able to are like non-believers and doers of evil, for the Lord said: “give mercy and everything will be clean for you” (LK 11:41)
41. Also the Apostles talked about giving (Descolia 19), and Daniel said: “For this O’king listen to my advice, absolve your sins with giving, and your transgressions with mercy to the poor” (Dan 4:27). David the king said:

“Blessed are those who show mercy to the poor, the Lord will save them in the evil day” (Psalms 41:1). And Solomon said: “Who gives silver to the poor, shall receive many times over. “ Also, “he who stops his ears at the cry of the poor, he also shall cry himself, but shall not be heard” (Proverbs 21:13)

42. One who does not care for his relatives, especially those who are believers, committed sin and is worse than the non-believer.

43. The Gospel testifies that the Lord, on the day of judgment, will scold those on his left hand because they did not do good while they could and will say to them go away you evil doers to the fire prepared for the devil and his angels.

44. The parable of the rich man shows that he did not show mercy to Lazarus. Also the parable of the five foolish virgins.

45. Who he wants to be perfect, should sell all he has and give it to the poor. This is not for everyone to do.

46. The first type are the ones who desire to be perfect.

47. The second type is as the Apostle said, to live in this world with the least just to satisfy the needs, and the excess to help those in need?

48. Some of the rules of giving is to be not for future gain, with gladness, without hatred or sorrow, with love and without pride. Do not as the bishop for an account of it and do not examine his stewardship of giving. Do not have doubt but be sure that the Lord will reward you and him.

49. Our Lord said: “Do not do alms in front of other people, so they see you, otherwise you have no wages (reward) from your father in heaven. When you do alms (give) do not sound a trumpet. And do not do like the hypocrites in the synagogues and marketplaces, so they can be praised by people, they already received their wages (reward).” (Matt 6:1,2)

50. Do not feel sorry if you give your brother.

51. The Apostle said , everyone according to the desire of his heart, not through sorrow or by force, because the Lord loves a cheerful giver (II COR 8:8).

52. Also, (the Apostle said), “If I give everything I have, and have no love, I benefit nothing” (I COR 13:3).

53. Do not cast away, from the door of your house, a poor man. Do not scold him, do not put him down, but make your utmost effort to console him and bring him happiness, so the Lord gives you happiness. Let him sit at your table and from the same cup you drink, let him drink and do not show pride.

54. Do not ask account of the bishop, and do not ask him how he manages what he distributes, or when, or where because the Lord gave him the authority to manage.

55. If you gave, ask for the forgiveness of your sins, and do not be double hearted about it. And know who will reward you.

56. The Apostles commanded not to accept alms from evil doers.

57. Also (Descolia 14) if we do not give alms, how can we care for widows and raise orphans and care for the needy of your people. For this you here from us that it should be that we give as was for the levites from the grain which the people give to you (the clergy) so you will be sufficient and will be sufficiency for all those in need without having to accept giving from the evil doers. And if you all do as such, and there is still need, it is better that

one dies from famine than to accept giving from the enemies of God, because he that accepts such giving is shamed and despised among his friends, for this (David) the prophet said: The Oil of the sinner does not anoint my head.

58. Be of experience everyone, and accept from those who follow the straight path.

59. If out of necessity you accept silver (money) from one you do not desire (accept); i.e. one who is unclean or non-believer; use it for the price of fire wood; so your orphans and widows do not buy food or drink with this money, because it is not lawful. It is just that the money of the ungodly be used as food for the fire, and not as food for the saints.

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasize. Also, repetition is caused by multiple sources of same cannon (law)).

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## **Chapter 17**

### **Concerning Who Manages the Charitable Funds, Church Funds, and ‘Qurbaan’ Offerings How It Is Used and Distributed and Related Issues Three Parts**

(Preliminary Translation)

**First, The bishop is the one who manages all the funds of the Church and> He spends what he needs and what the needy needs is from him on the hands of the priests and deacons.**

1. (Apostles 32) We command the bishop owns all the instruments of the Church, and if he was trusted on the souls of the believers what is the material thing that we do not trust him to manages it and to care for the poor of the people on the hands of the priests and deacons in fear of God and trembling. He also receives from it what he needs and if he is also visited by strangers in need he pays for their needs also.
2. (Luke, Book of Acts) And the Apostles paid to everyone according to his needs from the possessions which were sold and the money that was brought over.
3. (29) The bishop should care for the affairs of the Church and manage it as if God is watching over him and he should not take a profit from it or give as a gift the income thereof to the people of his tribe (meaning relatives in the flesh) even if they were poor. He also is not supposed to engage in commerce in their behalf using the Church’s funds.
4. If he does not limit his spending to the above and spent the funds of the Church on himself and his relatives without involving the priest or the deacon about Church funds the congregation can find him to blame.
5. (24) Let all the financial affairs of he Church be known to the priests and deacons also what is the bishop’s private finances is known so if the bishop dies what belongs to the Church is know and what is his personally is also known so nothing gets lost.
6. (Ancra 14) Everything that belongs to the Church of God should be known and kept in honest hands of people who have the fear of God. And if a priest or a deacon goes beyond the limits and sells any of it, he is required to bring it back from the one who bought it and bring back the price from the one who received it and their punishment both it pay back double fold, the seller and buyer alike. This is left up to the bishop to decide it as he sees proper having in him the fear of the Lord.
6. If one dies and leaves behind in a will possessions for the Church and if it was god or silver or cloths or grain the deputy or priest should take possession of it and bring it to the Church. But if it was an item which has taxes to be paid or tithes? it should not be taken because the Church should not be owned! (under tax or tithes payment obligation).

#### **Part Two:**

#### **Having A Deputy On Church Finances and Creating a Place for Sick and Strangers with Servants:**

7. (Nicea 68) They should make for each Church ‘Qanoom’ deputies to manage the income and expense and each one of them shall have a well defined duty to carry in truth and as duty to God and should not be the like the wicked servants who took the talents and hid them and did not trade in it and did not achieve profit.
8. (75) There should be places for the strangers, poor, and sick in every town. The bishop should select a monk not from the area (a stranger himself) which has good reputation to be I charge of these homes and he should furnish it with beds and furniture and all the needs of the sick, and poor. If the financial situation of the Church does not allow it, he should collect the expense from the believers each according to his ability to pay because this forgives the many sins and brings one closer to God.

9. (83) In every location, the Christians should choose one known of his verbal ability and straight ways to represent them and they should prepare for him a place of residence in the residences belonging to the Church or the home for the sick (hospital) to be a keeper of the place and of the possessions of those in the hospital. He also is charged with caring for those who are in prisons and to visit them and to work for their release and if one is deserving to be released he has to help him and if there is a bail to be paid he should pay it (from the funds in his control) and if he needs to he can enlist help from the believers men and women alike to pay for such needs. But if one is under punishment for a major crime and can not be released, he should care for his needs so he does not go hungry or without clothing. And if any of the believers was hit with a misfortune of financial penalty that he can not pay, even if he lived a wasteful life, the Church representative should lobby the congregation to help him pay the penalty and get him out of his adversity.

10. (80) If the congregation selected a good man to run the home for the sick and he refused to do it, he should be prevented from mixing (socializing) with the congregation. And no one be removed from the position of deputy unless he dies, goes mad, or is convicted of a major crime which prevents him from his duties and any one who does not follow these rule can be cut off.

11. Even a Pot of Clay needed for the home for the sick if needed has to be turned over by the bishop to the care of the deputy (giving the deputy the authority to rule on behalf of the bishop).

### **Part Three: Dividing Alms (Giving) Which Is Three Groups:**

12. First, all tithes (1/10th) goes to the priests and those who are worthy of alms.

13. Second, First Fruits (‘bekoor’) goes to the priests alone and those who serve the priests.

14. (39) The bishop receives (the gifts) and blesses it and mentions the name of the person who brought it and says: “We thank you Lord because you commanded the earth to bring forth the fruits for the pleasure and as food for all humans and also for all the animals and this your servant .. brought the first fruits for us to receive.”

15. These are the fruits to be blessed: grapes, figs, pommgardens, olives, apples, pears, and prunes. They do not bless sycamore fruit, onions, garlic, cucumber, or any the beans. They also bring in roses to the Church but the other fruits are not brought into the Church. And everything that is edible they give thanks for and taste it and give to the Lord.

16. Third, (Desolia 6) What is in excess of the need of the mysteries of the Church (grapes and grain) should be divided by the deacons with the authorization of the bishop or priest. 4 portions for the bishop, 3 portions for the priest, 2 portions for the deacon, and one portion for each of the sub-deacons, aghnostos, and apsolto. The female deacons each get one portion. This way is good and acceptable to God who honors each one according to his rank.

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

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## Chapter 18

### On First Fruits, Tithes, Promises, and Trusts

(Preliminary Translation)

1. The Lord said in the Torah: “Give Tithes, Give Tithes from the fruits of all your grain and plants and everything your land produces”
2. In the Gospel He said: “Give to God what is God’s” Also when He wooed the Pharisees, He said: “You do not follow the simple things of showing mercy and having faith” He said you should have done this and not neglect the others.
3. For those who are full time servants in the Church to receive all their needs from the Church if they are priests or deacons as mentioned in the book of Levites concerning priests. The Lord told Aaron: “You and your children and your children children have been given the offerings which are offered to the Lord for your labors and you shall keep the offerings which the Israelites shall offer unto me. And later on in the same book it said, all the first fruits of oil, wine, and grain is for you (the priests). Also, every forbidden and every first born of people and animals is yours.
4. The first fruits of the land and your press, oil, honey, milk, wool, and the first wages of your labors, you shall take to the priest or bishop (when present), and he shall pray a thanksgiving prayer for you outside the altar in your presence.
5. Promises in the law are covenant between man and his creator, by which one completes a virtue for himself or his offspring or to obtain a need from God the Al-mighty, which one determines in his mind or loudly in private or in front of a witness to satisfy the promise when one receives what he asked for. A promise can also be made through the intercession of a saint or martyr or directly to God. Promises could be monetary or material.
6. What one promises of himself is fasting, prayer, celibacy, monastic living, or abstaining from bad habits for the salvation of the soul or to receive a perceived benefit on earth or a real benefit in heaven.
7. Promising an offspring (son or daughter) to the Lord is a good thing, but if one changes his mind let him pay 50 Shekels of Silver for a promised male age 20 to 60. And for a female two thirds this amount. If the age of the promised is 5 to 20 years, then he has to pay 20 Shekels of Silver, if it was female, let him pay 10 Shekels of Silver. If the promised age is 5 year to 1 month, let him pay 5 Shekels of Silver, and for a female let him pay 3 Shekels of Silver.
8. If one promises and can not pay what he promised, let him come to the priest or bishop and the priest or bishop will determine what he can afford to pay according to his situation.
9. If one promised a sheep or any other animal and wants to pay money in its place, let him come to the priest and the priest will determine a fair amount to be paid instead. Let the priest be fair in the fear of God without favoring the Church over the worshipers and also let him not be lenient either. Let all measures be proper weight (Methkaal), one Methkaal is 20 Daniques. According to this measure, estimate all promises.
10. Any promise you make, do it timely without delay or neglect, otherwise you will be committing a sin against God, because if you can not satisfy do not promise so you will not fall in sin. But all the promises of your mouths, you shall do what you promised.
11. Every man who promises or swore, or made himself owe to God let him fulfill his promise and let him not go back on the word of his mouth. But if a woman promised and she was still in her father’s house, and if her father did

not object to the promise, he is responsible for the promise if she can not fulfill. If she is married the same applies to her husband in place of her father.

**Trusts:**

12. There is six issues related to trusts: 1) The Trust, 2) The Items in Trust, 3) The Person Who Makes a Trust, 4) The Place for Which the Trust Is Made, 5) The One Who Manages the Trust, and 6) The Rest of the Conditions.

13) Trusts are two kinds: Gifts and Donations.

14. Trust for those who are not poor at the time of forming a trust like parents, relatives, or friend. This type is a gift from the giver to the receiver intended for good remembrance on earth and in the thereafter.

15. Trusts for the needy and poor strangers or relatives alike. Intended to help (benefit) those who receive them in the world and to benefit the giver in the thereafter. This is a blessed giving which will benefit the giver on earth and in heaven, because if the Apostle Paul says: “That if one sins, he reaps the wages of sin here and thereafter” It is logical to say that the Justice of Al-Mighty that the benefits of giving are here and it will follow him (meaning in heaven).

16. Trusts are those things which give benefit without decrease of the original value. It is preferred not to use money for trusts, instead fixed assets like real estate, farms, fields and the likes as mentioned previously concerning Church Trusts. There are fixed assets which are not good for a trust like a barren land or farm, because it produces no profit. Also not recommended to give for a trust slaves, or bee hives, or sheep, because the value thereof can change and also it can completely disappear through theft, escape, or the likes.

17. If one desires to use the mentioned (above), as a trust, it is better if it is sold and the money is used to buy what is more appropriate for a trust property.

18. If one has equipment or items like the above included as a trust, it is better to give the fixed assets as a trust, and the other assets as a donation, so the receiver of the trust can sell it easily if he needs to.

19. The one who initiates a trust should be capable and have reached the legal age and in sound body (health) and mind.

20. Those who receive the trust should be abiding by the Godly Cannons (Followers of

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## Chapter 19 On Sundays, Saturdays, Lord’s Feasts, and Pilgrimage

(Preliminary Translation)

1. It is not proper for Christians to take Saturday as their Holiday as the Jews do. They should work Saturday. ....
2. Do not keep Saturday as the Jews do.
3. Do not prostrate yourself on Sundays and the Lord’s feasts because it is days of joy. Although it should not be done, no one should fear Church punishment if they do.
4. On Sundays, there should be no judgment or holding of court or investigation. And no one should ask another for a debt or any unpaid obligation on this day, but you all should go together to Church. You all should come to Church with purity and humility without fear of an enemy or a judge or the likes. And if any tax collector dares to collect from people going to Church, he should be made to pay penalty.
5. Meet in the Church everyday as you can, and specially on Saturdays and Sundays. If the gentiles do not miss a meeting and also the Jews do not miss a Sabbath day meeting, and they both gain none, how can you answer the Lord when you do not attend the Church of God.
6. Do not speak unprofitable words at all times, and especially on Sundays in which we rejoice spiritually in the Lord. The prophet said: “Worship the Lord with gladness and praise Him in fear and trembling”
7. The servants shall work five days, and they shall use Saturday, on which the Lord rested, and Sunday on which he rose again to serve God.
8. It was stated under fasting, that you do not fast (abstain) on Saturdays and Sundays, except the Saturday on which He was in tomb.
9. On all Saturdays and Sundays, except Saturday in which the Lord was in tomb, come together in the Church and rejoice.
10. The first Lord’s feast is the annunciation on the mouth of Gabriel the Archangel to the queen of us all, the mother of the savior Mary. This is celebrated on the 29th of Baramhaat.
11. Remember to keep these feasts to the Lord: The Lord’s Birth on the 25th of the 9th month of the Hebrew Calendar which is the 29th of the 4th month of the Coptic Calendar. Epiphany must be honored by you, because on this day the Lord’s divinity was revealed when He was baptized by John (the Baptist), this shall be celebrated on the 6th of the 10th month of the Hebrew Calendar, which is the 11th of the 5th month of the Coptic Calendar.
12. Let us celebrate these feasts at night not because we dislike fasting, but because we honor the feast.
13. Celebrate the feast of the “Zaitouna” (Olive Branches) (meaning Palm Sunday), because on it the Lord entered Jerusalem.
14. It is lawful for you who were bought with the precious blood of Christ to celebrate the Pascha. Do it once a year and not twice, because He who died, died once for all of us.
15. Be careful not to celebrate your Pascha with the Jewish Pascha, since they celebrate 14 days after the Crescent, you celebrate 21 days after the Crescent.
16. Only on a Sunday shall you celebrate Resurrection and do it after midnight, at the cocks crow, and be together in the Church the whole night praying and reading the psalms, prophets, and the law. If you baptize unbelievers that

day, read the Gospels to them in fear and trembling. Talk to the people what is profitable for their salvation and bring your offerings which the Lord commanded you to do on the hands of the Apostles saying: “do this in remembrance of me” Then break your fast rejoicing that Jesus Christ Rose from the dead and became the first to rise again. Let that be a law for you unto the age of ages. And in this age unto the second coming of the Lord.

17. Eight days after Resurrection is a feast, because on this day Thomas believed and was satisfied when the Lord showed him the places of the nails and the place of the spear in his side.

18. From the first day after resurrection count 40 days and celebrate the Ascension of the Lord which was the completion of all things He was to complete. He ascended to the Father who sent Him and sat on the right hand of the Power.

19. Ten days after Ascension, which is the 50th day after resurrection, celebrate the descent of the Holy Spirit (Pentecost). Let this be a great feast because at the third hour on that day our Lord Jesus Christ sent the Holy Spirit, the Barakleet and the Disciples were filled with the Holy Spirit and spoke with many diverse tongues as they were given utterances and preached the Jews and the Gentiles that Christ is the Lord.

20. After you celebrate the Pentecost, celebrate another week, because we should celebrate the gift of the Holy Spirit which was given to us.

21. It is a sin to fast on resurrection Sunday or during the Pentecost Season, because these are days of spiritual joy and we should not replace joy with sadness.

22. Do not do any work on Paschal Friday or the Sunday that follows it, resurrection because these are feasts to the lord.

23. Do not do any work on the day of ascension because it is the day on which the Lord’s will was completed.

24. Do not do any work on the day of Pentecost, because on this day the Holy Spirit descended on the believers by Christ.

25. Do not do any work on the day of Christ Birth because on this date Grace was willed to all humans.

26. Do not do any work on the day of the feast of the bathe (epiphany) because on this day the divinity of Christ was manifested and the Father testified for Him and the Holy Spirit descended on Him like a dove and the Baptist testified for Him saying this is truly God and the Son of God.

27. Do not do any work on the feast of the Apostles because they became your teachers who taught you the knowledge of Christ and made you worthy to receive the communion of the Holy Spirit.

28. It came in the Chapter on giving, that you should not come to your Lord’s feasts in the hands of the Lord empty handed.

29. About the pilgrimage to the Holy Land, ‘beet Allah almighty’ (the house of the Al-mighty God). You shall visit the Holy Land if you can, to see the Holy sites, do it without delay. Visit the places of Christ passion where He suffered in the flesh and also visit the place where He rose again (the Holy Sepulcher) and receive the blessings of these holy places. If you can not make the visit, send offerings in the visit place to help maintain the holy places and to support those who care for it as you can. Your offerings can be gold, or silver, or clothes, or vessels, or appropriate books, or the likes. Also, the Holy Land can have a portion in your will with those others who receive inheritance from you. This is good and acceptable to the Lord. It will be for you an offering in the Holy Land acceptable to God The Father and the Son and the Holy Spirit.

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## Chapter 20

### Concerning Martyrs, Confessors, and those who Depart the Faith

(Preliminary translation)

1. The Martyrs shall be held in high esteem with you as they were with us. Like James the Blessed (the Great) Bishop and Stephen the Arch-deacon. Those are blessed by God and their virtues are unimaginable.
2. The Christian who is despised by a government for the sake of the name of the Lord and the orthodox faith and for the love of the Lord deserves your support, with exceeding effort take care of the needs of such so he may find the strength to continue. Also care for those whom he cared for so he does not have to worry about them. Because such person is a martyr, a saint, a brother of Christ, and a son of the most high, and a dwelling for the Holy Spirit, and a witness for the suffering of Christ and an heir to the form of his glory.
3. For this reason, all you believers, serve the needs of the saints with your possessions and your efforts. If one of you has nothing to give, let him fast and give half his wages to the saints, but if one is wealthy let him give from his wealth and his wages everyday to the saints. And if one has to give all what he owns to free one of those brothers, he will be blessed friend of Christ.
4. The martyrs are those about whom the Lord said: “If one professes me in front of people, I profess him in front of my Father in heaven.” If you share with them their sorrows, you will be professed in heaven because you cared for them.
5. If one who helps the martyrs is punished for it, he is blessed because he shared with the martyrs and became like Christ in sharing with Him the suffering. We also (meaning the Apostles) have suffered many tribulations on the hands of the (head) priests and we used to depart from their presence filled with joy because we became worthy to share the suffering of Christ our Savior. So, you also rejoice if you suffer likewise because you will be blessed in the day of judgment.
6. Those who are persecuted for the orthodox faith and have to escape from city to city for the commandments of the Lord, receive them, comfort them, and honor them like the martyrs. Rejoice if you share with them their persecution because Christ said: “Blessed are you if they persecute you for my name because they persecuted the prophets before you. Rejoice and be extremely glad. If they persecuted me, will they not persecute you!” If they drive you out of a city, escape to another. Also, in this world their shall be sorrows and they shall bring you in front of councils, kings, and leaders for my sake and this shall be a witness for you. Those who endure to the end shall be saved. Those who turn away and love themselves more than their love for Christ will not receive mercy, because they loved the people more than their love for God and are enemies of God, and in place of the eternity of the blessed they shall receive eternal damnation in the pit of fire. Because for this the Lord said: “Who denies me in front of people, I deny him in front of the angels of my Father.”
7. The Lord told us His disciples, if one loves son or daughter more than his love for me, he does not deserve me. And he who does not carry his cross and follow me, does not deserve me. If one loves his self, he shall despise it And he that despises his self for me, shall find it. What does one profit if he loses his self and what shall one give for ones self. He also said: “ Do not be afraid of those who kill the body and has no power on your souls. I tell whom you shall fear. Fear him who after he kills the body has power to put the body and soul both in he fire of eternal damnation”
8. We ought to pray lest we fall into temptation. Also if we are prepared to witness, let us do it with steadiness confessing the Glorified name which is the name of our savior.

9. Let us not be surprised if we are persecuted. Let us love not the world, neither the honors of the world, neither the glory of the world, neither the glory of the leaders of the world, and let us not be like the Jews who preferred the glory of this world more than the glory of the Lord.

10. Let us confess so we can be saved (relieved) and become able to strengthen others so that we are not cause for destruction of others which leads to our eternal suffering many times over (if we do not confess).

11. Let us not lead ourselves into temptation, because the Lord said” The Spirit is willing, but the flesh is weak.” But if we fall in temptation, let us not change our story (lie) for fear of short suffering. And if one denies the Lord Jesus Christ the Son of God, because he is afraid of suffering for a short while, he is setting himself up for grave sickness which has no cure and his suffering will be here and in the thereafter in the darkness of the outcasted where weeping and gnashing of teeth.

12. If one is suffering for Christ sake before receiving baptism, he should go without sorrow of the heart because the suffering he endures for Christ sake is to him pure baptism, because he dies with Christ in his suffering.

13. Let him (who is martyred) not worry about baptism because he is baptized by his own blood.

14. If one left the orthodox faith because of fear of the unbelievers or by force, and if he comes back to the faith with pure repentance and sorrow from the heart, and with humility and willingness to profess the orthodox faith, receive him. If he was previously a priest, he can again serve the priesthood because his denial was not by his free will. If he was a laymen, he can be allowed to serve in the church and if qualified to join the priesthood. But if one departed the faith, out of fear without being beaten or persecuted, or without losing possessions for the faith, this shall stay in repentance for a long time. Only after he is proven to repent, will he receive communion except if he was sick the sickness of death, but if he recovers from his sickness, he shall continue in his repentance.

15. Those mentioned above shall be accepted back to the fold after long repentance (as mentioned above) because our religion teaches kindness and mercy.

16. If one caused others as well to depart the faith, his repentance period shall be longer.

17. Everyone whose blood was shed for the (Christian) faith, shall be considered martyr and shall have a remembrance on the date of his martyrdom.

18. The places where you the martyrs (remains) are kept, shall be controlled by the universal Church, not that the Church needs the corpses, but because the martyrs are the glory of the Church. Because the Holy Spirit spoke about one Holy, Catholic (Universal), Apostolic Church based on our fathers the saintly Apostles (many of them were martyrs).

19. Let us place the remains of the martyrs in the Churches and Monasteries, so that miracles and wonders shall take place in those places for those who are sick, in distress, or in bad need. Those who mock these things, God will convict them through the wonders and miracles and the healing of bodies and souls and the casting out of devils (through the intercession of the martyrs).

20. Who through the sin of pride mocks those who come to the martyrs feasts, shall be anathematized.

21. It is unlawful for the believers to leave the feasts of the martyrs of Christ and attend celebrations for martyrs not in Christ. Remember the saying of the Apostle Paul: “Who shall separate us from the love of Christ? shall tribulation, or distress, or persecution, or famine, or nakedness, or peril, or sword? As it is written, For thy sake we are killed all the day long; we are accounted as sheep for the slaughter.” (Romans 8:35-36).

22. The Apostle Paul continues in the epistle to the Corinthians: “Are they ministers of Christ? (I speak as a fool) I am more; in labours more abundant, in stripes above measure, in prisons more frequent, in deaths oft. Of the Jews

five times received I forty stripes save one. Thrice was I beaten with rods, once was I stoned, thrice I suffered shipwreck, a night and a day I have been in the deep; In journeyings often, in perils of waters, in perils of robbers, in perils by mine own countrymen, in perils by the heathen, in perils in the city, in perils in the wilderness, in perils in the sea, in perils among false brethren; In weariness and painfulness, in watchings often, in hunger and thirst, in fastings often, in cold and nakedness.” (II Corinthians 11:23-27). Showing the many types of sufferings he endured for Christ’ sake including hunger, Thirst, beatings, imprisonment, hiding, fearful situations, laboring, sleeplessness, nakedness, cold exposure, being thrown to the lions, .. etc. He at the end endured and with patience received the crown of martyrdom when his blood was offered (As a Roman Citizen he was beheaded) in the city of Rome. Also, most of the Apostles were martyred and their stories are in the books of the martyrs (meaning the Synxarium) and is read on their feasts, so we ask the Lord to give us the benefit of their intercessions so we can be successful in all the affairs of our lives. To Him is Glory and Thanksgiving unto the age of ages. Amen.

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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## **Chapter 21** **Concerning the Sick What The Sick Ought to Do:**

(Preliminary Translation)

1. The Apostle Yacoub (James) said in the Catholic Epistle: “Is any sick among you? let him call for the elders of the church; and let them pray over him, anointing him with oil in the name of the Lord: And the prayer of faith shall save the sick, and the Lord shall raise him up; and if he have committed sins, they shall be forgiven him.” (James 5:14,15).
2. The Gospel testified that when the Lord sent the Apostles two by two, they anointed the sick for the healing of their sickness. And the crazed man who troubled the disciples in the beginning of their ministry, they brought him to the Lord (to Jesus) and He healed him and commanded the devil to be cast out while saying: “This kind can not be cast out except by fasting and prayer.”
3. The prophet David said in the psalms: “{To the chief Musician, A Psalm of David.} Blessed is he that considereth the poor: the LORD will deliver him in time of trouble. The LORD will preserve him, and keep him alive; and he shall be blessed upon the earth: and thou wilt not deliver him unto the will of his enemies. The LORD will strengthen him upon the bed of languishing: thou wilt make all his bed in his sickness.” (Psalms 41:1-3).
4. The Book of Kings (in the Old Testament) mentions that the one who sent to the Gods of Aphron to ask for healing was scolded by the Lord and died instantly.

### **What the Believers Should Do for Them:**

5. The Lord said: “I was sick and you visited me.”
6. He also said: “And the King shall answer and say unto them, Verily I say unto you, Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me. Then shall he say also unto them on the left hand, Depart from me, ye cursed, into everlasting fire, prepared for the devil and his angels:” (Matt 25:40-41).
7. The Apostles said: “The sick who are not able to come to the Church, visit them every day.”
8. The deacons are required to inform their bishop (and/or priest) of all that are sick, so he visits them.
9. The completion of these commands are mentioned in the chapter on giving.

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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## Chapter 22 Concerning the Departed

(Preliminary Translation)

1. Get together without delay in the Church to read the Holy Books and to sing (the appropriate) songs on them who departed, the martyrs, the saints, the leaders, and the brethren who departed while in the faith of God. Afterwards, have the Communion of thanksgiving which is the holy body and honored blood of the King (of Glory) in the Church to say your farewell to those who departed. You begin (the funeral service) by walking in front of (the casket) him singing (the appropriate) hymns if he departed while in the faith of Christ. The prophet David said: “Precious in the sight of the LORD is the death of his saints.”

(Psalm 116:15). Also he said: “Return unto thy rest, O my soul; for the LORD hath dealt bountifully with thee.” (Psalm 116:7). Also in the Gospel, He speaks about the God of the Living saints: “I am the God of Abraham, and the God of Isaac, and the God of Jacob? God is not the God of the dead, but of the living.” (Matthew 22:32) (meaning that those who departed are not dead but alive in the paradise).

2. Also about the bones of (the departed), those who are alive in the Lord, these bones are not despised or unclean. Think of how the bones (remains) of Elisah raised the dead who was killed by the allies of the Syrians. When his corpse came close to the bones of Elisah, he was raised. This was only possible because the body (remains) of Elisah is holy.

3. Also, Joseph the wise embraced the body of his father Jacob on the bed of his death. Also (the prophets) Moses and Joshua carried the body (bones/remains) of Joseph (out of Egypt) and did not consider it unclean or defiled (deed).

4. We the bishops shall touch the bodies of those who departed and do not consider it unclean to do so. But let us do it with purity and wisdom (wisely).

5. Washing (bathing) the dead is allowed but not absolutely necessary. Remember the young woman, Tabettha. The Book of Acts mentions that they washed her and if it was not allowed, the saints (believers) would not have done it because the disciples would have prevented them from doing it. Also, the departed could be wearing (affected by) the effects of their sickness, for this reason they ought to be washed before they enter (are brought) into the Church.

6. Also it was mentioned in laws in the Old Testament that if a woman dies after she gives birth, wash her body and bring her to the Church, because death has cleansed her.

7. If the departed was a priest (clergy) bring him in front of the altar (area where deacons usually stand), but if he was one of the congregation, bring him farther away from the altar. The highest ranking priest shall start the service with the prayer of thanksgiving, then the Psalms, and Gospel from the verses concerning the rising up of the dead and confessing the resurrection of the dead and the life of the coming ages. After that the ranking priest followed by those who are in attendance shall greet the departed kissing him (his casket?). Afterwards, the ranking priest shall pour oil on him (his casket) after that he shall be kept (buried) in a place suitable to his position (in the Church, meaning bishops with bishops, priests with other priests, etc.).

8. Pray the third day for those who departed using the Psalms and the Prayers of the Departed, because Christ rose on the third day. Do also a remembrance of the live and dead on the seventh day. Also do a remembrance after the completion of one month and the completion of one year, because this is what the Israelites did for Moses. Give to the poor from the possessions of the departed and if you are invited to eat, do it orderly and with the fear of God.

9. You ought to remember those who departed on the third, seventh, fourteenth, and fortieth day.

10. Also, remember them on the ninth, twelfth, fortieth day, and the completion of two months.

11. The customary in the Church these days (the time of Awlaad Al-Assal) is to have service on the day of burial, the tenth day, the completion of one month, six months, and one year. And many who can afford have liturgy service on the completion of the fortieth day and give to the poor on this day. Those who can do more, let them. These extras will not benefit the departed but will please him (his soul).

12. If a bishop depart, the ‘Khoury Abescopose’ (assistant bishop), priests and deacons shall walk in front of him (his casket procession) as children in their father’s funeral. But if one of those departs, the bishop shall walk in front as a father in his son’s funeral. In their funeral, the readings will be as appropriate for a teacher and a worthy spiritual father. The entire congregation shall attend their funeral because they are called spiritual fathers to all, and it shall be made known of their departure in all the Churches and all the Monasteries of their region. Also, they shall be remembered in the Church without restriction?.

13. Do not be unfair in burial expense, pay those who dig the graves and those who are in custody of them. Let the bishop pay from the income of the Church for maintaining these places (when necessary).

14. Do not grieve for those who are departed. Those who do are the ones who have no hope as the Apostle Paul said (1 Tess 4:13).

15. Because the sorrow which is for the sake of God gives us repentance from sin, but the sorrow for the world produces death.

16. If a priest loses a family member, let him neither grieve, nor rent his cloth, nor cry, nor weep, nor pull his hair, but be extremely thankful to God and have patience like the patience of Job.

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same canon (law)).

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## Chapter 23 Concerning the Departed

1. Get together without delay in the Church to read the Holy Books and to sing (the appropriate) songs on them who departed, the martyrs, the saints, the leaders, and the brethren who departed while in the faith of God. Afterwards, have the Communion of thanksgiving which is the holy body and honored blood of the King (of Glory) in the Church to say your farewell to those who departed. You begin (the funeral service) by walking in front of (the casket) him singing (the appropriate) hymns if he departed while in the faith of Christ. The prophet David said: “Precious in the sight of the LORD is the death of his saints.” (Psalm 116:15). Also he said: “Return unto thy rest, O my soul; for the LORD hath dealt bountifully with thee.” (Psalm 116:7). Also in the Gospel, He speaks about the God of the Living saints: “I am the God of Abraham, and the God of Isaac, and the God of Jacob? God is not the God of the dead, but of the living.” (Matthew 22:32) (meaning that those who departed are not dead but alive in the paradise).
2. Also about the bones of (the departed), those who are alive in the Lord, these bones are not despised or unclean. Think of how the bones (remains) of Elisah raised the dead who was killed by the allies of the Syrians. When his corpse came close to the bones of Elisah, he was raised. This was only possible because the body (remains) of Elisah is holy.
3. Also, Joseph the wise embraced the body of his father Jacob on the bed of his death. Also (the prophets) Moses and Joshua carried the body (bones/remains) of Joseph (out of Egypt) and did not consider it unclean or defiled (deed).
4. We the bishops shall touch the bodies of those who departed and do not consider it unclean to do so. But let us do it with purity and wisdom (wisely).
5. Washing (bathing) the dead is allowed but not absolutely necessary. Remember the young woman, Tabettha. The Book of Acts mentions that they washed her and if it was not allowed, the saints (believers) would not have done it because the disciples would have prevented them from doing it. Also, the departed could be wearing (affected by) the effects of their sickness, for this reason they ought to be washed before they enter (are brought) into the Church.
6. Also it was mentioned in laws in the Old Testament that if a woman dies after she gives birth, wash her body and bring her to the Church, because death has cleansed her.
7. If the departed was a priest (clergy) bring him in front of the altar (area where deacons usually stand), but if he was one of the congregation, bring him farther away from the altar. The highest ranking priest shall start the service with the prayer of thanksgiving, then the Psalms, and Gospel from the verses concerning the rising up of the dead and confessing the resurrection of the dead and the life of the coming ages. After that the ranking priest followed by those who are in attendance shall greet the departed kissing him (his casket?). Afterwards, the ranking priest shall pour oil on him (his casket) after that he shall be kept (buried) in a place suitable to his position (in the Church, meaning bishops with bishops, priests with other priests, etc.).
8. Pray the third day for those who departed using the Psalms and the Prayers of the Departed, because Christ rose on the third day. Do also a remembrance of the live and dead on the seventh day. Also do a remembrance after the completion of one month and the completion of one year, because this is what the Israelites did for Moses. Give to the poor from the possessions of the departed and if you are invited to eat, do it orderly and with the fear of God.
9. You ought to remember those who departed on the third, seventh, fourteenth, and fortieth day.
10. Also, remember them on the ninth, twelfth, fortieth day, and the completion of two months.
11. The customary in the Church these days (the time of Awlaad Al-Assal) is to have service on the day of burial, the tenth day, the completion of one month, six months, and one year. And many who can afford have liturgy

service on the completion of the fortieth day and give to the poor on this day. Those who can do more, let them. These extras will not benefit the departed but will please him (his soul).

12. If a bishop depart, the ‘Khoury Abescopose’ (assistant bishop), priests and deacons shall walk in front of him (his casket procession) as children in their father’s funeral. But if one of those departs, the bishop shall walk in front as a father in his son’s funeral. In their funeral, the readings will be as appropriate for a teacher and a worthy spiritual father. The entire congregation shall attend their funeral because they are called spiritual fathers to all, and it shall be made known of their departure in all the Churches and all the Monasteries of their region. Also, they shall be remembered in the Church without restriction?.

13. Do not be unfair in burial expense, pay those who dig the graves and those who are in custody of them. Let the bishop pay from the income of the Church for maintaining these places (when necessary).

14. Do not grieve for those who are departed. Those who do are the ones who have no hope as the Apostle Paul said (1 Tess 4:13).

15. Because the sorrow which is for the sake of God gives us repentance from sin, but the sorrow for the world produces death.

16. If a priest loses a family member, let him neither grieve, nor rent his cloth, nor cry, nor weep, nor pull his hair, but be extremely thankful to God and have patience like the patience of Job.

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## Chapter 24

### Concerning Food, Dress, Housing, and Lines of Work (Professions) Appropriate for Christians:

(Preliminary Translation)

#### Part I (Concerning Food):

1. About food, nothing is forbidden except those which were forbidden by the Apostles in the Book of Acts and their Cannons in which they said: “That ye abstain from meats offered to idols, and from blood, and from things strangled, and from fornication: from which if ye keep yourselves, ye shall do well. Fare ye well.” (Acts 15:29). Also do not eat what lion (wild animals) kill, and this comes from the Old testament (Exodus 22:31). You are not to eat what was offered to idols, because by doing so you share with idols worshippers their worship and that can lead you to worshipping idols. These forbidden things also have bad effects on the body, the mind, and the soul. When it hurts the body, it hurts also the persons behavior and can lead to destruction. These things are not defile by nature, because they are God’s creation, but because it can harm us, it was written for us in the Torah that God found everything He created to be very good. Also in the Gospel, the Lord said: “There is nothing from without a man, that entering into him can defile him: but the things which come out of him, those are they that defile the man.” (Mark 7:15). Saint John ‘Golden Mouth’ Chrysostom said by this saying, the Lord rescinded many of the laws of the Torah.

2. This opinion is supported by what came in the Book of Acts stated by St. Luke the Evangelist: “On the morrow, as they went on their journey, and drew nigh unto the city, Peter went up upon the housetop to pray about the sixth hour: And he became very hungry, and would have eaten: but while they made ready, he fell into a trance, And saw heaven opened, and a certain vessel descending unto him, as it had been a great sheet knit at the four corners, and let down to the earth: Wherein were all manner of fourfooted beasts of the earth, and wild beasts, and creeping things, and fowls of the air. And there came a voice to him, Rise, Peter; kill, and eat. But Peter said, Not so, Lord; for I have never eaten any thing that is common or unclean. And the voice spake unto him again the second time, What God hath cleansed, that call not thou common. This was done thrice: and the vessel was received up again into heaven.” (Acts 10:9 -16).

3. The learned saints John Chrysostom and others understood this to mean two things:

First, hidden meaning that the gentiles after they believe are not defiled and it is proper for the Jews to meet with them and have communion with them,

Second, Obvious meaning which is animals are clean and are to be used for food as long as common sense sees that they are fit for us to eat.

4. So anything other than blood, strangled, slaughtered for idols, and wild animals kill are legitimate for us to eat except that we also have to abstain from what the law forbade since it forbade it because it can harm the body and/or the soul.

#### 5. The above is two categories,

First, Things that are not fit to eat which includes not only animals but plants as well which can be poisonous. Examples are animals which do not spilt toe nail and animals which have hooks or trunks because these could be poisonous or feed on poisonous things. Also plants that can poison or harm the body and/or mind (for example drugs). Also in this category if some were found to heal a sick and the same were found to harm a healthy person, it is to be given to the sick as medicine for healing and forbidden from the others to save them from harm (talking about medications which can have healing elements and bad side effects and how even then they recognized such things).

Second, anytime one has doubts about food or when others have doubt about it is not wise to eat it.

6. Add to these two reason the saying of Paul the Apostle in his Epistle to Romans: “Him that is weak in the faith receive ye, but not to doubtful disputations. For one believeth that he may eat all things: another, who is weak, eateth herbs. Let not him that eateth despise him that eateth not; and let not him which eateth not judge him that eateth: for God hath received him. Who art thou that judgest another man's servant? to his own master he standeth or falleth. Yea, he shall be holden up: for God is able to make him stand. One man esteemeth one day above another: another esteemeth every day alike. Let every man be fully persuaded in his own mind. He that regardeth the day, regardeth it unto the Lord; and he that regardeth not the day, to the Lord he doth not regard it. He that eateth, eateth to the Lord, for he giveth God thanks; and he that eateth not, to the Lord he eateth not, and giveth God thanks.” (Romans 14:1-7).

7. Also his saying in the Epistle to the Corinthians: “All things are lawful unto me, but all things are not expedient: all things are lawful for me, but I will not be brought under the power of any. Meats for the belly, and the belly for meats: but God shall destroy both it and them. Now the body is not for fornication, but for the Lord; and the Lord for the body.” (I Corinth 6:12-13).

8. About what was sacrificed to idols, we know that idols are nothing in this world, and that there is no God but the One God. But the knowledge of these things is not given to everyone, for this reason we forbid eating the sacrifice to idols, so we do not become a stumbling block. For this reason “if meat make my brother to offend, I will eat no flesh while the world standeth, lest I make my brother to offend “ (I Corinthians 8:13).

9. Also he said: “Even as I please all men in all thing , not seeking mine own profit, but the profit of many, that they may be saved.” (I Corinth 10:33) which also means: “All things are lawful unto me, but all things are not expedient: all things are lawful for me, but I will not be brought under the power of any.” (I Corinthians 6:12). For this reason we eat everything sold in the butcher shop, and when you are invited to supper eat everything they offer in front of you without examination so not to offend them, but if it is said one says this was sacrificed to idols, do not eat because of the desire to save the one who said it.

10. Also he said to Timothy: “Now the Spirit speaketh expressly, that in the latter times some shall depart from the faith, giving heed to seducing spirits, and doctrines of devils; Speaking lies in hypocrisy; having their conscience seared with a hot iron; Forbidding to marry, and commanding to abstain from meats, which God hath created to be received with thanksgiving of them which believe and know the truth. For every creature of God is good, and nothing to be refused, if it be received with thanksgiving: For it is sanctified by the word of God and prayer.” (I Timothy 4:1-5).

11. No food can defile a bishop or a priest except that he can leave it all for the sake of God.

12. It is proper for all Christians and in particular the priests and monks to not desire to have variety of foods, not desire the delicious of foods, or that is desirable because of soft touch or aroma or color. But have sufficiency in things that are useful to the body and commonly available according to the season and the place because the Lord said (to Martha) “, thou art careful and troubled about many things: But one thing is needful:” (Luke 10:41).

13. Paul following the saying of Christ wrote to Timothy: “And having food and raiment let us be therewith content.” (I Timothy 6:8). Also the Lord warned about over eating and drinking (Matt 24:42-51 and Luke 12; 41-48). He also called them blessed who hunger and thirst for the kingdom of God (Sermon on the Mount).

## **Part II: Concerning Cloths:**

14. It was mentioned, in many places, concerning cloths that it is prohibited to wear the fine and colorful of it. Also, for altar service to wear special white robe. Also, it is prohibited for women to wear men cloths and for men not to wear women cloths. It is not proper for men to wear gold rings and for women to wear golden jewelry nor fancy cloth. The ascetics are to wear rough woolen cloths or the likes. When one dresses according to the advice it is good.

15. One ought to dress according to the dress code of the region of his residence and according to the code of his vocation. For example, it is not proper for a priest to dress like a soldier or for a physician to dress like a builder, .. etc.

16. He who is a disciple (follower) of Christ shall be careful what to wear, because the Lord advised his disciples to be careful about what to wear and not to vaunt. He also praised John the Baptist because of the simplicity of his dress because John was not one to wear fine cloths. We ought to use as examples to follow the disciples, apostles, prophets, and saints. St. John Chrysostom said that believers should be known by what they serve at the food table, their dress, their speech, and the way they walk because our faith teaches us what is proper in all these things.

17. The wise saint Bassellious said: “ We ought to wear only what covers our bodies and protect us from the cold and heat. To follow this law: The laymen ought to wear what is commonly available, and the ascetics what is not soft.

### **Part III: Concerning Housing:**

18. As it is advised for the followers of this highly regarded faith to desire less food and cloth, it is also advised to do the same in selecting a house. It is sufficient to seek what protects from the elements for which houses are for.

19. The Lord Jesus Christ who is the best example for us to follow had no house or even a place to rest his head (Matt 11:7-12). See also Matt 8:20 and Luke 9:58. His Apostle Paul praised those who lived in caves and dens “(Of whom the world was not worthy:) they wandered in deserts, and in mountains, and in dens and caves of the earth.” (Hebrews 11:38). Chrysostom said that the houses of the strangers and travelers should be known and you should prepare them as the present need necessitate.

20. The one who envisions and desires the heavenly homes will not want to stay in our earthly houses for very long, because the heavenly is much better. Those are the ones who are not affected by the width or the breadth of this world and will not sorrow for missing the best of this world.

### **Part IV: Concerning Professions:**

21. All professions are acceptable except: Ones which are against the laws (God’s Laws) such as magic, astrology, idols making, sorcery, reading the stars, places of (adult) entertainment, dancing, (prize) fighting, and witchcraft.

22. Paulidis said: Every maker (of castings) should know that it is not proper to make idols, neither statue nor flat image.

23. All the makers of manufactured things, after they are baptized, if found to make any of these things shall be separated (from the Church) until they repent

24. It is well known that the above mentioned industries are not needed by people, because people can certainly do without it. The appropriate industries for the Christians are two kinds:

First, Industries important for sustaining life, these are agriculture and hunting for food, tailoring for cloths, construction for building homes, and medicine for health maintenance and fighting diseases.

second, support industries needed to maintain and/or extend the purposes of the above mentioned such as carpentry, metal works, writing, milling, baking, bread making, teaching, and merchandising.

25. Merchandising (trade) could be necessary for moving goods from one region to another. It also requires shipping and storage.

26. It is desirable for all these industries to become proficient in the most basic activities only. For example, it is not proper to neglect basic agriculture in favor of fruits hybrids or flowers over production. Also, it is not proper to neglect basic cloth making in favor of dying and ornamental cloths. Also, same applies to caring for building homes instead of caring for decorating and enlarging them. This was pointed out by the wise (John) Chrysostom in his commentary on the Gospel according to St. Matthew.

[Comment: Awlaad Al-Assal and their predecessors, Fathers of the Church would not have approved of many of today’s professions!]

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## Chapter 25

### Concerning Engagement, Marriage and What Follows

(Preliminary Translation)

#### Part I:

1. Before talking about marriage, we need to mention the purpose which is two fold:

First, to have children to preserve the human race, and is evident in the Lord’ saying to the first grandparents (Adam and Eve): “So God created man in his own image, in the image of God created he him; male and female created he them. And God blessed them, and God said unto them, Be fruitful, and multiply, and replenish the earth, and subdue it: and have dominion over the fish of the sea, and over the fowl of the air, and over every living thing that moveth upon the earth.” (Genesis 1:27-28) This can’t be without sexual intercourse and child bearing. The sexual desire was implanted in the animal nature to cause the urge to have intercourse which produces birth, this also results in the pain caused by desire and giving birth (as the Lord God demonished Adam and Eve, See Genesis (3:16)).

Second, The help the married couple gives one to the other to reduce the labor required to go through life and is obvious from the saying of the Almighty concerning Adam and Eve: “And the LORD God said, It is not good that the man should be alone; I will make him an help meet for him.” (Genesis 2:18).

2.. So the first purpose of marriage is giving birth to children, extinguishing the sexual desire, cooperation, and union.

3. Marriage is then necessary for procreation and also is honored in many laws and canons of which we mention three:

4. First, if one will burn with sexual desire, it is better for him to get married as the Apostle Paul said: “Now concerning the things whereof ye wrote unto me: It is good for a man not to touch a woman. Nevertheless, to avoid fornication, let every man have his own wife, and let every woman have her own husband. Let the husband render unto the wife due benevolence: and likewise also the wife unto the husband. The wife hath not power of her own body, but the husband: and likewise also the husband hath not power of his own body, but the wife. Defraud ye not one the other, except it be with consent for a time, that ye may give yourselves to fasting and prayer; and come together again, that Satan tempt you not for your incontinency.” (I Corinthians 7:1-5). Also, he said about the young widows in his epistle to Timothy that he desires that they marry and give birth to children than roaming around with no purpose (See Timothy 5).

5. Second, Celibacy is for those who can escape temptation. They do so by good temperament, good habits, and special calling: “Let every man abide in the same calling wherein he was called. Art thou called being a servant? care not for it: but if thou mayest be made free, use it rather. For he that is called in the Lord, being a servant, is the Lord's freeman: likewise also he that is called, being free, is Christ's servant. Ye are bought with a price; be not ye the servants of men. Brethren, let every man, wherein he is called, therein abide with God. Now concerning virgins I have no commandment of the Lord: yet I give my judgment, as one that hath obtained mercy of the Lord to be faithful. I suppose therefore that this is good for the present distress, I say, that it is good for a man so to be. Art thou bound unto a wife? seek not to be loosed. Art thou loosed from a wife? seek not a wife. But and if thou marry, thou hast not sinned; and if a virgin marry, she hath not sinned. Nevertheless such shall have trouble in the flesh: but I spare you. But this I say, brethren, the time is short: it remaineth, that both they that have wives be as though they had none;....” (I Corinth 7:20-38)

6. In the above, the Apostle followed the purpose of the Lord in his pure saying in the Gospel According to St. Matthew: “His disciples say unto him, If the case of the man be so with his wife, it is not good to marry. But he said unto them, All men cannot receive this saying, save they to whom it is given. For there are some eunuchs, which were so born from their mother's womb: and there are some eunuchs, which were made eunuchs of men: and there

be eunuchs, which have made themselves eunuchs for the kingdom of heaven's sake. He that is able to receive it, let him receive it.” (Matthew 19:10-12). Also see the Lord’ sayings about those who left behind fathers, mothers, sisters, brothers, wife, children, that they shall receive 100 fold reward in this age and eternal life in the age to come (Matt 19:10-29, Mark 10:29-, Luke 18:29-).

7. Third, marriage is then permitted for those of two groups above mentioned, meaning those who do not want to burn by desire and those who are not relieved from it!!!!!! as the Apostle’ saying indicates: “ But and if thou marry, thou hast not sinned; and if a virgin marry, she hath not sinned. Nevertheless such shall have trouble in the flesh: but I spare you.” ( I Corinthians 7:28).

8. Marriage is honorable and the bedroom is clean (Hebrews 13:4).

9. Marriage after taking the vow of celibacy is not clean.

10. Everyone who was celibate and change is like one who married twice.

11. Speaking about celibacy is like his first marriage, But the second marriage is not the same honor as the first as in the laws of marriage, he does not get the blessings of the sacrament but the prayer of forgiveness. Bassellious said: “if turtle doves, non-speaking (animal), does not go for second marriage; how can a speaking animal (humans) go for second marriage. It is not desirable to do so, especially for the (married) clergy, for them it is not acceptable at all!

12. Concerning a third marriage, it is unacceptable at all, we do not even consider it legal.

13. Having more than one wife at the same time is illegal. It is public fornication.

14. From what mentioned above, the purpose of marital intercourse is to avoid the pain of sexual desire and to seek off-spring who are to worship God.

15. We ought not to accept for marriage, a partner whom we do not know, because there might be a concern about their behavior (toward the other) once the desire is satisfied, put under control, or even gone away!

16. Most of what is said in this chapter comes from the laws called “Tatalassat” first to eleventh chapter . (I don’t know what he is talking about!!!! help is needed)

17. The purposes of marriage are three as mentioned above, they are according to the purpose of the creator and those who followed his purpose. It is hard to find (a sincere) one who has a single purpose only. Example, one who wants marriage for having children only, otherwise they would not have intercourse after knowing that his wife is pregnant which is seldom the case. Also, it is not conceivable that marriage is for cooperation only, otherwise they would not have intercourse which is also unheard of.

18. Marriage according to the desire of other (ungodly) people can be for many reasons other than the three we mentioned.

19. Some marry for pleasure only. Those do not care about having children or cooperation, but they even go as far as preventing pregnancy through measures for themselves or their spouses and do not care to consider the other reasons to the point of choosing a wife for appearance without considering her reputation or family’s reputation. For those, we hope that their purposes change after a while.

20. Some desire to gain fortune through marriage, for that they also ignore inquiring about reputation or family reputation.

21. Some are forced to marriage at a young age by parents or guardians who do not take into consideration maturity or choice thinking that by doing so they save their children from falling into sexual temptation or insuring a good

financial position and sometimes they do it because they like to enjoy seeing their off-spring married before they depart or they do it out of pride or as a spiteful act.

22. Some jokingly marry because they like to have someone to inherit them (with no concern for whom they marry).

23. All these reasons for marriage more or less are attributed to satisfying (fleshly) desire. Hardly there is other reasons.

24. Many cover the purpose of bodily desire by claiming need for cooperation. A wise man was right in saying that desire of the flesh is the mother of all evil, all hardship, and all insults. It is truly the mother of all bodily and psychic pains because it makes the unnecessary things as if they are very necessary. For this we ask the Lord’s help, protection, support, and mercy. Amen.

## **Part II (Concerning Engagement):**

25. Engagement is not proper for one found to be not fit for marriage.

26. The engaged is free to do so if he is not under custody (of full age). Otherwise, it has to be done by the approval of the custodian/guardian.

27. There are fifteen reasons that prevent marriage, those are to be considered before engagement takes place, they are:

28. (First: Relatives marriage) that is not according to the law:

[Man is forbidden to marry: Grandmother, one who married his grandfather, the grandmother of one whom he married, his aunt (father side), his aunt (mother side), one who married his uncle (father side), one who married his uncle (mother side), sister of his wife’s father, sister of his wife’s mother, his mother, one who was married to his father, mother of his wife, his daughter, his wife’s daughter, his son’s wife, his sister, his wife’s sister, his brother’s wife, daughter of his son, daughter of his daughter, wife of his grandson, wife of son of his daughter, daughter of son of his wife, daughter of daughter of his wife, daughter of his son, daughter of his sister, wife of his nephew (brother side), wife of his nephew (sister side), daughter of wife brother, daughter of wife sister.]

[Woman is forbidden to marry: Grandfather, husband of grandmother, grandfather of husband, uncle (father side), uncle (mother side), husband of aunt (father side), husband of aunt (mother side), uncle of her husband (his father side), uncle of her husband (his mother side), father, husband of her mother, father of her husband, son, son of husband, husband of her daughter, brother, brother of husband, husband of sister, grandson (son of son), grandson (son of daughter), husband of granddaughter (daughter of son), husband of granddaughter (daughter of daughter), son of son of husband, son of daughter of husband, son of brother, son of sister, husband of daughter of brother, husband of daughter of sister, son of her husband brother, son of sister of husband.]

29. In general three groups of forbidden marriages as follows:

29.1 parents and grandparents and what is above,

29.2 children, grandchildren and what is below,

29.3 uncles, aunts, bothers and their children, sisters and their children and all side relations like that, because those also are related because they come from same parents and/or grandparents.

30. There is two opinions among Copts about the degree of relative which are eligible to marry:

First Opinion: Forbid three relations and approve of fourth relation marriage. This is according to the council of Nicea and many of the common laws agreed to and which were approved by many head priests over the years and is followed in Coptic, Syrian and Nestorian Churches. This was also necessary when the numbers of Christians

dwindled in certain regions and it became necessary to marry close relations such as cousins marriage to avoid falling into temptation and more important to keep people from leaving the faith for marital necessities. Fourth relation includes cousins, this is explained as follows: my grandparents (second relation) gave birth of my uncle (third relation), uncles children are then fourth relation and it is legal to marry a cousin then.

Second Opinion: The followers of the king (Mallakites follower of King Marcian) forbade sixth relation marriages and approved seventh relation. This opinion makes cousins marriage forbidden. This is not acceptable to us (the Copts), and also to some of them and because of their dwindling numbers in certain regions, some of them violated the rule without distinguishing any.

[Note: when relatives of a spouse are mentioned, it means a second legal marriage like in the case of death of first spouse]

31. The calculation leading to fourth relation is explained by the legality of (first) cousin marriage as follows: My father begat me, my grandfather begat my father, that is two relations. My grandfather begat my uncle, third relation, and my uncle begat my cousins, fourth relation.

32. (Part Two:spiritual relations) marriage of (spiritual) relatives through baptism (Nicean Council Cannon 23, 25) The one who accepts one in baptism as sister can not marry her, and she cannot marry him and they become like brother and sister who can not marry the father and mother, sister and brother, son and daughter of the other person. They became relative through spiritual bond and any marriage among them is forbidden and they become as idolators or publicans until they separate.

[The publisher disputes this rule because there should be no such thing, because he states that childhood and parenthood is normal through birth only. Other (spiritual) relations are no consideration in marriage]

33. It was mentioned in the laws of spiritual parenting (eshpeens) that they become spiritual parents when they become eshpeens, but such parenting relations are not followed in forbidding marriage of relatives. (this contradicts rule 32 above).

34. (Part Three: relations through nursing): Relations through circumstances like raising a person (adoption) or nursing a child. The adoptive parents become like mother and father. For this reason, one can not marry one who raised him/her or their children because they become like brothers and sister, or their parents because they become like grandparents, this is in the Malakite laws. But in the Descolias (laws of the Apostle) it is permitted for an adopted or nursed to marry the off-spring of those who adopted/nursed him/her .. etc.

35. (Part Four: Marriage to relatives through marriage, not through birth): Those are the parents of spouses, or grandparents of spouses (off-course we are now speaking about second marriages). Their sisters and brothers parents and grandparents. Spouses of children and their children, brothers, sisters, fathers and mothers, grandparents. And spouses of brothers and sisters and their children and their brothers and sisters, parents and grandparents. And relatives of the wife, her grandmother, mother, aunts, sisters, daughter, daughter of her son, and wives of her relatives in this level of relation. Are all forbidden for a woman to marry. What is forbidden for woman likewise is forbidden for man (same kind relation).

36. (Part Five: Marrying the Guardian/Custodian) is also forbidden. The guardian, his siblings and his brother are forbidden for the adopted/cared for. This is only until she reaches 26 years of age and if the guardian satisfied all that he is required to do, they can marry if she accepts to marry him.

37. (Part Six): It does not look good that one marries the wife of his master.

38. (Part Seven): It is not desirable for believer to marry unbeliever, except according to what was mentioned in the appropriate books (see the epistles of St. Paul).

39. (Part Eight): Not proper to marry if there is what prevents sexual intercourse like illness preventing sexual intercourse, the Eunchs, and those who have both the organs of male and female in the same body (tranvestites!). Also those who have one of the following reasons are not to marry:

39.1 Casteration,

39.2 Persistent Madness, meaning that is not treatable, not curable,

39.3 Harmeful diseases like Elephantiasis, but one who has leporcy can marry if the other accepts.

### **What Nullifies Marriage:**

40. (Part Nine): Woman who was caught in sin (fornication) or previously divorced.

41. (Part Ten): Having more than one wife.

42. (Part Eleven): Fourth marriage or more.

43. (Part Twelve): Marrying a Nun.

44. (Part Thirteen): Woman that is Sixty or Older.

(This is disputed by the publisher as not valid reason. We also see no reason for such rule)

45. (Part Fourteen); Marriage that followed the death of husband by less than the year of mourning, and to be exact 10 months after the death of previous husband. This can also cause one to loose the inheritance from the previous husband (because of the need to prove parenthood in case of conception in the first year following the death of previous husband). This prevents marriage but does not prevent formal Church performed engagement.

46. (Part Fifteen): Forcing one of the partners to marriage which is two types

First: Bringing one of the parties to marriage by force makes both marriage and the marriage contract null and void. This however should not be the rule for engagement, because during engagement they might get to accept each other.

Second: It is unlawful for a ruler or one of his siblings or one of his aides to force a person to marriage, the marriage will be null and void. This however should not be the rule for engagement (as explained above).

47. If one after being engaged and receiving a dowry/gift decides to become celibate. It is acceptable to break the engagement, and not go through with the marriage, only after the dowry/gift is returned back (to the donor) in full.

48. Engagement, even wedding ceremony, shall precede the consummation of marriage with sufficient time to be sure that each accepts the other fully, and that the love through complete content is true. And let the one who accepts wait for the marriage and control himself and not hurry. Let the hope for a pure marriage a motivation for keeping the chastity and to expend the energy in the effort to prepare for the marriage and to increase the desire for the other. Let us follow the Lord's wisdom, it is not good for man to be alone (He prepared for Adam before bringing on Eve). He promised first then made the promise to happen, become reality.

### **Part II: The Marriage Contract (Aakd Al-Amlaak): Three parts:**

Aakd Al-Amlaak Part I (Limits and Conditions):

49. Al-Amlaak is a promise to marry and a date to do so. It can be written or unwritten (oral communications).

50. It is made certain by the presence of two of the elders of the priests whereas they place the cross and the ring on top of the dowry (maahr). They write a contract by the consent of the two who are to be connected (in marriage).

Also, if one or the other under custody, it is also through the consent of the custodian even if the custodian was not biological parent.

51. It is permissible to marry without dowry or furniture (customary even to this day to agree on who pays for what in furnishing the home of the newly wed as part of the marriage agreement).

52. Mourning a previous husband does not prevent having a marriage contract drafted. The parties can not have a contract if one is less than seven years of age!

53. If one has a marriage contract without setting marriage date, it is (customary) to wait two years. If one was on travel, it can be three years. If that time passes it can be considered null and void. Both sides can look for another. But if there is a strong reason like illness, or debt, or imprisonment, or being away for a strong reason; it is possible to wait four years. Parent or custodian can not dissolve the agreement, it requires one of the parties in the marriage to do so.

54. If the two seeking marriage were orphans, without father and mother and were under the age of fifteen and had a contract, they can not dissolve it until they reach the age of maturity (age 15), at which time they can do what they desire (this is intended to give an opportunity to make a rational decision).

55. Every maiden by her father’s choice or her own choice has an agreement to marry one and was forced to marital relation by another, through force, abduction or rape, has to marry the one that she was promised to first unless he chooses not to go ahead with the marriage. In the case of the first refusing to marry her, the abductor has to marry her if he is not married already.

Aakd Al-Amlaak Part II (Down Payment on Dowry):

56. If one of the parties reneged on marriage contract, has to return twice what he received. But if the one that paid reneged, he has to forfeit what was paid. In case of death of one of the parties, there are two rules:

First, The one who received returns what he received to the family of the dead unless if the dead person was cause of delay,

Second, If the woman dies, her family is obligated to return all that they received. If the man dies, and has no one to inherit him, the woman keeps what he gave. But if he has those who can inherit, she keeps half and returns the other half to them if the contract was legal.

57. What the father agreed to shall be carried on, but if the father or mother took the down payment and changed their mind, they shall return double the amount. But if they are not able to pay double, they at least should return what they received. The same applies if a custodian received the down payment.

58. To become full of age and in complete control of his situation a man has to be between the ages of twenty and twenty five. But for females they have to be between eighteen and twenty five years of age. (Having a range is confusing. In our times it is a fixed age for both men and women, eighteen in most countries. Sometimes age 21).

59. When they reach the legal age, they can ask the ruler of the region to remove all custodians, and they can do what pleases them and it is their own decision.

60. If after engagement, dowry, and legal contract, it was found that the marriage can not take place because he follows another faith, or extreme neglect of the faith, or breaking the commandments, they shall be allowed not to marry but they have to return what they received. But if it is found that they had pre knowledge of the situation before hand they must pay double.

[Breaking of engagement is reluctantly accepted by the Church as a wise decision before a bad marriage takes place. It is customary to return valuable gifts and jewelry. Furniture also returns to the one who paid for it, but dowry is no longer a common practice, and marriage contract is now part of the wedding procedure]

Part III: Concerning Gifts Before Marriage:

61. Every gift other than food returns to the man if the marriage does not take place.
62. But if the man was the one who refused to go through with the marriage he loses everything he offered. But if she is the one that refused, she should return everything including gifts and dowry.
63. Gifts are to the fiancée to the day of marriage if the gift is given in her home. But if the gift is given in the home of the newly weds from wedding day on, it is a wife’s gift and not a fiancée gift. The man’s adversaries can not get what he gave as engagement gift.
64. The woman can give from the dowry to her husband’s adversaries, but not from the engagement gifts.

**Part IV: Concerning Parents and the marriage of their Children, Same for Custodians:**

65. It is not lawful for a man to force his child to marry if the child has a good reputation (knows what he is doing), but if he is not he is advised to not refuse.
66. If parents desire to get daughter or granddaughter to marry by helping pay for the furniture and she refuses, she deserves to live in bad repute and loses the right of inheritance.
67. It is not proper for children to refuse marriage causing their parents to lose the furniture and the engagement gifts.
68. If parents or custodians refuse to help those in their custody unfairly by refusing to pay for the furniture, it is up to those in authority to make them do what is necessary for marriage to take place.
69. If a woman is past 25 years of age and her parents did not try earnestly to help her, she can ask those in authority to force them to do what is necessary.
70. If a woman is of full age and wants to marry according to the commandments, let her marry even if her parents refuse. This goes for men as well.
71. If a man is a prisoner of war for more than three years, his children can marry without his approval even if it was known that he will not approve of the marriage (because he was absent for more than three years). If he was absent less than three year the marriage is not proper if he objects to it.
72. If the father is not of sound mind, the grandfather approval can be used in place of the father’s. But if the woman is of full age and her father disapproves, it is up to those in authority to decide.
73. If the one she chooses and the one her parents choose are equal in race and financial ability, it is done according to her opinion.
74. If the relatives disagree about the choice regarding marriage for an orphaned relative, those in authority can make the choice.
75. A guardian on the trust of an orphan, has no say concerning marriage, if the guardianship is on finances only.

76. Mourning the departed father or grandfather does not constitute a reason for not completing (a promised) marriage.

**Part V: Terms of Marriage Contract:**

77. First: Terms:

Marriage is an agreement between a man and a woman. It is a public agreement by the witness of the priests and through their prayers. Marriage is a joining of the livelihoods of the partners which produces a better ability to satisfy their needs and a means of producing off-spring to succeed them.

78. Second: Who Should Engage in Marriage:

Marriage should not take place unless the two who desire to marry are in agreement, and if under custody the custodian/guardian has to agree. Marriage should be between two of full age, the man should be over 14 years of age and the woman over 12 years of age. One who is brought to marriage under 12 years of age is married in the law if she accepts the man!

[As we stated before, today, in most countries the legal age of marriage is 18. Also, it seems that they allowed marriages for young people below what they considered legal age]

79. One should not have the marriage ceremony in secret, but to have many in attendance.

80. Marriage Certification can not and should not be completed unless the priest is present. He also should offer the Qurbaan (meaning perform the prayers of the sacrament of holy matrimony) by which they become one flesh; as the Lord, may His name be praised, said. Without the prayers they are not considered married. Through prayer she is absolved to marry him and he is absolved to marry her.

81. Third, There are eleven major rules concerning marriage. The first major set of rules has five sub-rules: First, concerning first marriage which was covered previously.

82. Second, second marriage for men is permissible if there is no obstacle, and if they have young children they have to care for them and do what is appropriate about their having their lawful inheritance.

83. If a priest marries for the second time he loses his rank (priesthood).

84. For woman who promised celibacy, it is against the law to marry, not because of the intercourse, but because they would be committing a lie against the Creator.

85. A widowed woman over 60 years of age who marries a second time is like an evil doer.

86. A woman is committed to her husband as long as he is alive. But if he dies, she can marry again but blessed is she if she does not.

87. If the newly wed are widowed, they shall not receive the holy matrimony blessings (prayer) because this was given to them previously and it stays for ever (can not be repeated). Instead, the priest shall pray for them a prayer of repentance. But if one of the two is receiving the marriage prayers for the first time, he or she shall be blessed alone.

88. If one marries a second time, she shall ask her children’s permission before she gets married. She also has to separate what is theirs from what is hers.

89. One who is under 25 years of age who is going for a second marriage has to get the approval of her parents/guardians. But if the father is dead, the approval of her relatives. If they do not agree, those in authority will have to approve. If she is to choose between their selection and one she selected, and if they both are equally qualified her choice shall be the one to approve.

90. Third, Third marriage is a sign of falling into temptation and is despised by the Church.

91. Fourth, What is beyond third marriage is public fornication.

92. Who dares to commit fourth marriage should not be considered married, the children of such marriage are not to be considered legitimate. He should be treated as a fornicator and they should be separated.

93. Fifth, according to the council of Nicea, one should not be married to two women at the same time. One who does that shall be denied the holy Eucharist and should not be allowed to enter the Church until he leaves the second (woman) and returns to the first.

94. If one has two wives under one roof or in separate residences or if one has a wife and a mistress he shall be separated from the Church, and if he had a rank of priesthood, he shall be separated from the priesthood.

95. A woman who falls in love with another man while her husband is still alive, is an adulterous and is considered in violation of the commandments.

96. Part Two:

The believer can marry a woman who is an un-believer on the condition that she joins the faith. A woman believer shall not marry an un-believer because of fear that he will convert her to his faith.

97. Every woman who marry an un-believer shall be separated from the society until she leaves the un-believer and after she proves her repentance she is given the Eucharist.

[Again, this should be revised according to what the woman’s intentions are, because if she brings the un-believer to the Orthodox faith, there is no harm in her marriage. Here again, the rules that applies to men should be applied equally to women. Some of our young sisters in the land of immigration brought to the faith husbands who became examples to follow in the Coptic Orthodox faith]

98. Any believer who forces sister or daughter to marry an un-believer shall be separated from society and not allowed to socialize with the believers for (for what he did) but she is not to be blamed because she was forced to the marriage. If he repents and gets her released of her marriage he can be brought back to the group after a period of repentance based on the magnitude of his mis conduct.

99. If a brother has a wife who is an un-believer and she desires no to depart he is advised not to leave her. Also, if a woman believer has a husband who is an un-believer and he desires to stay with her, let her not leave him because (as the Apostle said) the un-believer is sanctified in the believer. But if the un-believer desires to depart let him depart.

100. Part Three: The period for one to not marry again after the departure of a spouse: There are two opinions:

First, It is not lawful to marry before a year passes, otherwise the survivor is not permitted to receive any inheritance from the deceased.

Second, A woman is not allowed to marry again for 10 months after the death of her spouse, and if she does she is not permitted to receive any inheritance from the deceased and has disgraced herself.

101. Part Four: If a man is in financial hardship because of the gifts and dowry he presented to his future spouse, she becomes obligated to support the man and their off-spring from what she already received.

102. Part Five: If a man pawns any item belonging to his wife without her permission, his action is unlawful. But if out of need, he asks her to allow it and she refuses, she has forfeit her right to support because she prevented a necessary action because the commandments help those who are deceived but does not help those who are spiteful.

103. Part Six: Divorcee is not permitted except for previously mentioned reasons for voiding marriage. This is because of the witness of the Gospel according to St. Matthew: “The Pharisees also came unto him, tempting him, and saying unto him, Is it lawful for a man to put away his wife for every cause? And he answered and said unto them, Have ye not read, that he which made them at the beginning made them male and female, And said, For this cause shall a man leave father and mother, and shall cleave to his wife: and they twain shall be one flesh? Wherefore they are no more twain, but one flesh. What therefore God hath joined together, let not man put asunder. They say unto him, Why did Moses then command to give a writing of divorcement, and to put her away? He saith unto them, Moses because of the hardness of your hearts suffered you to put away your wives: but from the beginning it was not so. And I say unto you, Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery: and whoso marrieth her which is put away doth commit adultery.” (Matt 19:3-9)

104. The Apostle Paul in Corinthians said: “But to the rest speak I, not the Lord: If any brother hath a wife that believeth not, and she be pleased to dwell with him, let him not put her away. And the woman which hath an husband that believeth not, and if he be pleased to dwell with her, let her not leave him. For the unbelieving husband is sanctified by the wife, and the unbelieving wife is sanctified by the husband: else were your children unclean; but now are they holy. But if the unbelieving depart, let him depart. A brother or a sister is not under bondage in such cases: but God hath called us to peace. For what knowest thou, O wife, whether thou shalt save thy husband? or how knowest thou, O man, whether thou shalt save thy wife?” (I Corinthians 7:12-16)

105 Part Seven: Forbidding Them From Denying Each Other Companionship:

According to St. Paul, a man has to give his wife what is due her and the woman likewise: “Let the husband render unto the wife due benevolence: and likewise also the wife unto the husband. The wife hath not power of her own body, but the husband: and likewise also the husband hath not power of his own body, but the wife. Defraud ye not one the other, except it be with consent for a time, that ye may give yourselves to fasting and prayer; and come together again, that Satan tempt you not for your incontinency.” (I Corinthians 7:3-5)

106: Part Eight: On the days on which they should not get together (have sex):

The holy days of fasting should not be defiled by sex, also you should not get close to her (have sex) on the days of her blood (period), and the period following giving birth because you will be forcing her to do what is not proper. Remember what the Lord ordered the Israelites through Moses: “And if a man shall lie with a woman having her sickness, and shall uncover her nakedness; he hath discovered her fountain, and she hath uncovered the fountain of her blood: and both of them shall be cut off from among their people.” (Leviticus 20:18)

107. Woe to those who commit such sin in paschal week.

108. Marriage which was ordained by God for the Israelites was not only for producing off-spring but also for the needs of the flesh which was made to be controlled through the commandments so that there are times to get together and times for abstaining so not to become morally decadent.

109. But abstaining during the time of the period following giving birth is for the protection of your bodies from sickness and to avoid having off-spring born with disease (caused by improper use) such as leprosy and the likes. But abstaining during fasting seasons is because intercourse will break the fast and you need to complete the commandment. This is for you forbidding the animal nature from animal like desire. And by abstaining you are providing to the vocal soul which is united in your flesh its spiritual needs. So, it is ordained for everyone to abstain on the days of the issue of blood to protect the body and off-spring. And to abstain in the paschal week for it is days of sorrow and fasting and prayers. And during the fasting seasons because it is days of self control and we would rather fight the flesh’s desire than succumb to it. But according to St. John Crysostom do not do that to each other spitefully because it can lead to adultery.

110. Part Nine: Forbidding Separation and its equivalents like Mental Separation:

The first is because the first purpose of marriage is maintaining the human race, so separation will work against the desire to have off-spring and maintaining the human race.

111. The second is because the Lord said in the torah that if a man separates himself from his wife he is not saved from murdering a soul. You also know what Onan the son of Judah did not do for his brother’s wife, for that the Lord caused him to die (Genesis 38:8).

112. John Crysostom said in explaining the Gospel according to St. Matthew: They actively labor to not bear fruit (children) and this is more evil than not having any. This includes taking the seed out and throwing it away (abortion) and taking medications to prevent pregnancy.

113. Part Ten: Those Who Accuses A Spouse Falsely:

If one of you takes a wife and despises her so he will start to falsely accuse her of things and starts saying that he did not find her virgin and if her father proves what was said is false accusations, the man shall be blamed and punished for his crime and she shall become his wife if he likes it or not until one of them dies. But if what he said about her was proven to be true, they shall be separated and she shall be called wicked and no one is to marry her and she shall stay in her house sad and weeping because she committed adultery and disgraced her father.

114. Any man advised by the people that his wife committed adultery, shall ask that she is brought in front of the priests. The priest shall bring a pottery vessel fill it with salty water and .... The priest shall ask he to swear by the altar and the power of the Holy Spirit that she is innocent .. If she swore and is innocent she shall return to her husband happy, and her husband shall receiver her happy, otherwise if she swore falsely she is condemned because she lied. ....

[ So, far this is the most difficult paragraph to translate, Many sentences were deleted for now. Need to consult with one of our learned fathers, it talks about drinking water mixed with salt and ashes!]

115. Part Eleven: Concerning Knowledge of Events the Precede Marriage:

It is not proper for one to think that marriage is a sin or an unclean act because what God created male and female is very good and both male and female are good and beautiful creation of God. Those who call for forbidding marriage shall be separated unless their intention is to live a celibate life.

116. Those who mock marriage and call the marital intercourse unclean shall be separated.

117. One who leaves his wife and calls marriage uncleanness shall be separated.

118. It is unlawful for women who have issue of blood (period) or the blood of giving birth to enter the Church. And it is unlawful for a woman in this condition to enter the Church even if she was the daughter of a king.

119. The woman who gave birth can not approach the holy place (have communion) for forty days if she gave birth to a boy and eighty days if the new born is a girl. Midwives or those who receive the child are unclean for twenty days if the baby is a boy and forty days if it was a girl.

120. It is commanded to separate the adulterous and the married woman who commits adultery if her husband was not aware of her actions. But if he was aware and did not prevent it they both are separated.

121. If the husband was a priest, he looses his rank. And if he repents, he can receive communion after repentance but not the rank of priesthood.

122. If the wife of a priest marries again after his death, she has shamed her husband and caused her self to go down from a higher rank.

### **Part Six: What Makes A Mrriage Null and Void:**

123. First, if both elect celibacy by free will.

124. Second, if one of the parties abstains from marital intercourse because he chooses celibacy after marriage, because by doing so the abstaining party is not satisfying one of the main purposes of marriage, meaning having an off-spring through intercourse. Also if one is absent for many years for whatever reason.

125. Third, what prevents achieving the second reason for marriage meaning cooperation on achieving good living which can be:

A) Because of adultery committed by either one,

B) What adultery will bring to the marriage: First, it will spoil the living situation because one of the parties no longer can care for the other and also for the children as well because his cares are for the outsider. Also, because the man will not be sure if the off-spring is his or somebody else’s and one wants a stranger to inherit him. Also, the off-spring of this relation rather inherit the true father. Also, there is the fear of someone getting killed for revenge and/or jealousy.

C) By staying together under these conditions is a continuation of an unfair situation.

124: Laws Concerning the Three Situation Above Mentioned:

First, Marriage is null and void when both parties choose celibacy.

125. Second, Marriage is null and void if the man is not able to perform the duties of sexual intercourse for a period of three years or more. The woman’s parents can ask for the marriage to be made null and void if there is a proof of the situation. In this case the woman keeps the furniture. But the engagement gifts should be returned in full.

126. If a man discovers that the one he married is not complete in her sexual organs as a one should be and if he confirmed that three times and confides in the priest with his findings, the bishop is obligated to separate them and make the marriage null and void (as if it did not happen). The man is free to marry again, but the woman shall be prevented from marrying again. Her guardian also is to be denied the holy Eucharist until he repents, if he knew of her condition and did offer her for marriage. But if he continues in his bad actions, he shall be separated.

### **127. Concerning Seizures and Mental Diseases: Two Opinions:**

(1) First, If one finds his wife having seizures caused by mental disease and if the illness happened after the marriage, he should accept her and have patience with her and he is not allowed to marry another. But if the illness existed before the marriage and was hidden from him, he is allowed to leave her and marry another. She can keep the dowry and furniture and every thing she brought into the marriage. But if she brought cattle or slaves, he is entitled to half of the produce that resulted after the marriage if he chooses to leave her. Also if any of the furniture was unusable she should be given the fare value, but if he wrote a rust to her after the marriage he is not obligated to pay what is promised in the trust.

(2) Second, If the seizures occurred after the marriage and if he chooses he can let her leave and if he does so she is entitled to her dowry and furniture. But if the illness existed before the marriage and he was not informed and if he wants to leave her he can but he has to give her the furniture but what he gave her as money should return to him.

### **128: Concerning Leprosy: Two Opinions:**

(1) First, if one of them has leprosy or like disease after marriage, it is not permitted for the other partner to leave,

(2) Second, If one marries and she develops leprosy or like disease after marriage, it is permitted for him to leave. She gets to keep everything he gave her before marriage, and if he is able financially he is required to give her financial support because what befall them was not by her choice or his.

129. It is commanded to make the marriage of one who is a prisoner of war null and void if it is not clear that he is in the hands of the enemy or dead. But if it is clear that he is alive, we ask her to wait 5 years before the marriage is declared null and void. The one that request the annulment shall give up furniture and marriage gifts.

130. If some are enlisted in the army, we command that for the years they are in the battle field that their wives have patience and wait for them. But if the news of the death of a soldier arrives, do not act on the news until it is verified by the leaders of the army. She or her parents or close relatives shall meet with the leaders and inquire diligently and if it is true that the person died or was killed she shall take a whatever written proof and take the Bible as a witness and swore that the news is verified. She then has to wait for a full year before marrying again. If she follows that her second marriage is lawful . But if she did through false witness claim the death of the spouse, the false witnesses shall be removed from their positions and fined 10 pounds of gold to be given to him because they lied concerning him. If her first husband chooses, he can have her back as wife.

### **131. About Adultery:**

(1) First, Women Adultery: If a man discovers that his wife is committing adultery, he has to prove that she committed adultery. Afterwards, she and the man she committed adultery with shall be punished. Her marriage is null and void and she is required to return everything she received. He keeps it all unless there are children in which case they are entitled to half. Also he is entitled to one third of her wealth as a compensation. The man she committed adultery with also loses his marriage and all the dowry and furniture goes to his wife unless there are children because they are entitled to half that, but the before marriage gifts are all hers.

132. (2) Second, Other Situations Considered as Adultery: If a woman goes out with men to drink or hunt without the approval of her husband, she is committing adultery. Also, if she sleeps outside her husband’s home without his permission, except if the place is her parents or if he was the reason for her staying out.

133. The unlawful acts mentioned previously in parts one through fourteen but not five and six are considered like adultery.

133. (3) Third, It is considered like adultery if one conspires against the life of the other or if a man conspires against the Chastity of his wife.

134. If one marries and argument perpetrated by he starts, we advice him to be patient and kind until she comes back to her good behavior. But if he can no longer accept the situation let him ask the archpriest to intervene. If she does not listen to the archpriest, ask the bishop to intervene. If she does not listen to the bishop, the bishop shall shake even the dust from his shoes at her door. At this point, it is lawful for the man remarry. But if he chooses he can stay single, and if he is righteous he is permitted to join monastic life. But if it was found out that he is the one that instigated the trouble because he does not like her, he is commanded to stay with her. But if he leaves her, he is not permitted to receive the Eucharist.

135. If a man conspires on the life of his wife or her chastity by action or by hiring others to do such things. And after it is proven that he did such thing, she is free to leave him and remarry lawfully if she wants. She is entitled to gifts, dowry, and furniture, and a fare amount of his other positions. If they do not have children, she takes all these things, but if they have children, he keeps all his other positions for the care of the children.

136. If a man was found with another woman in his house or was known to frequent another place to be with a woman other than his wife, it is lawful to annul the marriage. If he was warned by his parents or her parents (his in-laws) or other concerned parties and does not listen, the marriage is null and void. The rules concerning gifts, dowry, furniture as in 134. above.

137. If there are criminal laws concerning the adulterous behavior of men, they can be treated according to the criminal law instead of marriage law!

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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## **Chapter 26**

### **Concerning The Forbidding of Taking a Mistress**

(Preliminary Translation)

1. Taking a mistress (‘tassari’) is forbidden according to our Christian Faith, because it is outside the limits of legal marriage. It is a continous open adultery.
2. If one has a mistress regardless of her being a slave or free, should stop and marry her according to the law (assuming that he is not already married). If he does not do what is commanded, he should be separated from the Church.
3. It is forbidden to keep a mistress in ones home, and if one is already doing that there is no difference between that and adultery. If he wants to keep the relation, he should marry her. If he feels that she is not good enough, he should let her go and marry one that is suitable for him or live a celibate life.
4. If one combines a wife and a slave as mistress, he should be punished and it is up to the authority to sell her (to get her out of the situation).
5. A mistress of an un-believer if she is his slave and does not sleep with anyone else, and raised her children should be included in the society, but if she sleeps with others should be kept out.
6. It is not proper now for anyone to take a mistress after the law of Christ was given to us, because we are all free and there is no slaves in Christ. If one says how come David and Solomon kept mistresses, her is the reason: in those days people were not many and it was allowed to increase the number of people on earth. But today there is no need for such and now we have a better law (meaning the law of monogomy).

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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## Chapter 27 Concerning Grants (Gifts)

(Preliminary Translation)

1. We look at grants/gifts from 5 points of consideration: The gift, the giver, the recipient, the given item, and the rest of the conditions.
2. The value of the grant to those who do not need giving is the same as the value of the donation to the needy. It is a desired virtue second only to alms. If the giver of the grant signed it off and the recipient accepted it, it becomes the property of the recipient and he can do whatever he wants to do with it.
3. The giver can not give a gift unless he is of legal age, rational, free, and without fear from the recipient. If he is under fear of the recipient, he should not execute the gift and it can only take place after his death if it was not proven that he withdraw his offer of giving.
4. The giver can sign a grant document any time, but he can choose a later time for executing it which can be for a time after his death.
5. If one gives all his wealth in his life before having an off-spring and afterwards he produces an off-spring, he can ask for part or all of what he granted to be returned back. He is entitled to what he gave or the fair monetary value. It is unlawful to request such return of gift after the death of one of the parties (giver or recipient), or if the recipient lost the gift, or if he is not capable to return fair value, or if the giver has already received monetary compensation for the gift, or if the return of the gift can cause the recipient harm such as if the gift was land and a wall is already built on it in which case the return of fair value is proper.
6. If one who is under the legal age made a gift and decided to retract it, he has four year after reaching the legal age to ask for the return of the gift.
7. A gift given by a written document is not executed unless the document is signed and handed to the recipient. Once the document is passed to the recipient, the giver can not take it back.
8. If the grant was to a child or a grandchild it can be valid without a written document. He also can ask for its return in his life. But after his death, the gift is granted even if there is no supporting document.
9. Those who are to receive in order of priority are: The children, grandchildren, parents, first degree relatives, relatives, in-laws, close friends, friends, servants, acquaintances, neighbors, and all others.
10. It is preferred to give equal amounts to those of equal rank. For example equal gifts to all the children.
11. If the recipient does not show appreciation to the giver, he can lose the gift. Other causes for losing the gift are: grave injustice towards the giver, causing the giver extreme financial harm, not giving him a benefit stipulated in the conditions of the gift, or conspiring or acting to cause him to lose his life. In all these cases, an open public judgment is required to prove that the recipient has actually engaged in any of the listed actions. When it is proven that such has taken place the recipient has to return the gift, but if he can not return it, he has to give fair value. The recipient determines what is fair value unless there is proof that his statement is not reliable.
12. If the recipient claims inability to pay, he is not required to pay unless there is proof that his claim is untrue.
13. It is not proper to give to a recipient not known to the giver. Also, it is not valid unless it is accepted by the recipient.

14. The thing (given item) can not be an unknown, also it is not proper to give an item that is not owned by the giver, or an item that can cause the recipient any harm. For example, it is not proper to give a mad person a sword, because he might kill himself or someone else with it.

15. If the item does not need boundary or location identification such as money, it can be given without a document. But if it need identification, it needs a witnessed written document to identify it and determine exactly the conditions. It is preferred that the document is written by the giver in his own hand writing.

16. If the given item is large property such as an entire village, the produce goes to the recipient from the time the grant is executed unless the giver stipulates otherwise. If the giver stipulates that the produce of the current year or any other do not go to the recipient, it shall be as stated as long as it does not violate the intent of the grant. The conditions the recipient accepts (in writing) are binding.

17. The rest of the conditions of a gift are as follows: It should not violate the purpose of the gift,

18. If a recipient of a grant dies before receiving it, it does not become an inheritance to those who succeed him.

19. If one is under arrest and gives through his father, it is considered that the father is the giver out of respect for the father.

20. If one gives what is not his, the real owner is considered the giver!

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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## Chapter 28

### Concerning Loans, Collateral, and Bonds

(Preliminary Translation)

1. Lending is a virtue of the same class as giving because the Lord commanded us to do it: “But love ye your enemies, and do good, and lend, hoping for nothing again; and your reward shall be great, and ye shall be the children of the Highest: for he is kind unto the unthankful and to the evil.” (Luke 6:35)
2. Diligence in paying back a loan is a duty following the saying of David the Prophet: “He hath dispersed, he hath given to the poor; his righteousness endureth for ever; his horn shall be exalted with honour.” (Psalms 112:9)
3. Patience with the borrower until he is able to pay back is commanded us by the Lord: “And if ye lend to them of hom ye hope to receive, what thank have ye? for sinners also lend to sinners, to receive as much again.” (Luke 6:34). Also the Lord commands us to forgive those who can not pay back as he reminded the servant who did not forgive his fellow servant that the Lord of the house will not have mercy on him.
4. Loans are usually guaranteed with collateral or guarantor or co-signer or through a witnessed contract. Sometimes it relies on the hand writing of the borrower or his honesty (word) only. The use of a witness is preferred, but hand writing (signature) is a proof as well.
5. Payment when (the loan is) due is required, but it is preferred if payment is ahead of time. The payment has to be in kind and if not to be in equal value, and it is preferred if the type and the amount of payment are stipulated in the conditions of the loan.
6. If the borrower claims that he can not pay back, the lender can take what is available to cover the loan with permission from the ruler and through the use of experts (appraisers) in fairly evaluating the value of what is taken in place of the loan.
7. If one denies that he owes but it was proven later on that he did, he loses everything he owns.
8. One who denies he owes falsely, and it is proven otherwise is required to pay double, but if he confesses that he falsely denied, is saved from paying double!
9. If one leaves as collateral an item, all proceed from it goes against the principal of the original loan because the commandments prohibit lending with usury (excessive interest rate): “Unto a stranger thou mayest lend upon usury; but unto thy brother thou shalt not lend upon usury: that the LORD thy God may bless thee in all that thou settest thine hand to in the land whither thou goest to possess it “ (Deuteronomy 23:20).
10. So if one takes a collateral and its value exceeds the loan value, and if the loan was paid the collateral is returned in full including any increase in its value.
11. No matter how poor the borrower’s performance is in paying the loans back, the lender has to protect the collateral as if it was his own property.
12. Whatever is lost of the value of the collateral is the responsibility of the lender. The lender has to return the collateral in its original condition and compensate for any loss in its value.
13. But if they have agreed to other conditions, these conditions are binding in seeking judgment.
14. If the collateral is lost, and if the collateral is equal exactly to the loan, there is nothing owed. But if the collateral is larger in value, the lender owes the difference.

15. The lender can ask for any expense related to keeping the collateral.
16. If they agreed that the collateral be sold at the time the loan is due, the lender can do so. The lender is not allowed to sell for less than the value without permission from the ruler. If it is sold for less than its value, the lender is responsible for the difference between the value and the loan amount.
17. As long as the collateral is with the lender or those who inherit him (it covers the loan). It is to be returned as soon as the loan is paid unless it is stipulated otherwise, also it can be used as payment if it is equal to the loan in value.
18. If the collateral dies, is set free, or given away the lender is required to compensate the borrower for it when the loan is paid. But if the borrower is not able to pay back, giving the collateral away is not possible until after the loan comes due.
19. It is unlawful to give away collateral which produces benefit to the borrower.
20. Also, it is unlawful to do transactions with the collateral which harms the borrower, for example leasing it for a term longer than the term of the loan.
21. It is unlawful to use certain unallowable items for collateral. Examples are: Free servant, property already used as a trust for charity, perishable goods. If they disagree, they have to accept the word and oath of the lender in determined that proper replacement is required!
22. If the lender claims (falsely) that he returned the collateral, his word is rejected.
23. If the value of the collateral increases after the agreement it still remains with the lender to the end of the loan.
24. If they agreed that it stays with the lender or with a keeper (third party) it shall be according to the loan agreement.
25. A keeper shall perform what is requested of him according to the agreement.
26. It is unlawful to borrow or use as collateral what is illegal to exchange.
27. The legal heirs of the lender or borrower have to follow the stipulated conditions of the loan if either or both die before the completion of the term of the loan. The rulers have authority in case one of the parties is not represented (no legal heirs).
28. If one has a legal ownership right or a bond, he and his legal heirs can not ask for it if they waited longer than 30 years to make their request (statute of limitation is 30 years for loans, collaterals, bonds).
29. If a lender has in his hands a collateral and is not able to get the payment (after the 30 years limit), he can keep the collateral, but if the collateral is out of his hand and he waited more than 30 years he loses his right to claim it.
30. This rule is applicable to all requests of payment/ownership of items like loans, inheritance, penalties, laws, joint ownership, boundaries of land, water ways, houses, villages, orchards, .. etc. It is unlawful to ask for ownership if one waited more than 30 years before making a claim.
31. The father is not responsible for a loan taken by his off-spring unless it was done by his permission. Also, one is not responsible for the debts of his mother, siblings, in-laws unless he was a co-signer.
32. Co-signature and bail are of two kinds, one for property the other is for a person.
33. About co-signature, one who can freely manage his own wealth can freely co-sign for a loan.

34. If he co-signs by free will he is responsible for the loan, but if he was coerced, he is not responsible for anything.
35. The words used for co-signature is to say I am cosigner (“ana damaant”) and it shall be as you said. What you state you are responsible for, not what one of the parties claims that your are responsible for.
36. If the co-signer asks the borrower to throw his property in the sea, or his cloth in the fire, he is not to be obeyed. The lender has to ask the borrower first before he can send any claims to the co-signer.
37. If the borrower flees, the ruler shall try to place a claim on the properties known to belong to him first, otherwise they will do the same to the co-signer.
38. The lender shall ask the borrower for the payment then the co-signer, but if the co-signer has one that co-signed for him, request is made to all three.
39. If one of the three dies, the others are responsible for the loan.
40. If the lender frees the responsibility of one of the co-signers, this co-signer is free from there on.
41. If any of the responsible for the loan completes its payment, all claims against the others are no longer.
42. If the co-signers are many, but each co-signed for the entire loan. The borrower can ask each and everyone for the entire loan. If one of the co-signers pays off the entire loan, he can ask the others for equal share of payment to him since he paid-off.
43. If responsibility was divided among them, each is responsible for his portion only.
44. If the lender agrees with the borrower about forgiving a portion of the loan, the co-signer is relieved of responsibility for the waived amount.
45. Co-signature can be conditional as long as the borrower accepts the conditions. It is up to the co-signer to monitor the situation to make sure that the borrower is abiding by the conditions.
46. If the co-signer and the borrower agree on a collateral between the borrower and co-signer, and if the co-signer accepts the collateral he becomes responsible of the loan in place of the borrower and the value of the item is his with profit or loss.
47. It is unlawful for the lender to refuse to accept back the full payment at anytime (no pre-payment penalty).
48. Anything that can not be paid back by the co-signer can not be co-signed for. For example co-signing for fulfilling the commandments is not legal.
49. If the borrower dies, the co-signer can ask the legal heir, if any, to pay up.
50. If the co-signer dies, his wealth is the target for guaranteeing the loan, but his legal heir are not personally responsible.
51. One who guarantees (bails) a person has to bring him up as agreed.
52. The guarantee (bail) is worded as follows: I guarantee to bring in so and so, or I guarantee so and so to bring in so and so.

53. A guarantee (bail) can be for a certain period or certain date. If he brings the accused on or before that date he has accomplished what he has promised. Also if the accused surrenders by his own will, the bailer is free of all responsibility.

54. If the one bailed disappears, the bailer is responsible to the ruler to bring him in within an acceptable period of time, otherwise he is responsible for all the obligations of the escaped. If it was for financial matter, the bailer becomes responsible for it.

55. If the bailer is not available and another becomes a bailer, both are responsible.

56. It is unlawful to bail one accused of killing.

57. If the bailed dies, the bailer is free of all responsibility.

58. The normal action is to seek the accused. If it is not possible to reach him then the accuser goes for the bailer.

59. It is unlawful for a priest to sign collateral or be a bailer.

60. A woman’s co-signature or bail are not acceptable.

[This is definitely not valid for today’s society. Long ago women did not engage in business or trade, now they do. Their signature is as good as any man with same financial abilities]

61. If one contests a loan document or an oath, he is asked to swear that it is not his he is relieved unless it is proven that he swore falsely he owes everything as it was explained earlier.

62. If he refuses to swear, he is responsible to what is in the document.

63. If there was no written document, he is responsible for what is stated verbally.

64. Remember that the Lord commanded in the Torah that the lender should not deal harshly with a borrower unable to pay, He commanded not to take away the cloth he is wearing, and not to imprison him. The Gospels stated the same as well.

65. For this reason it is advised not to deal harshly with one who has received a continuance (delay) for payment due. Also, if it is necessary the ruler shall guarantee the safety of the borrower during the agreed to delay.

66. When the loan is due, if the borrower is not able to pay, the ruler can order what he owns sold on the hands of those who are honest and care for bringing in the best value.

67. They shall sell the perishable items like livestock first, then follow with real estate.

68. Payment shall be only for proven debts and for fairness it is not enough to use the word of the borrower (have to reconcile the statements of both parties).

69. What necessity dictates shall be returned to borrower.

70. If the income from the sale is not enough, all lenders are compensated portions proportional to the values of their loans.

71. Any properties found are sold for payment of the loan.

72. If it brings more than the value of the loans, he keeps the difference.

73. If the lenders could not find any property, they will ask him to swear that he does not own any and let him go. But if they prove that he swore falsely, the ruler shall imprison him until he pays.

74. If it was proven through two witnesses that he could not pay, they should allow him more time and let him go .

75. If he earns wages, he can be required to make installment payments based on ability to pay.

76. If it was not proven that he could not pay, his imprisonment shall continue.

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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**Chapter 29**  
**Concerning ‘E-aara’ Lending (Without Seeking Compensation)**  
(Preliminary Translation)

[Note: In Arabic ‘E-aara’ means lending without seeking compensation, like a library loan; ‘Salaaf’ means lending for fee, like a bank loan.]

1. Lending without seeking compensation is a special way of lending (Fee Free Use).
2. If one borrows a riding animal for a specific purpose and a specific place and exceeds the purpose and/or place, he is responsible for what happens to the animal and if it dies he owes its value. He also is responsible for its value if he stays within limits but abuses or neglects the animal. But if it’s owner was present the borrower is not responsible (because the owner should have objected to improper action). But if he paid for the use, its destruction is covered by rental agreement.
3. If he exceeds the agreed plan, he should pay rent for the difference.
4. Anyone who is free to act, can borrow what is possible to borrow or lend what is possible to lend. Borrowing an item gives the right of use but the ownership belongs to the lender.
5. If it was an animal and died or ran away, he is not responsible for it unless he absolutely promised to return it back safely.
6. If they disagree, the borrower’s word and his oath are accepted.
7. It is better that the item to be borrowed and period of loan and condition of loan are set by the lender.
8. It is the right of the lender to claim what was borrowed any time unless there was a promise of duration or purpose and neither was satisfied yet.
9. What loses it’s principal value such as money or can be measure or weighed is not to be given as free loan, but as a repayable loan.

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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## **Chapter 30**

### **Concerning Safe Keeping**

(Preliminary Translation)

1. Safe keeping is for one, the depositor, to leave a valuable item with another, for safe keeping without paying a fee for the service. If the keeper accepts to do so, he is obligated to protect it as if it was his own, and by doing so, if it is destroyed (if it dies), he is not responsible.
2. If the keeper tries to return the deposited item for its safety, but the depositor refuses to take it back, the keeper is not responsible for its safety.
3. If it spoils or dies because of natural causes or if it gets infected with worms or if it is destroyed or lost due to fire or flood or robbery, or taken by force and as long as there is no proof of collaboration or deceit, the keeper is not responsible unless there is a written agreement to the contrary.
4. If the owner asks for his deposit and the keeper refuses to return it or lies about having it, he is responsible.
5. Also, if the keeper lends the item to himself or to others or uses it as collateral for his personal benefit he is responsible for his actions.
6. If it was deposited by other than original owner, for example as collateral. It is not to be returned to the owner without a permission from the depositor: verbal, in writing, or through an emissary.
7. It is unlawful for the safe keeper to refuse to give a written indication that he has a given item in deposit.
8. If the safe keeper refuses to follow the depositor instructions he is at fault. For example if the depositor asks not to show the item and he shows it, or if he asks him to give it to another and he refuses, or if he asks him not to give it to a person and he gives it, or if he asks him not to keep it in a particular place and he keeps it where he was told not to, he is at fault.
9. If a deposit becomes an inheritance for someone other than the depositor and the safe keeper did not tell the heir, he is at fault.
10. If the safe keeper intends to travel to a far away place and could not find the depositor or his legal representative, he is responsible to leave the deposit with the ruler, or with an honest substitute making sure to document its legal description like characteristics and/or weight.
11. If the depositor is not found for a period appropriate for his expected life span, it is to be returned to his heir. If he has no legal heir it is to be given to a trust or charitable organization with permission from the ruler (authority).
12. It is up to the depositor or the safe keeper to terminate the deposit agreement anytime as long as the deposit is returned back to the depositor.
13. Who ever refuses to end the deposit agreement is responsible for the situation, for refusing to cooperate. If it stays with the safe keeper it becomes a liability to him.
14. If a safe keeper accepts a deposit from an emissary for a depositor, it belong to the owner and not to the emissary and it is to be returned to the owner not the emissary. And if he dies it returns to his heirs. It can only be returned to the emissary by permission from the owner.

15. If one accepts a deposit to be passed to another for safe keeping. The first shall pass it to the designated safe keeper informing him clearly of who the owner is and that it is not to be passed to another without the permission of the real owner.

16. If two people gave an item for safe keeping to another. The safe keeper is not allowed to return it to one without the permission of the other.

17. If a slave or an animal is left for safe keeping, it is the responsibility of the safe keeper to feed it and if it dies for lack of food or drink, the safe keeper is responsible for it even if he was told not to feed it. The owner however owes all expense related to sustaining the deposit. If the owner refuses to pay the expense of sustaining his deposit, the deposit becomes a collateral for that expense and is kept until such expense is paid in full. If they disagree, the word of the safe keeper is taken because he was trusted to keep the item. But if the depositor has proof that his word is what was agreed to, it shall be taken.

18. It is unlawful to deposit what is not lawful to exchange and what is not lawful to receive.

19. The privilege to be safe keeper is void when the safe keeper dies or when he loses his mental faculties until he regains it back.

20. If one accepts a stolen item or an item taken by force as a deposit, he is guilty twice as much.

21. One who does not care for a deposit as if it was his own property is considered like one who committed fraud.

22. The owner of the deposit can ask for restitution as for one who suffered an act of fraud.

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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**Chapter 31**  
**Concerning Agents/Advocates (‘Wakeel’)**  
(Preliminary Translation)

1. Everything one can deal in by himself, can be dealt with through an advocate/agent (‘wakeel) including representation in a court of law (power of attorney).
2. Advocacy can be absolute in all things or limited to specific item(s) and can be done for a fee or free of charge.
3. Any loss to the plaintiff is not binding to the advocate as long as the actions were done expediently and without the intention to defraud
4. Advocacy is not valid unless it is requested by the plaintiff and accepted by the advocates orally, or through action.
5. It is unlawful for advocate/agent to sell an item belonging to the plaintiff without permission and setting a late payment or lower price has to be by permission also.
6. If he was told to sell later, he can also sell sooner if there is no financial harm in expedience.
7. The agent should not buy an item for his plaintiff unless it was specified and the price was set.
8. If he was told to buy an item immediately, he can buy it later (if it benefits to wait).
10. If the item he buys is defective, he can return it back as long as it was not delivered. If it is delivered, he can not return it without permission.
11. If he was asked to buy an item from the advocate’s money; e.g. Oil for 1000 Pieces, he shall buy it for him and keep it as collateral until he gets paid.
12. If the advocate buys the item without request, the plaintiff is not responsible.
13. If the advocate buys requested item for his plaintiff, he can not keep it for himself. Only can he do that by permission from the plaintiff.
14. The agent should not buy for higher or sell for lower than going price unless there is a reason like changes of season or if the contract is with close relatives of the plaintiff, children, spouse, or parents (with the plaintiff permission of course).
15. If the plaintiff asks for an item and the agent bought two for the same price they both belong to the plaintiff. Example if he was given a Dinary to buy a goat and was able to buy two, they both belong to the plaintiff.
16. If he was asked to sell an item to a person for a price and if the purpose was just to sell the item it can be sold to another as long as it brings the value sought.
17. If they disagree, the word of the agent is taken because he was selected as agent/advocate.
18. If he pays a debt for the plaintiff without proof and if the debtor denies he received the payment, it is the advocate’s responsibility.
19. If the agent makes a deposit for his plaintiff, it is better for him to use the plaintiff as witness.

20. If one hires two agents for the same thing, none can act alone. They have to act together, unless it is a matter of no big consequence, like freeing a slave without compensation or conditions or the return a deposit or ending a debt.

21. If one buys his servant contract to set him free, he has to mention it in the contract.

22. It is unlawful for an agent to use another agent unless it is with permission from his plaintiff, or if his plaintiff is present and does not object, or for an apparent strong reason.

23. The termination of advocacy can only take place if the plaintiff informs the advocate in person. Also it is not for the advocate to terminate his service until after he informs the plaintiff and only after an arrangement is made for another agent to take care of his affairs.

24. If one of the parties is no longer able to act, like in the case of death or imprisonment of one of the parties, the arrangement is considered null and void.

25. If the agent loses his mental faculties or loses his eye sight, the arrangement is null and void even if the plaintiff was not informed.

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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## Chapter 32

### Concerning Freedom, Slavery, and Setting a Slave Free

(Preliminary Translation)

[Slavery is a thing of the past, but even in the time of Christ, slavery existed and there is commandments concerning slaves in the New Testament. The Bible commanded fair treatment of slaves and in return required them to obey their masters. In the USA the declaration of Emancipation of the slaves in the famous Gettysburg Address, Nov. 19, 1863, did cost president Lincoln his life on the hands of John Wilkes Booth, April 14, 1865. Slavery continued through the 19th century and into the beginning of the 20th century. There could still be small pockets of slavery in the world today! This chapter is for historic record only]

1. All people share in an original given nature of being free. But wars and trickery brought in a situation in which some are winners and some are losers. The loser become enslaved to winners of war. The Torah (Old Testament) states that only those who are not in the faith (gentiles) can be made slaves. Because it is written in the Torah that your slaves and maids whom you take from the gentiles and the people who surround you are an inheritance to you and to your children after you.
2. It is unlawful to sell a slave who is a believer to an unbeliever.
3. The child of a (female) slave is owned by her master regardless of the way the child was conceived, through legal or illegal means. If she is set free while she is pregnant, the new born is free as a benefit of the freedom she gained in her pregnancy.
4. It is lawful to free the unborn without giving freedom to the mother.
5. The new born of a free woman is free even if the father was a slave. And even if the woman is enslaved after conception, the new born is free (because he/she was conceived while the mother was free).
6. Granting freedom (to slaves) is a virtue like the highest level of giving (alms), because it is the virtue of giving another the right to enjoy freedom which is the way all should be. It can not be done except by full freedom of choice on the side of the giver.
7. If it is based on conditions, it is lawful to sell the slave if the conditions are not met. But if he is bought again by same person, the conditions are no longer valid unless they are renewed.
8. If it is based on a future time, he can use the slave until that time expires and then sets him free. He can also require that the slave serves him for a certain number of years after he sets him free. But to require that the slave and his off-spring serve the master and his off-spring is not setting him free (because of the perpetual nature of the condition).
9. Setting a slave free is to be done by public announcement to the congregation, or in the presence of the bishop and/or priest or on the hands of three witnesses. If it is written as a will, it is treated like a will.
10. Setting a slave free can be for a fully owned or for partly owned slave. Like if one owns 1/3 of a slave, he can free the part he owns. Also, if he chooses he can buy the other two thirds for a fair price and set the whole slave free. The partners are obliged to sell for fair price.
11. The value of a slave is based on the present value of a slave with equal qualifications. This value increases or decreases based on professional abilities and age.
12. It is preferred to buy a believer slave than to buy an unbeliever slave.

13. A slave is to be set free for any of the following seven reasons:

First, If one owned his parents or higher level relative, brothers or sisters and lower level relatives or anyone that can inherit him for any reason whatsoever, he has to set such person(s) free.

Second, If one accepted another through baptism (godparents or eshpeen), or if a slave became priest or monk, such person has to be set free.

Third, If a slave was made to join armed forces, he has to be set free,

Fourth, If a slave saved the life of his master by fighting for him or even by warning him (of real danger), he has to be set free.

Fifth, If a pregnant woman is set free, her unborn child becomes free,

Sixth, If a slave was captured in a war and returns to his master by his own free will he has to set him free,

Seventh, If the master dies and no one to inherit him, the slave is set free.

14. If one frees a slave for the sake of God or even for unlikeable reasons, it is lawful for the slave to be set free.

15. If one accepts to be sold as a slave and he was 20 years of age or older, he is a slave, especially if he was part of a dowry or if he participated in setting the price of his enslavement. But if he was under 20 years of age and was free before he was sold, the ruler can set him free.

16. If one sets a slave free, he can bring him back to slavery if it is proven to the authority that the person caused his former master harm such as calling the master or his off-spring names or conspiring to cause them financial or physical harm.

17. It is preferred according to the Torah that when one sets a slave free, not to send him empty handed but to give him what will secure a livelihood for him.

18. It is undesirable for a free woman to marry a slave and live with him in his master’s house or bring him to live in her house, because by doing so she is subjecting herself to becoming a slave.

19. It is also undesirable for one to take in a slave of another or to buy such persons because the slave belongs to the original master.

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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## Chapter 33

### Concerning Imposed Guardianship (Power of Attorney)

(Preliminary Translation)

#### 1. Imposed Guardianship can be due to one of two reasons:

First, The cessation of the mind to function normally and rationally due to psychological reasons as in madness or physiological reasons as in mental retardation, or deficiency which can be manifested in behavior showing immaturity of the mind for young mentally disabled or senility for older persons whose mental abilities has weakened. Also another group of mentally not capable are those who have mental ability but do not use it or when they use it they use it to cause harm to themselves or to others. Also some of the mentally deficient are those who are wasteful and unwise in handling their financial affairs. Also those who are unwise in the things relating to their religious affairs like those who are foolish in the way they dress, use banned substances, and indulge in bodily desires. The characteristics of the unwise are counter to those of the wise.

Second, If one refuses to act wisely concerning his well being and his property also those who are enslaved.

2. The one under imposed guardianship: mad, crazed, young mentally disabled, or old mentally impaired, is not permitted to take actions concerning a contract, or important decision for himself or for others. But if he was unwise, he can act for himself but not for others. In either case one needs the approval of the guardian for making decision.

3. If he was a slave, he needs the approval of his master for making decisions. But if he is set free, he is responsible for his action.

4. If the person under guardianship is sick and makes a lawful (through the guardian) will, it is binding. But if he decides to change it, it has to be ruled on by authority.

5. In most cases, the guardian is the father (parent), if the parent himself is not under guardianship, then the others from the older to the younger, the grandparent, the uncle, the cousin (son of the fathers' brother). The wiser is recommended over the other ahead in family relation.

6. If one loses his mental faculties, his full of age wise off-spring is favored to be his imposed guardian.

7. But after the off-spring, the father (parent) of the person is the logical choice for guardian.

8. If none is found (from the family) to be guardian, the ruler (authority) has to appoint a qualified and honest guardian under the supervision of the authority.

9. It is unlawful for the guardian to sell any of the property of the person in his custody for less than fair value. And not to loan out or sell for later payment without a proof and/or collateral. And not to loan anything belonging to the person without a strong reason and obtaining a collateral to safe guard the property of the one in his custody.

10. If they disagree, the word of the guardian is taken unless the person (under custody) has a proof otherwise.

11. If the guardian claims that he spent the money of the person in his custody on the needs of that person or if he claims that a loss was not intentional his word is taken.

12. But if he claims that he gave the person all his property when the imposed custody ended, the guardian has to come up with the proof.

13. The guardian has to spend on the person according to what is customary and ordinary for people of like situation and according to the available funds. He is not to deny him necessities which are: food, cloths, shelter, marriage if appropriate for his situation, a vocation, and education.

14. The guardian is to care for those whom the person in his custody is supposed to care for as well. These could be parents, siblings, or slaves (servants).

15. It is lawful for the ruler (authority) to treat a person in debt like one who is under imposed guardianship, and command him not to spend except for essentials of food and shelter until he pays his debtors!!!

16. If the indebted declares debts other than the one for which the guardianship is imposed, such debts shall wait until the previously declared ones are paid in full.

17. Imposed guardianship ceases if the reasons for imposing it cease to exist. Like if the person regains his mental abilities, or if he was under guardianship because of young age. In such case he asks the authority to remove the imposed guardianship and provide him with certification that he is fully capable to conduct his own affairs.

18. It is preferred if the imposed guardianship is based on authorized certification to avoid problems related to conflicting actions.

19. Also, it is recommended that removing imposed guardianship be through certification documenting the reason for removal through cessation of the previously existing causes.

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## Chapter 34 Concerning Selling, Buying, and Trade (7 Parts)

(Preliminary Translation)

### Part One:

1. Buying or Selling is unlawful unless the buyer and the seller are both free to act and none of them under any imposed guardianship.
2. It can not be done unless the seller is willing to sell and the buyer accepts to buy without pressure and when one agrees and the other then accepts it can be completed otherwise it has to be called off.
3. If they depart before writing a sales contract or before the price is paid and when the merchandise is returned to owner (seller) they can do so unless there is a binding witnessed agreement to the contrary.
4. It is acceptable to sell a not available item based on specifications. When the item becomes available the sale is valid as long as it is according to specifications otherwise the buyer can choose to cancel the agreement.
5. A product that is mobile like domestic animals, food, grain, cloths, wood products, metals are considered sold when they are transported from the seller to the buyer. Valuable items such as precious stones and gold are usually handed from seller to buyer at which time they are considered sold. Fixed items such as land, gardens, and buildings are considered sold when the seller informs the buyer of date transaction takes effect.
6. some sales are not based on written contracts, other are based on written contract. In the later case it is legal when the contract is delivered to the buyer signed by two witnesses. The more witnesses the better. The contracts can be a form contract (‘warraq’) or by a scribe {‘katib’) with the signature of the seller following the signature of the scribe. The book (contract) shall acknowledge the sale and describe the conditions of the sale, specifications of the sold item, identify the price and payment terms which can be immediate or deferred and if deferred the deferment period.
7. If it is without contract a down payment is usually considered a proof of sale. If the down payment is accepted it is an indication that the terms are acceptable to both sides.
8. If the buyer changes his mind, he loses the down payment. If the seller changes his mind, he has to return double the down payment.
9. If the sale is for immediate payment, it is considered complete when the buyer makes the full payment and the seller hands the merchandise.
10. If the sale for deferred payment, the seller has no choice but to hand the merchandise and wait for the period specified in the payment agreement (to be paid).
11. It is not necessary to know amount or price of substitution at the time of sale, it is to be determined later if it becomes necessary.
12. If the price is fixed it is better to identify the currency it is based on; e.g. Egyptian (‘Massry’), Cesarian (‘Caiseria or Soor’), .. etc. If currency is to be exchanged, it is better to find out rate of exchange in advance.
13. It is necessary to specify the goods sold accurately. For example if a garden is sold it is important to specify if it is sold with or without the fruits for the year of sale or if what is sold is the fruits without the trees, .. etc. If a house is sold it is important to specify if the building alone is sold or if the building and contents are sold. These examples are commonly known to the public and are used to illustrate the importance of accurate specification.

14. If a basic item was sold only without the fruits like trees without the fruits, it is the responsibility of the seller to claim his fruits and take care of watering and feeding and transportation of what is his.

15. What can be measured or weighted can be sold in lot (without measurement) but it is better to use measurements.

16. If one buys in lots and he knows the unit price, he can choose to take the whole or as many units as equals his payment!

17. If one buys a lot according to a price per unit and if he finds out that he received less units than he paid for, he can choose to take it or break the contract. If he receives more units than he paid for he can choose to return the excess! Example if one paid 100 pences (‘darahim’) for 100 yards of material and if it was found to be less than 100 yards he can choose to take it or break the contract. If it is more, he can choose to keep or return the extras.

18. If one sees an item he owns being sold by another he ought to speak up, and if he does not it is as if he sold it himself.

19. A slave can buy anything he wishes to buy, but all he buys belongs to his master!!!

#### **Part Two:**

20. If the item spoils (or damaged) before the sale is complete and if it is in the hands of the buyer or not the sale is off. If the buyer is the one that caused the damages required to pay the price to the seller. If someone else cause the damage, the buyer has the choice to call the transaction off and it is up to the seller to request restitution from the party that caused the damage.

21. If it spoils or damaged after the sale is complete even if this happens on the day it is delivered it belongs to the buyer and he owes the full price to the seller. If the sold item was a slave and lost an eye or a hand or a leg, or if it was a house it burned by fire partially or fully, or if it was a village and was flooded partially or fully, the loss is that of the buyer unless it is proven that the seller cheated or caused intentional damage to happen.

22. Every increase in the value of the item sold is a gain to the buyer only and none of it returns to the seller.

23. If they disagree about loss of value, the word of the seller is and his solemn oath are taken. But concerning increase in value, the word of the buyer and his solemn oath are taken.

#### **Part Three:**

24. Choice (option) buying is to say that if I like the given item on a given date and for a given price I will take it and sign a contract to that effect. It is dealt with as a choice not a test.

25. If a period for the option is not stated, three days is usually and customary waiting period for goods that do not spoil. The item stays with the seller for the time of the option and can not be traded without permission from the buyer, but if the buyer refuses to act when the option expires he loses the option and owes the price thereof.

26. If the person who placed the option dies, the option agreement is off.

27. If one buys an item based on specific qualities and if the qualities are not there, he can choose to ask for full refund. For example if one buys a slave who is supposed to be a prize fighter and was not he can ask for full refund.

28. Also if one or his agent buy an item and did not see it in advance, he can choose to return it if it is not what they thought it was.

29. It is adequate for buying some items based on visual inspection to examine a sample. For example buying large quantities of oil or grain or folded lots of cloth material.

30. If a fault was found in the item (through inspection) the buyer can choose to call the sale off. He can also accept it for a lower price acceptable to the seller.  
(finish later 31..41).

**Part Four:  
Concerning Things Not Sold or Bought**

42. It is unlawful to sell free people, or to sell a believer to a non-believer. It is also unlawful to sell relatives or things that are in a charitable trust. In general anything that can not be owned can not be sold. Also things that are in position as a trust or acting for another. Also things that are not controlled can not be sold, an escaped slave, fish in the river, birds in the sky, or gazelle (wild animals) in the wild.

43. Also it is illegal to sell what is illegal, for example dead animals, animal in its blood (not slaughtered legally), what was killed by a lion, what was slaughtered for the idols, the meat of poisonous animals (unless it is for purposes other than human consumption). Also vultures meat . Also meat of snakes, lions, killer plants, and the many other poisonous meats and flesh of insects.  
[Here, they are talking about human consumption of meat, but if the sale is for other purposes, the prohibition might not be of real use]

44. It is illegal to sell an unknown when the payment is due, like a sale of an item without having its description before the price is determined. Examples are: the off-spring without its mother (here they are talking about things like domestic animals), fruits before they are on the tree, or milk in the breast, essences (‘missk’) in the bottle, or honey in the jar!  
[meaning one has to have a clear way of knowing quality and estimating value]

45. Not legal to sell common use items such as roads, water ways, or common wilderness if no improvement was made to it nor effort was made to transport it.

46. Can not sell pregnant without its child or mother without new born for fear that the new born might starve to death (could be talking about domestic animals again!). Also can not sell tool of destruction to one who is to cause destruction, like a knife to a thief, or right of way to one who is known to misuse it (‘zoughaly’).

47. If one sells what is not legal mixed with things that are legal to sell, it is up to the buyer to accept one and refuse to pay for the other. Example, if one sells two as slaves but one of them was free, the buyer can refuse to pay for the free person since he is not legal to sell!  
[Here they go again!]

48. If one buys an item to be used as charitable trust or to be given away as charity, he can not sell it back unless he can prove that he became impoverished after his initial decision.

49. If one sells a house that is not his, and if the buyer not knowing built a structure on the property. The original owner can decide what to do since it reverts to him. He can allow the sale to stand if he gets paid what he considers the value. If he decide to claim his home back, he can choose to remove the structure or pay a fair price for it and leave it standing.

50. The would be buyer also has a choice to buy or remove what he added and take back the original price he paid.

51. A guardian or agent is not allowed to buy any of the properties of the person in their custody.

52. A ruler is not allowed to buy a moving or fixed property from the state he rules unless he pays fair market price and the approval of the seller, otherwise it shall be taken away and put for public use. This also applies to using agents to do such transactions.

53. It is unlawful to use false/unrealistic conditions for sale. Example, if one says that if this cow gives birth and its off-spring also gives birth, it is considered an unrealistic condition of sales. Another example if one says I sell you this house for fifty if you sell me your slave for twenty, again this is considered unrealistic condition. Another example, if one says I sell you this salve for 10 cash or 10 deferred, it is unrealistic condition (because he is equating cash with deferred payment)!

**Part Five:  
Concerning What Is Undesirable and Not Allowed to Sell**

54. It is undesirable to sell what can cause harm, like separating a servant (woman) and her children, especially if they did not reach legal age. A servant and his brothers, a servant and his wife and children. Also selling of urban (city dweller) to un-urban (villager) and vice versa.

55. It is also undesirable to tell one who already bought and paid, I can sell you something better for even lower price.

56. It is also undesirable to tell one who is selling an item for a benefit (stress selling) that he has to buy it back little by little for a higher price.

57. It is undesirable to hold sales on Sundays or on the days of the Lord’s Feasts, but if a sale was held on those days, it is to be completed.

58. It is undesirable to inform the seller (falsely) that his product is not in demand to gain advantage and drive the price lower.

59. If the seller detects that (he is being deceived) he can choose (not to sell).

60. It is undesirable to tell exaggerated sales reports and to buy for a price and sell to partners for a higher price, like if one buys for 10 and sells to his partners for 20.

61. Every thing based on deceit in buying or selling is undesirable.

62. It is unlawful to fix prices or control supplies to drive prices up. Also it is unlawful to control essentials supply to drive its prices up. Examples of essentials are food, drinks, clothes, housing, and what is needed for maintaining profession (light industry).

**Part Six:**

63. If a negotiation develops, repeat sales for same price is desirable. Repeat sale for lower or higher prices is not desirable. But if the product develops a defect, it can be sold for lower price as if it was a different transaction.

64. If the item loses some of its value, it is possible to reduce the price proportional to loss of value if negotiation develops. If the product loses all value, all negotiations are ceased.

65. If Gold (meaning valuables) were found in a hidden place in a house after it was sold, these valuables belong to the previous owner (the one that sold it).

**Part Seven:  
Money Orders/Financial Guarantees**

66. It is improper to have a financial order unless both the one giving and the one receiving such order agree to such arrangement. It require the proof of financial ability of the one giving the order and the approval of the receiver of the order to accept such in lieu of money.

67. If the one making the financial order does not have the funds to cover it, it is up to the receiver to accept or reject the transaction. If he accepts, it is assumed that they agree on a future time when the funds will become available.

68. If the order is through a third party the rights of the receiver are the responsibility of the third party (like a lending institution or a bank today).

69. If a seller uses a financial institution to complete a sale, and if the buyer returns the product the money reverts to the financial institution and not the buyer.

70. But if it was returned partially or fully because of a fault, the seller owes the money to the financial institution/third party.

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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## Chapter 35 Concerning Partnerships (Preliminary Translation)

[Note: It is amazing how much people new about business, commerce, and partnerships/incorporation that long ago!]

1. Partnership is by word, act, or correspondence between all those who can legally engage in commerce. It is valid for commerce, extraction (fishing/mining) and anything else that can yield profit. It can be between people that are not of the same financial stature because the poorer can make up for lack of finance through more care (for the enterprise).
2. If the partnership is not clearly identified (chartered) it can be in the present worth and what is gained through work not including inheritances, gifts, or trusts.
3. If the partners agree that any inheritance they receive becomes part of the partnership, they can do that but any trusts (for any of the partners) are not included.
4. If the partnership was made for a given period of time it shall be maintained as agreed and the party that breaks the agreement is at fault unless there is an acceptable reason. For example if the partnership rules are not being met, or the partner is behaving improperly, wastefully, or dishonestly. In those cases it is possible to break the partnership without being at fault.
5. But losses due to robbery, insect infestations, unexpected high expenses, other than personal expense like those for children or relatives or personal debts, require the intervention of a mediator in determining profit or loss.
6. A partner does not share profits from other (unrelated) endeavors with business partners.
7. But if one's fortune is lost through the partnership, the loss is shared by all partners.
8. If one loses fortune not invested in the partnership because of his involvement in the partnership, it is his loss alone (the partnership is not responsible).
9. Any gain or loss due to sales or rentals after the death of a partner is shared by the partnership.
10. If one of the partners buys (makes transactions) in the name of the partnership with money which belongs to him personally or to the partnership, all profits or losses return to the partnership.
11. If one of the partners renovates the house (place of business) for fear of losing the property, he has up to four months to make a request for reimbursement.
12. If he continues to ask his partner for that period and does not get reimbursement, he can choose to claim the building for himself after informing the ruler (authority). Because the laws give a building to the one who renovated it if renovation was necessary to keep the building standing. If the partnership owes money as a result this money is taken first from the net before the partnership is dissolved.
13. Fixed assets (meaning buildings, or land) partnerships requires consent before one of the partners decides to dispose of it which has to be by joint consent or for obvious necessity approved by authority.
14. Other than that (fixed assets?), It is possible to form absolute? partnerships for financial, trade, or any professional activity.

15. It is valid to have equal or different shares of the profit for equal or different shares of capital according to what is stated in the (partnership) agreement.

16. It is valid for any or all partners to use all or part of their wealth in forming the partnership.

17. It is not valid for a partner to act on behalf of the other regarding any financial matter without permission.

18. If it is agreed that one specific individual will act on behalf of the partnership, it is not valid for anyone else to act without his permission. If the agreement is for two or more to act on behalf of the partnership, it shall be done as agreed.

19. The partner is considered to be honest in selling, buying, or reporting of profit or loss unless it is proven otherwise

20. If one of the partners forces the other out, he is in control of the partnership unless he is forced out by the other one (the one he displaced)!!!!!!

21. If one of the partners dies, or become crazed, or under imprisonment, the partnership is considered not in effect anymore.

22. If the agreed period for the partnership is expired, or the capital is gone, or the partnership is forced to dissolve, the partnership no longer exists and the partners are relieved. A civil council or committee can be appointed to account for and distribute the remaining assets according to partnership agreement and declare the partnership dissolved.

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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## Chapter 36 Concerning Forced Actions, Extortion/Coercion

(Preliminary Translation)

1. It is illegal to Force one to depart the faith. It is desirable if one tolerate pain for maintaining the faith. If he dies in order to keep his faith, he becomes a martyr. And if he survives, he is called a confessor, his rank is second only to the martyrs and is more closer to the martyrs as he endures more and believes more.
2. If one is being forced to commit wrong deeds or disobey commandment, it is recommended that one endures the pain and do not disobey the commandments, especially if the wrong involves killing or fornication.
3. It is not proper to accept forced action without enduring the pain and/or harm and it is expected to resist more if the wrong deed is greater. There is punishment that awaits those who cause disobedience or force the commitment of sin.
4. If one is being forced to commit killing or fornication, one ought to resist and in particular with one that is forbidden from marriage.
5. If one is being forced to sell what he owns or buy what he does not desire to buy, to rent what he does not want to rent or lease out what he does not want to lease out, he is being forced. If he can later own choose let him choose what he desires to leave things as are or to break the forced agreement!
6. The one who is forced is a guarantor of what is committed to him. If it spoils or is damaged he is responsible for it!
7. If after being forced, he has a choice, he should deal fairly in the situation selling, buying, or accepting the situation as is!

[8-12 Intentionally deleted for now!]

### **Extortion/Coercion:**

13. Anything taken by force/extorted has to be returned five folds, or at least four folds as mentioned in the Torah (bible, probably referring to Zakeous promise to the Lord). The book of ‘tatalloss’ (Kings Laws) chapter 39 states that the thing that is taken by force has to be returned back. If it exists no more, a similar item is returned, if the similar can not be found the fair value is given for the item based on the value at the time of taking it and accounting for any change (increase) of value at the time of the trial.
14. The embezzler is a guarantor of what he took by force, he is responsible for any loss. If he changes the item he took by force, he is responsible for compensating for the full value at the time the forced action was committed.
15. If it was a domestic animal and he fattened it or a slave and he taught him a trade, when it is returned back it is up to the original owner to accept the benefit (increase in value) or donate the increase.
16. If they disagree about the value of the increase in value, the word of the owner is taken. If the item spoils or is damage while in the control of the one who took it by force, he is responsible for the loss. But if the damage is out of his control, he is not responsible !!!!  
[I don’t understand last statement]
17. If the item was money, it is desired to donate any accrued interest when it is returned back!

18. If one damages the clothes of another, he owes the loss of value, but if it is beyond repair he owes the price of a similar one.
19. If one takes a white piece of cloth by force and dyes it. He owes the price of a similar value item, or if he returns it, he owes the cost of dying it again.
20. If one sells, donates, frees, give to a charitable trust, allow to marry, or marries what he extorted/coerced he owes its return. The difference between forced action and extortion is that in the first one owes value in the other he owes value and penalty!
21. If he can not pay compensation at once, he has to pay what he has of its value and pay the rest of it in installment payments.
22. If he donated or gave to a charitable trust what he extorted, the owner is entitled to an agreement stating his rights and he can choose to ask for compensation or bless the charitable status of the item which was taken.
23. If he extorter allowed marriage or married what was extorted, the owner can request the value immediately or in installments.

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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## Chapter 37 Concerning Rentals & Long Term Lease for Use

(Preliminary Translation)

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D.(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

1. Rental is the cost of use. Rental contract is a use contract with compensation. What can be sold for a price can be rented for a price. It is possible to exchange use for use.
2. It is legal to rent anything of use and is valid for any two parties who can engage in a sale contract.
3. It is not proper unless the renter and renting agent (owner) agree and both the use and rent price are both known and achievable.
4. The use can be measure by time or distance. For example a house is rented for residence (for a period of time) and a riding animal is rented for travel a certain amount of time or a certain distance.
5. If the rental is for use it should be stated as such. For example a tailor can be rented to sew a robe or an animal rented to carry a load.
6. Also rental can be based on a benefit. For example a man rents a piece of Egyptian agriculture land, the rental is completed when the water of the Nile covers it and it produces harvest.
7. The renting agent (owner) has to provide what makes it usable. For example the key to the house to be able to enter and use it. He also has to prevent what makes it unusable, and also to provide necessary accessories, for example a saddle for the rental animal.
8. But other tools are responsibility of the renter, for example a bail and robe to use the well.
9. It is improper to rent illegal items such a women who weep (an old Pharonic custom to bring weepers to funerals to lead the women in weeping their loss), and sorcerers. Also it is illegal to rent money because this is high interest lending.

### (Part)

10. The rental is due based on agreed conditions or what is customary for similar situations, but to accelerate payment it has to be for acceptable agreed on reasons. It is not for the bleacher, tailor, baker, and those in similar professions to ask for their wages before they complete their work unless there is a prior agreement to the contrary.
11. The owner of a house has the right to receive the rent without asking for it even if the renter did not start to reside in the house yet. Rent is paid daily unless it is agreed or commonly collected monthly.
12. A tradesman can hold an item until he is paid for his work, like a bleacher (holding a dress) or a jeweler (holding a piece of jewelry) until he is paid.

13. If the item is damaged without intention to cause damage, the tradesman is not responsible, but he loses his wages.

14. If one rents an item and it is damaged while in his possession and if the damage is unintentional he is not responsible for the damage.

15. But if the damage is due to misuse, he is responsible. For example if it was forbidden to expose it to fire and he did expose it to fire he is responsible.

16. If the renter agrees to avoid certain uses of the rental house and he does he is responsible. For example if he agrees not to do grass and he does he is responsible.

[Are they talking about growing grass or smoking pot! (Arabic “la yaamal fi almanzel hasheshaan!!!)]

17. If a ship captain exceeds weight capacity or sails in bad weather without the permission of the owner he is responsible (for the damage/loss) .....

18. If a man takes a stone to carry or to carve and he broke it because of lack of experience he is responsible otherwise he is not.

19. If a rat damages material given to the tailor (to be made into cloths) he is responsible. Also if one pushes something that belongs to another even if he did not mean it is considered negligence.

20. If the renter or worker could defend the property from forced robbery and he does not he is responsible.

21. If an owner rents out an item that is damaged or can cause damage and does not tell the renter about the damage he is responsible for the loss. For example renting cracked storage containers or a pasture whose grass or water are harmful.

22. If one is paid to watch or guard an item he is responsible for losses caused by neglecting the duties of the job.

**Part():**

23. It is possible to rent a house without having a clear use in mind, but any use should not cause the building any harm or change what it is intended for without permission. For example if the building is intended for a dairy product shop (‘dokaan labaan’), it can not be used as shop for food cooking (‘dokaan tabaakh’).

24. It is possible to lease agriculture land without declaring the type of crops as long as the crops planted are customary for similar land.

25. If the lease expires, it is up to the owner to ask the renter to remove any additions to building or any crop planted or to accept renewal of the lease. If the owner does not want removal at the end of the lease contract, he has to pay for any additions.

26. It is legal for the owner to sell the leased item while still under contract and settle the rental difference unless it is agreed that a condition of sale is to make the lease contract null and void.

27. If the item is sold to other than the renter with full disclosure, the renter has the right to complete the time period of the lease.

28. If the potential buyer was not informed of lease contract, he can choose to continue with the sale or break the agreement.

29. It is allowed to rent riding animals for riding or carrying loads according to what is customary for similar situations without declaring who will ride or what types of loads to be transported.

30. What the renter agrees to type or amount can not be changed unless it is substituted for with a less harmful item (item with less impact). For example if the contract stipulates transporting a ton of cotton, he can not under same contract transport a ton of iron. Also if he changes the weight of cotton it has to be for something weighing less.

31. If one leases an animal for traveling a certain distance, he can not increase the distance traveled unless he informs the owner in advance and has his approval for the increase.

32. If the renter removes/uses any of the supplies provide with the animal, he has to replace what is removed or compensate the owner unless they have agreed otherwise.

### **Part () What Voids A Rental Contract**

33. If the rental period expires, the contract is void, and item becomes due. Also if the contract is spoiled ‘faased’ (violated)

34. If one rents a house and finds out that it has defects that can harm the use or the user, the contract is void unless a correction is made. this applies to all utilities.

35. If the renter or the owner dies, the contract is void if it was limited to the person alone, but if it involves others it continues.

36. If one rents a house monthly ‘for a dinar’ without stipulating length of lease contract, the owner after a month notice terminate the contract.

37. It is proper to write a lease contract for a fixed number of days after which the contract terminates.

38. If the rental property is taken away or became unusable, the contract is accordingly terminated.

39. Visible reasons/excuses can terminate a contract and stop the rents from the time the reason is evident. Reasons The sum of all visible reasons for terminating contracts is the ability to use no more.

40. Some of what makes a rental property no longer usable includes debts owed by the owner causing him to relinquish it or if he suddenly decides to donate the item or put it in a charitable trust.

41. If one who made himself or his riding animal for rent escapes, the renter can search for him and if he finds him he can turn him to the rule (authority). The authority can make him sign a debt certificate for what the renter had to pay, like if he had to feed the animal in his absence.

42. The same applies if the renter can no longer use a house he rented because he had to move, or one who could not use a riding animal because the journey was canceled, or one who rented a shop and could not use it because he lost his capital, or one who rented (hired) a breast feeder and the baby for which the service was needed died, or the baby refused to feed, or the feeder refused to render the service!

43. It is possible for a renter to rent what he rented to another for an amount equal, less than, or greater than the rent he pays unless there is a condition in the contract to the contrary.

44. If one deposits a collateral because of bad (crop) years and if the situation turn to good (crops) years he can claim the collateral back. Also if the bad crop year is the last year of the rental contract, the collateral can be waved.

45. If one puts a collateral for an item, he is not responsible for extreme acts of God (nature) but only for customary ones (losses).

46. The one who puts collateral and shares in the business shares also in profit and loss.

47. If one is guarantor of an orchard and decides to move out, he still responsible for it for the full period of the guarantee.

48. If it was agreed that he takes care of it, he has to find a qualified replacement to do the work (in his place).

49. If some rented a place and were absent for many years and as a result the necessary maintenance work, like roof repair, was neglected; it is valid for the owner to consult some of the leaders of the community (‘wegooh’) and what they decide to be done shall be done at renters expense.

50. If the work was disrupted because of earthquake (acts of nature), the owner is responsible for the outcome.

51. Rental can be to the end of life of the renter, for long term leases for use (‘hikr’) or to an agreed period not to exceed 30 years.

[Is that where we got the 30 years mortgage concept!]

52. If one is a guardian, he is prohibited from both regular and long term lease privilege for the items that he is charged with as part of the guardianship. That also includes any attempt to use an agent to act for them.

53. If one of the honorable people is not able to pay his taxes, it can be paid through the sale of some property in which case it is the duty of the ruler/tax collector (‘raais’) to hold a council to determine in writing that the sale was necessary. The council shall be in the presence of bishops, deacons, and laymen (as witnesses).

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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## **Chapter 38**

### **Concerning Highways, Roads, Courts, Home Renovations, Waterways, and Water Channels**

(Preliminary Translation)

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D.(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

1. It is not allowed for one who is in joint ownership of a house to renovate without asking the opinion (approval) of the other partners.
2. A common wall can not be removed or built without the opinion (permission) of the partner.
3. It is not legal for one to build an oven or a stove next to a common wall because the fire might damage the (common) wall.
4. If one builds a kitchen that can send smoke upward and can harm the people in the higher floors of the building, he can be prevented from sending the smoke up unless there is a prior agreement.
5. It is not proper for the people who live on upper floors to throw water or trash down, because this can harm the other residents on the lower floors. The others can prevent doing such things because it is not for one to do in his house what can harm his neighbors. This is applicable to all kinds of stinks!  
[I wish people in developing countries can follow these simple old advice]
6. One can raise a ladder next to a common wall if the ladder does not cause harm.
7. If a place is naked (lacks privacy), no one can object to building a high wall to give it privacy. Also, no one should prevent his neighbor from opening a door way to have access to the street as long as the new opening does not harm the street.

#### **(Concerning Distance and Spacing Between Buildings and Orchards)**

8. If one wants to build a fence/wall it should be at least one foot away from his neighbor. If one builds a new house it should be at least six feet from the neighbor's. To build an underground hiding place, it should be as far as its depth from the neighbor's. Digging a well should be at least one 'baa' (yard) from the neighbor's except if his digging in the same location, this is not advisable. If one plants fig or olive trees, he should be at least nine feet from the neighbor's. Other trees can be only five feet away.
9. If one has a tree in his house property and the root of the tree extends to the neighbor's , the authority can ask the owner of the tree to cut it (remove it).
10. If one builds a house facing another house, they should be a distance of at least twelve feet from base to top all the way.

11. If the house increases in height, the neighbor can do likewise. He also can add windows for both new and old buildings.
12. Even if one satisfies the twelve feet rule, he still is required not to block the view of his neighbor. If the view includes sea side, one should be able to see the sea side without having to bend.
13. If the distance between the building is hundred feet or more, the blocking rule is waved.
14. If one builds a house on a court or narrow street, he has to keep a distance of twelve feet as a minimum access and he can not add it to his house (public use). If there is more than the minimum distance, it is advised to leave it for the city (for future improvements).
15. If two houses were already build without keeping the recommended minimum distance. None can be allowed to increase building height or add new windows.
16. If the distance is no less than ten feet (fails the previous condition), they can open small windows to improve lighting conditions only.

**(Part: Concerning Renovation and Rights of Service)**

17. If one is renovating (rebuilding) a fallen house, he is not allowed to build it higher or in a way that can block the light or cause harm to the neighbor, and if the changes can cause harm he is required to rebuild exactly according to old form.
18. One who is entitled to more utilities in his house (water, sewer, .. etc.) can choose to receive such higher level as long as it does not over burden the utilities (affect the rights of others).
19. If one boards openings for lighting for a period of ten years or more, the neighbor can make improvements to his building including building more floors even if they encroach on the other, because he relinquished his rights.
20. But if the first opened the light passages before the latter made improvements to his, the latter can not make improvements the encroaches on the rights of the first.
21. If you allow me to place wooden building elevators on your wall so I can complete renovation or addition to my home as a favor, and if I do remove my wood within a ten years period as required and fill the holes , I continue to have the right of service to do the same again. But if I do not remove my wood within ten years, you have the right of confiscation (since I neglected to restore things to original condition). [It took much longer to do construction work than it takes these days!]
22. Now, I can come back 20 years from the time I used the privilege and do the same again with no objection (regardless of the previous behavior).
23. Boundaries and property judgments are valid for long periods of time up to 30 years!
24. One is not supposed to pile trash on a wall owned by another unless he has approval of the owner.
25. Also, it is no legal to send smoke from a kitchen or a bath without permission.
26. If it is necessary to repair a common (joint) utility, each has to repair his portion to the neighbors boundary line, (then the neighbors takes over until all repair is done).
27. If one of the partners pays of his own funds to repair a joint canal (water channel) he is entitled to request fair share from the other partners (users).

28. If your wall leans 1/2 foot into my property you are required to repair it.

29. If one opens a viewing area in a wall that is not his, he is required to return it to original condition at his own expense.

**(Part: Water Rights):**

30. Those who own low lands have a duty to facilitate the flow of water down, in return they gain the right of using all the benefits of water passage (water and rich soil).

31. Watering that is regulated: once a summer (season), once a month, or according to whatever schedule is to be used according to regulation only.

32. Also roads that are regulated can only be used according to regulations, like a certain hour or a certain number of times per day or night. Use shall cease until the appointed time for use comes again.

33. If a water spring dries up and after a period replenishes itself, its usage shall be according to the past rules.

34. If one allows you to use his water source, he has to give you the right of way to reach the water source. This right can only be used for that purpose.

35. If you give one privilege to use your land as a pasture for his animal, he is entitled to the privilege of building a hut also.

[The manuscript skips 36 .. 42?]

43. If one who received a privilege passes such benefit to another it is up to the owner to prevent it within 10 years otherwise it becomes a given right. If the owner is absent he is given a total of 20 years to object.

44. But if the original owner was not aware of it (unauthorized use), it does not become a right unless 30 years have passed. But if he was absent, a number of years equal to the period of his absence is added.

45. If one was incarcerated even in his own house, there is no time limit for his right to request restoration.

46. Mobile belongings held in possession for three years with no one making demands for it becomes property of the holder!

47. If I sell a parcel of land with the promise to provide means of delivering water, the contract remains valid if I meet my obligation otherwise the sales contract is not valid.

48. If the old owner could not prevent the passage of water through his land, the new owner can not change the situation (he has to accept what was customary before he bought it!)

**(Part: Summary of General Laws):**

49. No one should do renovation which can cause harm to others.

50. Every right (privilege) not used for 10 years if present, 20 years if absent, is lost except the way to the tomb (right of burial!) which is not limited by time.

51. These periods are increased by the time of imprisonment for prisoners of war or the time of sickness for those who suffer mental disease or become ill.

52. If one is under arrest even for a crime does not lose his rights (given extra time as in 51 above).

53. If one has a right, he has all the benefits that are a result of it.
54. It is illegal for anyone to spoil (cause damage) to city streets or courts. One who does that is responsible to return it to its original condition.
55. The space (distance) between houses (buildings) is at least 12 feet, from bottom to top.
56. It is not for anyone to block the view of the sea from another unless he already 100 feet away.
57. If one wants to build a fence/wall it should be at least one foot away from his neighbor. If one builds a new house it should be at least six feet from the neighbor's. To build an underground hiding place, it should be as far as its depth from the neighbor's. Digging a well should be at least one 'baa' (yard) from the neighbor's. If one plants fig or olive trees, he should be at least nine feet from the neighbor's. Other trees can be only five feet away.
58. To settle property rights, rulers have to refer to property records and what is customary and known.
59. If a road is spoiled (damaged) because of earthquake or water (flood), the property owner closest to the damaged area is obligated to return it original condition.
60. A common water channel is to be repaired jointly, each user what belongs to him (his share).
61. One who repairs old houses should not exceed its original form and should not obstruct the lighting of neighboring properties unless there is agreement to do the changed form.

**(Part What Is Mentioned in the King's Rules Concerning (Property Protection) Measures):**

62. If one leave on the road an object that cause harm, he is responsible for correcting the damage. But if he caused partial damage, he is responsible only for a part.
63. If another forced him to this action, he is not responsible.
64. Also, if the one that was harmed did knowingly pass, the one who placed the object is not responsible.
65. Also if the object is (on a road) within the boundaries of his property, he is not responsible.
66. If a wall tilts towards the road and the owner was asked to remove it, he is responsible for any damage caused by the tilted wall if he did not remove it within a reasonable period considered sufficient to complete the removal work.
67. If the wall tilts towards a home, the owner of that home is one to ask for the removal.
68. If the wall was common between three, each owes one third of the cost (equal cost for equal shares!)
69. All the above mentioned can be referred to authority of violations occur.

**(Part: Some Follow On):**

70. Land that is not useful for lack of water or too much water (swamp) and no sound of people is heard in it from near by development (has not been considered for building site for a long time) can be claimed by one who intends to make it usable.
71. If it has the remains of buildings it can be renovated and a roof put on it.

72. If it does not have remains of building can be fenced and a gate is constructed for the fence.

73. If it was farm land it can be reclaimed and water is bought into it.

74. If there is potential for wells or springs they can be dug.

75. If there is abandoned mines it can be re-established.

**(Part: Misc.:**)

76. What can not be subdivided like bathrooms, mills, or wells has to be sold to one of the partners in a joint property. Or it can be leased if one decides to sell out because a partner has first claim rights before outsiders are considered as potential buyers.

77. If the partner was informed and decided not to buy or lease, the next door neighbor is given the option. If he also refused it is recommended to sell to a charitable cause or to form a charitable trust before considering outside buyers.

78. Priority is to partners according to their shares, then neighbors according to their needs and/or potential harm caused them (by a sale to outsider).

79. If the owner already engaged in a contract with an outsider and it became known to one of those who have priority, he can match the offer and it shall be ruled in his favor and he shall get it (the shared utility) and the outside contract shall be considered null and void. If they disagree the word of the priority person is taken.

80. If the one who has priority is late in meeting contract conditions, he loses his first claim right.

81. The same is true if (municipal) trial (related to property settlement) is delayed without an acceptable excuse.

82. If the one who has first right of claim dies, his claim is longer valid. But if one of the other parties dies, the first claim right is still valid.

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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## Chapter 39 Concerning Money Lending

(Preliminary Translation)

[Note: These simple rules of lending show very good business sense: Differentiating between capital and profit, working for a salary vs. commission. Present value and future value of money, and different methods for paying for business travel Remember that they were written in the 13th century and not 20th century Harvard Business School]

1. A loan contract is valid between those who can legally engage in transactions related to that fund. It is not legal unless the amount of money is specified and interest amount is also specified as a shared interest! or otherwise.
2. It is undesirable to have different interest amounts for different types of loans because this can encourage greed./cheating.
3. It is not proper to refuse to accept payment prematurely, it is valid however to limit the time for which it is extended.
4. A loan operator (officer) shall act like a businessman. He should not sell (lend) for lower than going rate, or later dues date, or change terms of already extended contract. He also should not buy loans for a price greater than the value of similar transactions or what is common and customary (going rate). He also should not risk losing the money by carrying it in his travel or treating it as personal funds. He also should not sell funds that exceed the capital or buy loans more than the ability of the business. All his actions shall be with the permission of the owner of the capital.
5. If the operator travels for business, he is entitled to travel expense according to agreement with his employer. If they do not have a travel expense agreement, he should charge based on a percentage of the profit and if there is no profit he is paid from owner capital funds.
6. The loan operator is the deputy (agent) of the owner of the capital , he has the final word in determining loans and interest rates as long as he represents the owner interest properly and there is no proof to the contrary.
7. It is preferred if there is a written contract stating capital funds and expected gain and the percentage of profit to be paid the operator. The owner can choose to terminate the agreement as he will. Also, he operator can choose not to continue with the task but if possible wait until the owner can take care of his business or hire a replacement.
8. If one of the parties dies or loses his mental power the (employment) contract is null and void.
9. It is also possible for the owner and operator to share (in the lending business, become partners). But if one asks to pull out before partnership is executed, it is valid to do so.
10. If the lending business is owed money, the operator has to collect it at once. If it owes money the operator has to pay out before everything else (can not take profit before paying debts!)  
[Tell that to US Treasury and Wall Street!]

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and

appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

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## Chapter 40 Concerning (Public) Confession

(Preliminary Translation)

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D.(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

### **(First: The Confessor):**

1. If one who is free and of full age confesses a crime he should be punished, and if he confesses a debt he is required to pay it.
2. It is not proper for one who is under restriction/detention because of young age or mental illness to confess a crime or debt. (It is the responsibility of the accuser to prove legal age or soundness of mind to obtain confession). It is proper to ask confession from those who are restricted/confined for any other reason and can receive punishment or asked for payment.
3. If the detention was for bad behavior confessing debts is improper. If the detention is caused by failing to pay previous debts, it is not proper to hear the confession immediately, but wait until the previous debts are paid.
4. A slave can confess debts and if it was without permission (from his master), he owes it when he is freed. But if it was by his master’s permission, the master owes the money. Otherwise, it can be taken from his earnings, but if he has no earnings as a slave, he owes when he is freed.

### **(Second: Who Receives Confession):**

5. The one who receives confession must be of sound mind and he should not impede or falsify the confession. He should not receive personal gain from the confession. In confession related to a woman’s pregnancy the receiver of confession is not required to accept (verify) the facts.
6. Funds in the form of inheritance or will provided by one who confess (causing) the pregnancy are accepted if the child is live born.
7. If money is confessed for a young or mentally ill person it shall be made certain they receive it.
8. if money is confessed for a slave it belongs to his master!
9. If money is for a monastery it belongs to those who reside therein.

### **(Third: What Is Confessed):**

10. It does not have to be built or owned by the confessor. It is proper to confess unknowns or not owned. If it is owned, the confession is null and void. For example if one says my house which is my own and I reside in it belongs to so and so, he is contradicting himself because what belongs to one can not belong to another at the same time. Also the item has to be in his possession (under his control). One can not release the slave of another.

**(Fourth: Wording and Meaning of Confession):**

11. Wording: If one says: “I confess that I owe so and so such and such amount” or if he says: “Trust me I owe so and so”, or if he says: “I do not deny that I owe so and so” all these are common wordings of confession acceptable by the public. If he says “I confess and will not deny that I ..” this is wording of confession now and in the future. But if he says: “take weigh this or cash this ...” these are words of sarcasm and can not be treated as confession.

12. Meaning: If one confesses an item or money owed without specification of value or amount, he has to follow with quantitative short description. If he calls it much he has to say how much. The least of much is ten Dirhams!

13. If he says Dirhams, the least is three. If he says so so (‘Kaza Kaza’) Dirhams, the least of which is eleven. If he says so and so (‘Kaza Wa Kaza’) the least of which is twenty one. If he says he has on me or he has in my guarantee he is confessing a debt. But if he says: “In my possession for him, or in a box in my house for him, or in my hand for him” he is confessing a deposit or a pawned item.

14. If one adds to a word of confession a word of full or partial contradiction, the confession is fully or partially false. For example if one says: “this house for you but the furnishings for your son” or if he says: “this house is for you but you can not reside in it” or if he says: “this house is for you but you have to pay for it” All these are contradicting confessions. Confession is also not valid if the context proves to be false or unrealistic. Like if one in a confession refers to one as his son and they are close in age, or if he says this is yours but it is known to the one receiving the confession reasons to the contrary. Also a confession can be disputed by the legal heirs.

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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## **Chapter 41**

### **Concerning Lost/Found Item on Common Property Such As Wilderness/Pasture Lands, Roads, Markets, Hotels, Baths, and Churches**

(In Two Parts: The Mobile Property, and the Lost Little Soul)  
(Preliminary Translation)

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D.(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

(This chapter is based on the Lord’s saying in the Torah (Old Testament): “Return to your brother his lost animal but if you did not know whose it is keep it in you household until you know to whom it belongs and return it without delay!]

1. If one finds a lost item and did not know whom it presently belongs to; if it is a trivial item there is no harm in wasting it; otherwise take the thing to the place where it was found and elsewhere for a week. If one came and identified it with specific remarks give it back to that person. Otherwise it is permissible to freely handle it.
2. If it was not trivial and considered by a majority of people to be valuable, one keeps it as a safekeeper for its owner noting its characteristics which includes race (specie), color, shape, size, and weight.
3. It is liked that if one claims the found item to be his own witness and to specify in front of other witnesses some of its distinct characteristics to avoid the devils temptation as the Apostle Paul commanded. If the owner is still not found after the first week it should be made known in public places like the place it was found, meetings, markets, and Churches for 70 weeks. When the item is announced it shall be done mentioning only general characteristics and waiting for the owner to give specific characteristics. For example if it was Dirhams (money) mention only Dirhams without saying how many or mentioning the color or shape of the purse it was in. If it was a piece of jewelry or cloth, do not give out the color, the style, or the type, so if one comes and claims to be the owner let him describe it, and if the description matches closely and there is witnesses who would think that he is the owner let the witnesses to whom he is known let them hand it to him after identifying him. It is desired that the witness is a free believer. If no one claims the item in this period (70 weeks) it is up to the finder to do what he pleases with the found item. If the finder was a slave, let his master handle the identification and following action. If the finder was under guardianship, the guardian shall do the necessary action.
4. Increasing the waiting period is desirable.
5. If the item spoils (is damaged) in the hands of the finder unintentionally, he is not responsible. But if it is proven that he intentionally caused the damage he is responsible.
6. If the finder had companions who passed the item without taking it or did not care to follow instructions for picking up the lost item they can not share in the item (if the owner is not found). But if they were behind him or helped in picking it up they share in identifying, trying to find the owner, or in it (if owner is not found).
7. If I was seen by others (not companions) they can take it as a witness to the trustee (treasury) of the ruler and after going through the identifying if owner not found it goes to the finder.

8. If the finder is from another town, he should leave it with the trustee. The finder has the choice to ask for the wages of identification and searching for the owner or to waive it. The wages are based on the time, effort, and value.
9. If the found item is a large animal like a camel, cow, horse, mule, or donkey and if it is found in a known pasture, it should be left there. But if it was roaming in the city, it should not be left roaming but instead it should be captured. Its return should be on the hands of two or three witnesses from the famous (well known) people.
10. If it was a smaller animal like a small calf, a colt, a small sheep, or a bird was found alone it should be kept (not be left behind). The finder can spend for the identification period from his own money or a loan to be charged to the owner when the owner (when the owner comes forward and successfully claim his lost item).
11. If the owner comes forward and pays the wages of identifying and keeping the item he receives his item and its produce if any, otherwise the finder can sell it with permission from the ruler after one week and to continue the identification period. It is up to the finder to do what he pleases with the sale revenue.
12. It is desirable that the revenue from such sale be given to charity. And it is preferred that this money goes to one who is in need. If the finder is needy he is more deserving.
13. If the found item is perishable it is better to sell it if it is possible. If it was food items it can be consumed by the finder.
14. If one comes along and identifies the item as his; if it was sold, he (the finder) has to return the revenue. If he consumed it, he owes the value if he is well to do, but if he was not able he should return what is left of it. If it was all consumed, he owes nothing.
15. If (the finder) gave the item away to charity, the owner can accept the charity as his and gain the eternal reward if he goes along, or he can try to claim all or part of it or its monetary value from the charity.
16. The word of the finder is taken in all disputes concerning the found item unless the owner can produce proof to the contrary.

**(Part Two: About Lost Little Souls):**

17. If one is found in this condition, he should be assumed free because freedom is the original condition and that he is the child of believers because this is the priority. If he was found in a place where believers are scarce and he was claimed by non-believers inquire diligently among the believers (to verify his identity).
18. If items were found with him either tied to him or places next to him, it is assumed that it belongs to him and use it (if it is of value) to support him with permission from the ruler. It is desirable to have witness of finding the person and the belongings.
19. If he did not have anything, and if the finder is well to do let him take the person and care for him, otherwise take him to the ruler (authority) so he can be put in a (foster) home to be taken care of at the expense of the foster parent or from charitable funds. In either case he should be educated and taught a trade/profession.
20. If the finder is a slave or person of bad repute or un-believer he should find out who has valid claim concerning the lost person and hand him to them!
21. It is preferred that the one who takes a lost person in to treat him like own child and educate him and teach him a trade/profession. as if he was his own son choosing for him what is appropriate for his abilities and desires. It is important to pay attention to his wishes and desires and to do it with understanding of his faith and according to his religion.

**(Part: Concerning What follows):**

22. If one finds and returns an escaped slave, a child, or a person under guardianship, he is entitled to the expense associated with his effort. The finder has the choice to donate or keep the received compensation. At a minimum he is entitled to travel expense between the place he found him and the place he returned him and the time between the finding and return.

[This is very sophisticated]

23. If the person escapes from the one who found him, he (the finder) is not responsible.

24. However, the finder should give witness (make it known) that he found a person and tried to return him to his owner (, but he escaped).

25. If the disobedient (escapee) is a pawned slave, the holder is responsible.

**(Part):**

26. If one disappears and it is not known where he is or if he is life or dead, and he left behind some fortune, the ruler shall appoint one to care for the family as an honest guardian to take care of the finances of the family. The guardian can be a volunteer or paid from the funds according to his effort. It is required that the funds be certified and dated in the presence of witness.

27. If a period is passed exceeding his expected life span, his fortune shall be divided among his heirs as their inheritance. Before this determined period as long as he is not found he can not inherit or be inherited.

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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**Chapter 42**  
**Concerning Financial Wills (In Five Parts: The Will and its author, The Willed Item, The Beneficiary, What It Entails, and the Executor of the Will)**  
(Preliminary Translation)

[Correction: this is Chapter 41 not 40, Chapter 40 on Lost and Found will be translated soon]]

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

1. The will is the stated opinion of the individual who issues it for what to be done with his wealth after his death. and it is referred to in the sayings and actions of the profits and wise men. For example, Isiah the prophet told king Hezekiah on the command of the Lord God: “Advise your children because you will surely die.” Many wise men advised a multitude of people to will things for the poor and to set charitable trusts for those in need and those who are not in need also (charitable gifts).
2. The will takes effect only after the person dies, it has no effect while he is still alive as the Apostle Paul said.
3. Wills can be in writing or without (verbal). If it is in writing, it is complete if it is in the hand writing of a scribe or the author of the will and in the presence of witnesses, and the will and their witness are on a single original (no copies) document. The witnesses can be seven or five if possible. Three or at least two witnesses are acceptable (but not desired). It should include the date it is written, the names of the beneficiaries. He says in the will I made so and so my heirs in his own hand writing. If he was not a writer the witnesses can do the writing for him. It should mention the author of the will the beneficiaries and the one who wrote it. The beneficiary and executor should not write the will. A will not in writing is as such because of strong reasons and must have witnesses.
4. It is not legal to have a will written by the beneficiary.
5. It is required that necessary expenses following death be taken out first. This includes funeral, burial, outstanding loans, and taxes owed.
6. It is not proper to ask about the execution of the will for nine days following the death (of the author of the will).
7. A will is null and void if the author of the will retracts it (in his life) by firm word or deed. For example, if one sells a property , frees a slave, or marries a maid. In general the action of the author of a will to rid himself of a property which is the subject of a will revokes the will. Also if the object of the will is given to the beneficiary before the death of the author, the will is revoked. Also if he gets rid of it in his life it can not be claimed (by beneficiaries) after his death.
8. If superseded by another which is more recent than the first even if the more recent is verbal and the earlier was in writing.
9. If the author leaves debts which exceed the value of the items in the will.

10. It is also null and void if the beneficiary violates conditions of the will or conspires to kill the author of the will using poison or otherwise.

11. If the will is related to succession to a throne and the successor is different than the natural heir without a witnessed will that has clear explanation of the deviation with clear statement of the name of the author, the beneficiary, and the object.

**(Second, The Author of the Will):**

12. Authoring a will is proper only if the author is of full age, free, and of sound mind as was explained in the Chapter on Custody. If the beneficiary of the will is not of legal age, a custodian (executor) is appointed and named in the will.

13. As long as the heir is a child (not of full age) he is no different from the slaves although he is the master of them all. He is under the custody of the custodians until the time appointed by his father!

14. If one who is under age, or under custody, or a slave, or not of sound mind makes a will, it is not valid even if at the time of execution he became qualified (because it was done under wrong conditions). But if a person who is blind from birth or later in life is not restricted from authoring a will.

15. The born dumb or deaf can not author a will. But if he became dumb or deaf later in life if he can write, he can author a will. The (mentally) disturbed can not. also the slave unless he has his master’s permission.

16. If one is a skilled writer and wants to write a will stating the rights of his children let him do that (in his own writing). Also if he wants to write a will concerning the rights of his wife or others that are from outside (immediate family) let him do that and by the signatures of the witnesses it shall be known that it is true.

17. If he changes his mind about what he stated in the will, he has to burn it down, he then has to make a new will with his latest opinion. He should have seven or five witnesses and he needs to mention to them that he had a previous will and he changed his mind as stated in the new will.

18. If he left a property for one and then gave it to another in the new will without mentioning that the first choice was no longer his will, they all share the property!!!!!!!!!!!!!!!!!!!!

[Note: Contradiction. One is led to believe that the newer will makes any older will null and void]

19. The author of a will can add or delete articles in a Separate document as long as the witnesses testify and sign the extensions. Also, if the author does not want the witnesses to know the contents of the will he can write and seal it and they shall witness it and put their seals (sign) at the same time and be willing to testify to that effect.

20. If it became known that one wanted to add others to his will, but his speech ceased (meaning he died) before making a will, they are excluded even if they were considered.

[Eliminating fraud through false claims not supported by fact]

21. If brother (off-spring) own a joint item, there is no restriction on any to will his share.

22. If one had two wives (not simultaneously according to our faith) and he loved one more than the other, he is not permitted to favor the children of the one he favored over the children of the other.

[Seems to be difficult to enforce even today, because an explicit will overrides common law]

**(Third, The Beneficiary):**

23. It is not advisable to have a beneficiary one who is outside God’s Commandments: having faith in other than God, committing highway robbery, transvestites, or declared prostitutes. This is because the Apostle said: “What communion there is between believers and unbelievers.” He commanded us to separate ourselves from the likes of

those. But if the person turn back from his infidelity he can be given what was willed to him. This has to be determined before the will is executed, because once it is executed there is return as explained previously.

24. If one through a will of some inheritance was provoked to object to cause an accident as a result he is not relieved of responsibility of what he did. But if he chooses to not object and to give his share to another it is appropriate to do so.

25. It is legal to include a prisoner of war as a beneficiary hoping that someday he will come back and receive his inheritance. The same is for political prisoners and exiled individuals. They all can claim their inheritance when they are freed and return back.

26. If one has a son (off-spring) who was absent and presumed dead and he writes a will giving his inheritance to another, he can claim his inheritance even if it was already given to the other.

**(Part):**

28. It is permissible to include in a will a pregnant woman without the unborn or the unborn without the mother, but he receives nothing if he is not live born .

29. If the will was for an unborn and a twin (meaning multiple birth) happens instead the item(s) is divided equally. But if one is born dead, the other takes all.

30. If the will states a male, he only will inherit.

31. It is permissible to include a slave in a will, if he was free at the time of execution he receives the inheritance otherwise it reverts to his master (at the time of execution of the will).

**(Fourth: Concerning the Willed Item):**

[here he emphasizes the importance of including charitable causes in wills, the rights of children, spouses, and relatives. then indicates the need to include needy relatives and will more to them to help them the rule of 1/4 for charity was favored. But he indicates the right of one to act freely, but always remember that the just judge will judge what we do and it better be good and pleasing to God]

32. It is not proper unless it is owned by the author of the will.

33. There is two opinions about the value of a willed item, some say one fourth (1/4) of the net worth others say three fourth (3/4) of the net worth.

34. The first opinion is according to the kings rules. If one authors a will he shall first leave what he desires to his son and to his daughters the furnishing (for their marriage) and divide the rest in one fourth portions. If he wants to give alms, it shall be one fourth, and one fourth for his daughters furnishing. He can do with three fourth (3/4) of his net worth what he desires and give his son what he desires to give him. His children shall receive three fourth (3/4) of what he leaves. If he desires to give more (than the furnishing) to his daughter it is permissible to do so. If he has no children he can give his wealth to anyone he likes to give it to. This law includes both opinions as stated herein and it does not favor one opinion over the other.

35. The second opinion states that it is permissible for one to will three fourth (3/4) of his net worth to charitable cause and one fourth (1/4) to his heir.

36. This law states that one can will three fourth (3/4) of his net worth as he pleases and one fourth for his undutiful children. [Seems that this law is to punish undutiful children by giving them 1/4 instead of the ordinary 3/4 of net worth]

37. If one wills some of his wealth to strangers it ought to be examined. If he left one fourth (1/4) to his (legal) heirs it is acceptable (following the second opinion) but if he left them less than that the portion given away (to strangers) is reduced to reach the one fourth (1/4) rule.

38. It was asked: is it permissible for a man to leave all his wealth to his wife if he has no children? and if he does have children does he have to give them equal shares? And does he have to give her anything in his will after she already received her dowry? The answer is: It is permissible for a man to leave any amount for anyone (of his legal heirs) as he likes.

[This paragraph -38- is omitted from some old copies of this book!] Off course it is addressing difficult issues by phrasing them as questions instead of giving rule?]

39. The second opinion (paragraph 35) is favored over the first (paragraph 34).for the following eight reasons:

First, The first opinion appeared only once in the book of the rules of the king. The second opinion appeared many times over at the beginning, in the middle, and towards the end of the book. If one appears once and the other appears many times it is indication that the later is more acceptable because of many agreements on it.

40. Second, The wording in the first opinion (paragraph 34) is not clear in meaning and it tends to show the two opinions. The wording of the second opinion (paragraph 35) seems to be more clear and does only mention the second opinion. And if something is clear it is more certain.

41. Third, The first opinion appeared in the beginning of the book (the king’s rules) the second opinion appeared in the beginning, middle, and end.

42. Fourth, It was mentioned in the same book that a man (person) can do what he likes with his money. He can do what he wants with the fourth and the half (3/4) without restriction.

[We are getting into vague interpretations of vague wording here. Need help with the Arabic the way it is worded]

43. Fifth, We previously mentioned that a will is a command of God and an act of wise men, and when the Lord said leave a will He released that saying (made it a command of God for us to follow). He did not restrict it with much or little. Also when the wise men advised authoring wills they did not make restrictions except for indicating what is more beneficial at the time of authoring and what is more beneficial at the time of execution as will be shown later.

44. Sixth, The mind (logic) dictates that the wise shall do with his money what he likes because it is his own property. He is not prevented from selling, forming a charitable trust, donating, or willing as gift what he likes. Accordingly the fourth and the half are both permissible to him.

45. Seventh, Ones own benefit is completed by following the second opinion rather than the first. Because one who adheres to the second opinion can follow the first if he sees benefit in the first opinion. But one who adheres to the first can not follow the second if he sees his own benefit in following the second.

[Easier to change 1/4 to 3/4 but not the other way!]

46. Eighth, The harm caused by following the first opinion is more than the harm caused by following the second. Because some of the off-spring might be rich and others might be poor. By following the second opinion he can leave more for his poor children (outside the equal inheritance shares). But if his off-spring are all rich, he can (follow the second opinion) and leave more for charity.

47. What can be said in favoring the first opinion is that one might unfairly dislike his heirs. And by following the first opinion (as justification for his actions) he can leave more for charity than he leaves for his legal heirs preventing them from getting his wealth, although such action is rare. The benefactor however can use other ways to channel his wealth to other than the legal heirs if he desires to do so, like giving to charity, selling, or sell (meaning symbolically) what he does not want his heirs to receive.

48. If one decides to (follow second opinion) give one fourth and one half (3/4) away not following the legal heirs rules, he is advised to fear God being close to facing death and distribute this portion to ones who deserve it according to their needs starting with off-spring, then relatives, and strangers according to need with more given to those who are more needy. He is advised to be a good steward so he can be worthy to hear the praise and receive the reward of the just judge.

49. The Nazarene (Christian) should not give his money to causes that contradict the salvation of his soul. Anything beyond the fourth and the half is not legal unless it is approved by the legal heirs (meaning not to deprive legal heirs of their legal inheritance rights). What he gives in his live to charitable trusts and as donations should not be counted as part (of charitable part) of will.

50. If one has new legal heirs after a will is authored (which did not include them) like new born children males or females, they become deserving. If the will was other than off-spring it becomes null and void. If it was for off-spring, the new ones share equally with the ones previously included. If the author of the will had off-spring but were excluded, the right of inheritance is transferred to the grand children (because of the birth of new off-spring after the authoring of a will that excludes children). If the new legal heirs were relatives, and the will was for strangers, the relatives share half and strangers the other half. But if the will was for relatives, equal shares is the rule in distributing to the heirs listed in the will and the new legal heirs not listed in the will. These are the rule of executing wills if new heirs have legal claim after the will is authored.

51. If one inherits a flock of sheep, he is entitled to all the increases and responsible for all the losses even if it is reduced to one or none. If one inherits a house and it is lost to fire, he is entitled to the land (on which the house stood). But if I willed my slave to you and I sold him or set him free or if he dies, you are entitled to nothing because if the original item is gone, so are the residuals (profits).

52. If one wills a portion of an item, like a third or a fourth then the item lost some of its value, the heir is entitled to a portion of the remaining value proportional to the portion he inherited. If one will a part of a large inheritance to one, the heir has to accept what was stated by the author with no objection. But if the author did not specify exactly which part, the heir can choose one that is an average (fair to others) and causes him particular harm. If he does not accept the part given to him, he can ask and not prevented from accepting monetary value without argument.

**(Part):**

53. It is valid for one to write a will for the use of an item for a limited period of time one, two, or three years, or for a specified portion of the revenue or wages. After that it reverts back to the original owner. If the beneficiary of this kind of will dies, his legal heirs do not inherit the benefit. The owner of the item has full freedom to sell it or give it to charity any way he chooses after the benefit period is completed. It is valid to include in a will a maid without her unborn or the unborn without the mother. If a maid is mentioned in a will without mention of her unborn it implies the unborn.

**Part 5: Concerning the Executor of the Will:**

54. Two conditions: Honest and Ability to handle the object of the will:

55. If the author of the will did not designate one, the ruler appoints one after the death of the author of the will if the beneficiary is not of legal age.

56. It is valid to have an executor for part and not all of the objects of the will or for the entire estate. If it is said so and so and so they have to act together and one can act on behalf of the estate without the permission of the other. But If it was said either so and so or so and so, the one that accepts and acts first is the executor. And if it said so and so then so and so, the first has the right of execution unless he declines then it goes to the one named second.

57. If the executor acts regarding an item in the will he is responsible for his actions and is not to be relieved until the beneficiary reaches legal age. He can be relieved through an action of the ruler (authority) if he makes a request to authority and get permission to be relieved after a replacement is found. What prevents one from executing a will includes long illness, long imprisonment, travel, exile, dishonest actions, incompetence, or proven lacks in one of the two condition (mentioned in 54 above). It is valid for one who is expelled for one of the reasons above to be reinstated by order of the ruler (authority).

58. Executor appointed by the ruler is considered to be honest and competent. Relatives are favored over strangers in executing well, the closer the better.

59. It is permissible for one to name his son as executor for his will, a son on his fathers estate is best steward (‘Quhramaan’).

60. It is also permissible to name own slave (servant/closest aide) on the will, he will be to act his acts (meaning do exactly like his employer since he worked for him and knows his methods of dealing!).

61. If a woman authors a will on behalf of her grandchildren she should not name an executor, because their father is the best executor. But if the father did not care for his children she can name a guardian regarding only what she left for them.

62. If one did not leave a will and is survived by parents and other siblings, his parents become the executors of his will, brothers and sisters are not permitted to object to that.

63. If one leaves a will, with names of beneficiaries and executor, and dies let the executor receive the wealth and distribute it on the off-spring without commission (talking about beneficiaries of full age). If he did not name an executor, the older of the off-spring is executor if he 25 years of age or older. If none of them is of legal age, their uncle (fathers brother) can be the executor of the will. If they had no uncle (meaning no live one) the son of their uncle who is 25 or older can be the executor. The executor keeps the book (written will). If they had none and their mother desires to be the executor, she has to inform the ruler (authority) and it has to be made certain that she does not remarry and she manages the estate until they reach legal age at which time they are given their inheritance. If she does not seizure to be executor, the ruler (authority) has to appoint executor and guardians for orphans, they are entitled to management fee based on the value of the estate. One who is appointed executor by the author of a will does not have to post bond, but others might have to.

64. Boys affairs are under the control of guardian to age 14, girls to age 12. they then under the control of executor of the will until age 25 at which time they are full of age and can have full control of their inheritance.

**65. Two opinions concerning exemption from being executor of a will :**

First, If one has five or more children, sons daughters or both, can be exempted from executing a will for orphans strangers or relatives. If he had less than five children of his own he can be forced by ruler to accept responsibility as guardian for orphaned relatives or others.

66. Second, One who accepted to execute a will can not escape responsibility but to continue to be responsible for the duties thereof especially if he caused some incident related to the execution of the will!

67. It is legal for a guardian of orphans to hire a financial manager for their inheritance by permission from the ruler (authority).

68. If it is proven that the executor did an act of extortion of the money he is entrusted with, let the estate be in the hands of the stewards of the Church until they reach legal age. God advised to care (for the flock) and not let the guardian eat and unwisely dispose of the money in their hands and let not the beneficiaries suffer.

69. It is not legal for the executor to sell assets of the beneficiaries to pay taxes without requesting permission and getting approval from the ruler.

70. One who is a soldier or in the service of the ruler can not be executor of a will unless after he leaves the service mentioned.

71. The wills of bishops, monks, and freed slaves are explained in the chapter on inheritances next (chapter 42).

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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1843 Ross Ave.; St. Louis, MO 63146; USA

## Chapter 43 Concerning Inheritance (Thirteen Parts)

(Preliminary Translation)

1. Translating this chapter was a laborious task, thirteen part, 110 paragraphs. As was stated earlier, Hegomen Philothaos Awad used it in his book on Civil Laws. The chapter is a collection of laws known at the time of Safey, Ibn Al-Assal. Some of the laws would conflict with others, but a recommendation could be made based on one or another of these laws.

2. As was stated over and over again, males and females receive equal share. This is the Christian rule, because the bible stated that males and females are equal in the sight of God. Unfortunately in our home country, Egypt, Islamic law is applied in matters of inheritance where the wife is given 1/8th, and the daughters are given half the share of their male siblings. The writer had a situation most recently where the inheritance was divided that way. The recommendation for all of us is to write a will, a will should be witnessed by at least two reliable people of good standing. Three witnesses is even better than two. The witness of one is not acceptable by any court anywhere. If one cares to give equal shares to his off-spring which is what I believe we all should do, he has to state that clearly in the written and recorded will.

3. The book listed 22 classes of relations starting with children then grandchildren, parents then grandparents, .. etc. In the classes of relatives the father side is ranked higher than the mother’s side to keep wealth in the family fathers to sons. Also the lower class relation is sought if no one exists in the higher class that can inherit at the time of distributing the estate.

4. Again, I recommend, especially for the brothers and sisters in the home land to author a will if they like the idea of equal shares for sons and daughters, otherwise the laws of the land will be applied as stated above. Here in the USA, for most states the off-spring is given equal shares, still it is recommended to write a will. Most countries in the Western Culture equate males and females in inheritance! I hope you benefited from reading this chapter, Chapter 43 on the selection of Rulers follows.

Sincerely,

William Hanna  
St. Louis, Missouri, USA

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D.(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

[Note; Hegomen Philothaos Awad used the bulk of this chapter in his book on Civil Laws, late 1800s

**(Part 1: What to do with the estate, what the departed leaves behind, and the days during which the heirs can not ask for their inheritance):**

1. They start with paying for the coffin, wages for digging the burial place, and the cost of the tomb.
2. Then the cost of the funeral and the offerings as described in the chapter concerning the dead.

3. Pay to the poor from the possessions of the departed as a remembrance for him.
4. Then pay what the departed owes in land (property) and other taxes.
5. If the departed owes money it shall be paid first, but anything that is forgiven can be counted off if the debtor agrees to forgive the debt. Also, some times the estate is protected or an action is taken to negotiate debts, but in the end the estate has to pay what is determined to be fair by impartial witnesses.
6. Following that is what the departed owes like solemn pledges to God. If the will did not include alms but the heirs are not in bad need they can give alms according to the value of the estate and the financial condition of the heirs. After all these they can follow his commandments’ based instructions (chapter 41)..
7. We previously stated the rules (chapter 41) which limits his actions to one half and one fourth (3/4) of the estate. and one fourth is for his legal heirs without further modification.
8. No one is allowed to ask the heirs and/or relatives of the deceased for any debts for at least 9 days following the death, because these are days of sorrow. No one should ask them to appear in front of a council or a court either. And if anyone entraps one of the involved to sign a paper or make an agreement, such action shall be null and void. After the appointed period objections to the will can be raised if they are (the objections) according to the commandments.

**(Part Two: General Paragraphs Concerning Inheritance, and the Order of Heirs):**

9. Heirs are two categories: First those who have a definite portion of the inheritance according to six rules:

(First) The wife is entitled to one half if the other heirs are not her children. Otherwise a share equal to that of one of the children.

[Note the Patriarch (I am assuming at the time of Hegomen Phiothaos) wrote not to exceed 1/4 of the estate (This would be Pope Cyril (Kyrillos) V. This also gives credence to this book being used as a reference by fathers of the Coptic Church. Pope Kyrillos V, also known as monk John the Scribe ‘Youhanna Al-Nassekh’ was on the chair for 49 years, he transcribed many Church books and is the one who ordained Anba Abraam the Departed Bishop of Fayoum)]

(Second) The same for the husband (if he inherits his wife).

(Third) The uncles (father’s side) have with his mother 1/3 portions.

(Fourth) Their Children share the same way with the mother.

(Fifth) Grandparents share with the brothers and sisters of the deceased 1/3 portions.

10. (Sixth)- The rest, if they inherit it is according to class of relation (process of selecting a class if the closer (higher priority) do not have survivors) as follows:

11. Tribe (relatives) from father side males and females are ahead of those from the mother’s side.

12. According to the rules of the king there are twenty two classes of relation as follows:

13. (First Class): The off-spring of the deceased males and females equally.

[Note that Islamic Law gives the male twice the portion given to the female off-spring. In the Coptic Law they are equal inspite of all the pressure of living with an Islamic majority]

- 
14. (Second): Males and females who are off-spring of the ones above.
  15. (Third): The father of the deceased.
  16. (Fourth): His Brothers and sisters and mother equally.
  17. (Fifth): Brothers and sisters from father alone.
  18. (Sixth): Brothers and sisters from mother alone.
  19. (Seventh): Male and female off-spring of the deceased brothers and sisters equally.
  20. (Eighth) The father of the father of the deceased.  
{In another copy the off-spring, males and females, of the brothers and sisters are the eight’s class}
  21. (Ninth): The mother of the father of the deceased.
  22. (Tenth): His Uncles (‘Amaam’, father’s side).
  23. (Eleventh): The male and female off-spring of his uncles (father’s side) equally.
  24. (Twelfth): The male and female off-spring of his daughters.
  25. (Thirteenth): the males and female off-spring of his sisters and brothers.  
[seems that this belongs to eighth not thirteenth class]
  26. (Fourteenth): The deceased aunts (‘amaat’ sisters of his father).
  27. (Fifteenth); Off-spring of them (above) males and females equally.
  28. (Sixteenth): Father of the mother of the deceased.
  29. (seventeenth): The mother of his mother.
  30. (Eighteenth): The deceased uncles (‘akwaaloh’) brothers of his mother.
  31. (Nineteenth): The male and female off-spring of those above.
  32. (Twentieth): Aunts (mother’s sisters) of the deceased.
  33. (Twenty-first): The off-spring of them above.
  34. (Twenty-second): The fathers of the grandparents.
  35. Inheritance is based on classes of relatives according to relation, the closer relations are considered first then the lesser relation, .. etc. It favors the deceased off-spring class over his parents. It also favors the tribe (family) of the father over that of the mother (and passing inheritance to on generation down of one male that is not present. For example the children of the male off-spring if the off-spring are no longer alive before the father of the deceased is considered. It also favors the off-spring of the males of the brothers and sisters if the brothers and sisters of the deceased are no longer alive and they are ahead of the grandparents of the deceased. It favors one generation of a family over the following generation (children favored over grandchildren concerning inheritance). It also considers the uncles (father’s side) then their children before the aunts (fathers side) then their children. Then the uncles (mother’s side) and their children then aunts (mother’s side) and then their children. Then it considers grandparents as explained. In the search for the class to inherit a deceased the closest class is sought and given inheritance if

found otherwise the next is sought until a class of inheritors is found and given equal shares but if in any class there is only one single person he gets all after the portion according to commandments is satisfied (as explained in chapter 41).

**(Part 3: Concerning What A Husband Inherits from his Wife):**

37. The reason the husband (spouse) is placed ahead of all others is because marriage is the origin of all that follows. Through marriage children are brought to existence. It makes parents parents. And through marriage they became one and not twain as the Lord said. The one is more deserving of his things than others.

38. If a man or a woman dies and there was no other natural heirs from close (higher) relations, lesser (lower) relations, or side relations, the man is entitled to the entire estate of his wife and the woman of her husband.

39. (In the closing of the collection of the Patriarch Anba Ghobrial he says): if he (the deceased) had a wife and children, she becomes like one of them (meaning equal share) because the book of Descolia (teachings of the Apostles) says give to the orphans the fortune of their parents and to the widows the fortune of their husbands. This saying indicates that the estate of the deceased goes to his children and his wife. If he did not make distinctions, they all get equal shares.

40. It is customary of a husband or a wife dies and if he did not have children as heirs, the surviving spouse receives half the estate and the other half goes to the other legal heirs. this also agrees with what was mentioned in Rules of the King (Rule 55). They also said if a man was legally married but not consummated the marriage and he dies, she is entitled to half his estate and his relative the other half, but if he had no legal heirs she is entitled to the entire estate.

**(The following Rules are from the Closing of the Collection of The Patriarch Anba Ghobrial):**

41. The standards require that the portion one leaves for the other is equal because of the Lord’s saying (God created a helper equal to him). And because of His saying (he makes them one and no longer twain). So the man shall leave for his wife half if there is no children and equal portion with the children and all if all (legal heirs) are gone.

42. If the husband and wife are related (family relations before marriage) the standards require that each inherits to shares from the other. One share for marriage and the other share for family relation.

43. In the chapter concerning marriage other laws (Kings Rule 51) if a man dies his wife is entitled to the entire furnituings and half the dowry and if she dies he is entitled to the entire dowry and half the furnituings regardless of having chidden or not (this is in addition to the inheritance and not considered part of it).

44. If the husband dies and had no children born of her, she is entitled to the furnituings and half the dowry. If the furnituings are worn out (no monetary value) she can claim the value of the cloth she brought in with her or the monetary value of it which can be found in the book (agreement) of marriage. The jewelry and any advance payments (‘arboon’) is hers and its value is known. If in her furnituings slaves, she can claim them if they are still alive. If they were sold she receive the value of the sale, but if they were dead she receives nothing because it is natural for them to die. If the slaves produced off-spring, she is entitled to half and the other legal heirs the other half. This is also the rule concerning any herd of sheep or cows. She claims the herd back and any off-spring of the herd she is entitled to half. the same applies to a hive of bees and similar possessions.

45. Half of the off-spring is the man’s because although she brought the livestock in it was fed and cared for at the man’s expense.

46. If one dies after the marriage contract but before the marriage is consummated it is explained in the chapter on marriage, part II.

**(Part Four: Two Classes (of Heirs)):**

47. (First Class): In what the off-spring inherit from their parents. Because the law favored the children of the deceased over his parents in inheritance. The parents are the cause the off-spring exists and the cause has to be a good cause for existence (‘ellat sallah’) and this can be through leaving them wealth.

Also the children are the future of life and their grandparents are the ones who shall leave it. For these reasons inheritance is from above down and not from down up unless no one below is found to become legal heir. Also the remembrance (memory) of parents is through their children and not through their parents, so the children are more deserving of inheritance.

48. The reason of giving equal share to daughters and sons in the new testament is the saying of the Apostle Paul: “In Christ men and women are the same (equal)”. Also their relation to the giver is the same being his children. The parent owes the same to one as he owes the other.

49. The reason of favoring children over the children of the children (grandchildren) is because they are closer to the givers.

50. If one dies and leaves off-spring, sons and daughters, without a will, they share together (equally).

51. Regardless of having the same mother or not.

52. Even if one is dumb or deaf.

53. If the daughter marries and her father paid for her furnituings , this will be considered part of her inheritance (reduced accordingly) if the father agreed to that in his life or not.

54. It is agreed in the Church (body of believers) that if the furnishings exceed the inheritance she owes none, but if it was less she receive the difference.

55. Those born from a free woman (outside wedlock) share with the other off-spring equally.

56. Those born from unlawful marriages like the wife of the brother, the sister of the wife, the aunt (father’s sister), the aunt (mother’s sister), the fathers other wife or his concubine can not inherit their parents without a will (explicitly). But their children are counted in the classes of relation.

57. If their father explicitly in his will gives them portion, they receive it. If he will equal portion, it is permissible.

58. (Second Class): In the inheritance of the grandchildren male and female from their grandparents. The children of the children inherit the deceased and they out rank the parents of their grandparents in inheritance rights.

**(Part Five: What the Father Inherit from his Children; A Third Class Inheritance):**

59. Because the father is favored over the brothers and sister. First because between him and his children one degree of relation separation, but between the brothers and sisters two degrees of relation separation (meaning two births). Second, because the father is the reason of existence of his off-spring and the presence of the inheritance is caused by him. But off-spring are not the cause of existence of one another, so the father is the cause and is more deserving to inherit it. Also, in many cases the father gave the wealth to the child to start with and it is natural that it returns to him if the closer relation does not exist and for that reason the father is favored over the mother in matters of inheritance. Also the woman was made for the man and what existed for another is lesser than the thing it was made for also the mother is like a container and like the soil for the plant. Also the inheritance can return to the siblings through the father and these are all reasons for favoring the father over mother and siblings in matters of inheritance.

60. If one dies and he has no children or grandchildren and did not author a will and had mother and father, his inheritor is his father and not his mother.

**(Part Six): Four classes in what siblings inherit from brothers and sisters and what half brothers may inherit:**

61. The two grandfathers can inherit with siblings, also the mother can inherit according to conditions. Also, the children of brothers and sisters (nieces and nephews) can inherit according to conditions. And the sibling are after the father in degree of relation for inheritance as explained before. The siblings (brothers and sisters) are favored over grandparents because they are equal in relation to the deceased and closest in relation to the father (if the father does not inherit) and the brothers and sisters are closer than grandparents and they are coming to life (in the sunrise of life) while the grandparents are in the sunset of life and they are considered of more need because they are building a future.

62. (Fourth Class): If one dies and had no children or surviving father, the inheritance should go to his brothers and sisters and his mother in equal shares.

63. Brothers and sisters from one father and one mother inherit equally.

64. (Fifth and Sixth Class): If one dies and have no brothers and sisters from same father and mother, his half brothers and sisters inherit him because the half brothers and sisters are less related than full brothers and sisters.

65. The sibling from father side is favored over the siblings from mother side. Because the siblings from the father side are closer (higher class) relations.

66. If the deceased’s parents were no alive (assuming he has no children as well), his grandparents inherit with his brothers and sisters. This law does not distinguish between the parents father’s side or mothers’ side. The laws favored the grandparents from father side (closer class) than grandparents from mother’s side. If the siblings are from father’s side alone the grandparents father’s side alone inherit with them. If they were mother’s side grandparents from the mother’s side inherit.

67. If the mother is made equal to one of the siblings (in matters of inheritance), she does not mask any of the siblings full or half related, she inherits as one of the siblings (equal share).

68. If one of the siblings is not present (no longer alive) she inherits in his place and she masks the children of the siblings because the law states that she is equal to one of the siblings (in matters of inheritance) and the sibling masks his children and the mother is closer than the grandparents.

69. The mother has two thirds with the uncles and nephews (siblings of uncles father’s side) one third for them to share.

70. (Seventh Class) According to the rule of classes of relation closer then the less close, the siblings of the children after the children and the siblings of the uncles after the uncles in each case males and females inherit equal shares noting that the siblings of the full brothers and sisters ahead of those of half brothers and sisters. And preference given to half brothers and sisters from the father than those from the mother only (and it will be mentioned later that the children of brothers and sisters follow them in class of relation).

**(Part Seven: Seventh and Eighth Classes of Relation: What the Grandparents (Father’s Side) Inherit):**

71. The reason grandparents are favored over uncles (father’s side) is because they are closer in relation because between the grandfather and his children’s children two births. But between the uncles and his brothers’ siblings three births. as explained in the chapter on marriage. Also grandparents on the father’s side are closer than grandparents on mother’s side, the later are masked because the father’s tribe (family) masks that of the mother.

72. If there is no heirs going down (to children and grandchildren), we go up (to parents) then grandparents before going lateral to uncles and their descendants.

73. After the males and females from the father’s tribe (family) heirs are sought from the mother’s tribe (family/side).

74. From this reasoning above in the two laws above, the grandparents from father’s side are considered after his brothers and sisters and they are followed by mother’s side. The grandfather is favored over the grandmother.

**(Part Eight: Tenth and Eleventh Class: What the Uncles and Cousins Inherit and what his mother receives also):**

75. The reason the uncles and their children are favored over the children of the daughters and the children of the sisters is because they are from the tribe (family) of the father which is closer relation than the others mentioned.

76. One who does not have children or children from sons or brothers or brothers’ children is inherited by his uncles (father’s side) or their children after them.

77. His uncles or their children receive one third of the estate and his mother (if alive) receives two thirds. If none of those relations exist, the next classes of relation can inherit. Those from the same class of relation inherit equal shares.

**(Part Nine: Twelfth and Thirteenth Class. What the Children of the Daughter and Children of Brothers and Sisters Inherit):**

78. One who has no brothers or sisters alive and no uncles or cousins alive is inherited by the children of his daughters otherwise he is inherited by the children of his brothers and sisters.

**(Part 10: The Rest of the Classes):**

79. If the deceased does not have sisters’ children, his aunts (father’s side) inherit him. If no aunts, his aunts children inherit him, males and females alike (equal shares). Also in the first class of relations males and females get equal shares.

80. (Second Class relations and what follows): Women do not inherit with their children and the children of their sisters.

81. The inheritance does not include women after first class relation. The children of females do not inherit with children of male, also the children of sisters do not inherit with the children of brothers, also the children of aunts do not inherit with children of uncles (father’s side) same for aunts and uncles (mother’s side). If the off-spring of the father has no surviving males then the females inherit, same for the off-spring mother’s side.

82. As mentioned in the rulings, after the aunts and their descendants (father’s side), the mother’s tribe (family) side is considered as heirs. They are the deceased parents, his mother’s mother, his uncle (mother’s side). Between the deceased and his grandfather two births, his uncle (mother’s side) three births. After the uncle (mother’s side), uncles children males and females as in the inheritance of uncles (father’s side) and their children. After that the parents of grandparents. The those that follow them (in class of relation) as explained previously.

83. If one has no heirs, the state (country) treasury inherits him.

**(Part Eleven: Those Who Inherit the Bishops and the Monks):**

84. It should be known what belongs to the bishop and what belongs to the Church (Episcopate). His own possessions is under his control and he can will it to whom he chooses. And it should not be mixed with the Church

possessions, because he might have relatives whom he care for and also off-spring (It seems that the law of celibacy was not always the norm, some bishops married and had children from the flesh). It is only according to God’s justice that what belongs to the Church is preserved for the Church and what belongs to the bishop is preserved for him so he is not treated unjustly. Also it is advised for the bishops relatives not to boast about what is his or what belongs to the Church because boasting might bring bad remembrance of the departed (bishop).

85. Those who are related to him might face difficulty (if his possessions are denied them) and they might be driven to blasphemy (if they are treated unfairly).

86. Everything the bishop owned before he became bishop is his own wealth, he can will it or give it away. But everything he accumulates afterwards belongs to the Church (episcopate), he can not will it to anyone. But he can will inheritances he received from parents or brothers or uncles.

87. If he was consecrated bishop and was poor before the consecration, the wealth belongs to the Church (he can not will it). But if he had children the Church should continue supporting them after his death. Also if he has close relatives in need, the Church should care for them as well.

88. If one becomes a monk after he had children he can divide his wealth among them, but to keep one share for the monastery (he is associated with). But if he dies without a will, his children take their share according to inheritance rule, the rest goes to the monastery it is called ‘Filickidon!!!!’. If he had no off-spring, it depends: If he did not bring his money to the monastery, it is up to him in what he willed, but if he brought it in it belongs with the monastery except for what he mentioned in a will prior to entering the monastery.

**(Part Twelve: Concerning Slaves and Freed Slaves):**

89. A slave does not inherit without a will naming him, because the inheritance is for family.

90. No one inherits him except his master because his possessions are owned by his master. It is not valid for him to write a will or a bill of sales without the approval of his master.

91. If the slave after being set free marries a slave woman, his children from the slave woman can not inherit him, his possessions revert to the masters that set him free.

[That is ridiculous, but it shows how lucky we are to live today!]

92. Also the children of a free woman from a husband who is a slave can not inherit her, but she is inherited by those deserving from the free (following the relatives classes) and her husband gets what belongs to him.

93. It is possible for the slave to receive an inheritance from his master because he has rights given by the master but it can only be by written will.

94. Slaves are set immediately free if they are part of an estate that went to the treasury because the deceased did not have natural heirs. Any one that violates this rule will not be forgiven his sins!

95. A freed slave has the right to author a will, if he has natural heirs they inherit him, but if he does not his former master or masters or their descendants inherit him. If in his will he specify other than natural heirs, his master/masters have one third of the estate.

96. If one wrote a decree to free his slave at his death and included specification of possessions or money, the slave gains his freedom and specified items, otherwise the heirs of the master take it.

**(Part Thirteen: Who Can Not Inherit, What Can Not be Inherited):**

97. The following can not inherit without a will naming them: Anyone who does not have a relation with the deceased natural or through marriage, even if they have a relation by proxy or common law such as nursing women,

baby-sitters, eshpeens, step fathers, step mothers, relatives of the husband, relatives of the wife, step brothers, step sisters, parents of the step siblings, brother’s wife, sister’s husband, and spouses of the off-spring.

98. (First Group) Does not inherit the believer, even if there is a will, those who depart the faith. If a will mentioned him when he was in the faith and he was found outside the faith, he does not inherit but if he returns to the true faith (with clear evidence) he becomes deserving of his share, but if his return was after the estate was divided he loses his share. If the departed was a priest, only the believers from his natural heirs can inherit him. But if none of his natural heirs is a believer, his estate goes to the Church where he served as priest. Also, if the person was not a priest, and none of his natural heirs was a believer his estate goes to the treasury of the state. If the heir engages in action to endanger the life of the deceased, or conspires to kill him, or hands him to his killer(s), he loses his inheritance right.

99. (Second Group) Does not inherit without a will the off-spring of illegal marriage, relatives born from illegal marriages, and slave and freed slaves as explained before. Also disobedient children and children who defy their parents by choosing trades that are not proper such as slave trade, prostitution, or those who defy by marrying illegally such as those who marry their step mothers, daughters, sisters, mothers and those who cause parents harm or loss of wealth also not to inherit without a will a woman who marries before the legal period following the departed spouse is complete (one year as explained under marriage). Any one who tries to deceive by hiding a will shall not inherit either.

100. The disobedient who beat or curse his parents or accuse them of crime (falsely) does not inherit. Also, those who do not care for their parents in their old age or sickness does not inherit. Also, those especially male off-spring who do not support parents in difficulty such as imprisonment, tribulation, or (necessary) cosignature do not inherit. Also, one who forces his parents not to author a will or forces his way in what is written without the approval of the parents and/or authority does not inherit.

101. Likewise a daughter or sister or wife who lives the life of prostitutes Also a female off-spring who chooses this way because her father gave her dowry and furnishings according to his financial situation which was not satisfactory to her and she choose the life of ill repute as a result. Also does not inherit off-spring who neglected their parent care which mad other relatives who are not heirs to care for them. If the person regains his health after sickness, he can choose to author a will excluding those who did not care for them because they abused the privilege. But it is up to the parent to forgive them and warn them and include them again in his will. But if they continued to neglect him and he was cared for by the stranger in the stranger home to the time of his death, the stranger can be included as one of the heir deserving inheritance!

102. If a parent is taken as a prisoner of war and his off-spring neglected to work for his release, and if he is released he can choose to give them inheritance or not. If he dies in his imprisonment and it is proven that his heirs did not work for his release they lose their inheritance. If all the legal heirs are guilty of such behavior, his estate goes to the Church. The Church has to use such funds to help those who are in similar situation to be an example for all. No one who neglected in such situation is to inherit even if they are mentioned in an authored will before the imprisonment. This is also applied to a stranger 18 years or older who was mentioned in a will and neglected to work towards freeing the one who included him in his will. All expense related to freeing an imprisoned should be documented and he is required to pay back because these are the rules of proper conduct.

103. If the heir gives the benefactor a medicine (drug) that spoils the mind or did not support him when he needed his help and was imprisoned as a result, the heir does not inherit. but if the heir was not able to lend support because he was dumb, deaf, or blind, he is not obligated and does not lose his inheritance.

104. Everything that obligates the off-spring to their parent, obligates the parents to their off-spring exactly the same.

105. In general, the rules are common for every heir with every benefactor if there is proven reason for preventing the inheritance after a will is authored, it is prevented for a relative or a stranger alike.

106. (Inheritance can also be prevented ,) if one was given less than what is his legal share of inheritance (right of refusal?)

107. Fornicators are also prevented from inheritance as mentioned in the book of the rules of the king.

108. This is also applicable to situation where doubt exists (meaning a proof is required when in doubt). For example if two are traveling and one dies due to drowning or fire or building destruction (in suspicious circumstances) it is advised to investigate before executing a will or distributing inheritance. In general if it is not clear who survived and who did not they can not inherit each other until it is made clear what the circumstances, but either one can inherit others that are not involved in the incident being investigated.

109. (Last Part) What stops action is a complaint concerning a prisoner of war or (long) travel. In general if news about a person whereabouts stops for a longtime, the ruler can make a determination about the missing if there is proof that he is dead or absent long enough to be considered dead.

110. If the absent person has a relative who died, they are required to act with care concerning the share of the absent person. For example if the absent has an off-spring, he is not masked by the off-spring until a determination is made that he is dead or absent long enough to be considered dead. His share should be saved until the determination with proof for or against is made.

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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## Chapter 44

### Concerning Rulers (Judges), their Demands, and Witnesses (Thirteen Parts Covering the Commandments and Common Laws Main and in Details)

(Preliminary Translation)

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D.(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

[Note: This chapter is really about Judges and Civil Court Systems. Arabic is very fluid, the word used is ‘hokkaam’ literally translated rulers. The word for judge is ‘koddah’ we can not take liberty with language, but point out intent. Remember again, that this was written 700 years ago! As was explained before, the Moslem rulers deferred to Coptic clergy and the elders of the Copts in the civil affairs of the Copts ]

1. The ruler is the head of the priesthood, the Patriarch or the bishop each in his chair (episcopate) or the one he appoints on his behalf to rule from the priests who are deserving the position.
2. Appointing a ruler is required according to the commandments and laws of nature. The First, because the Lord commanded in the fifth book of the Torah: “Appoint rulers in all your cities which the Lord pushes into your hands, to judge among people with fairness. Do not favor those whom you like! and do not be blinded by bribes, because bribery blinds the eyes of the learned and falsifies what is just” and Second, because any civil meeting must have a ruler to decide between the competing parties and separate between strong and weak, ignorant and learned concerning justice. what will follow about the recommendations of rulers shows why they need to be installed.
3. The conditions for selecting him are listed under the rules concerning qualifications of priests and head-priests (bishops).
4. Here we mention the conditions which are required to appoint a ruler, by which he is appointed and his rulings become binding, which are thirteen
5. First, he has to be a man which includes gender and maturity. Maturity (Legal age) is because without it the mind is not completely developed, and because he rules between young and old, rich and poor he has to be mature to rule for them and against them. The male gender is because the man is the head of the woman as the Apostle said. The rule is for the head over the rest of the body. And because the man is more rational so he is favored to rule. Also, the laws stated that women should no teach (in the Church) and should not attain the ranks of priesthood, and the ruler must be a priest.
6. Second, The mind in its two meanings: First, natural (innate) Second, learned knowledge. It is not sufficient to be just of normal abilities, but to have the mental abilities and intelligence that is required to discern and distinguish the things that need to be discerned and distinguished, because he has to rule among the wise and the evil so he should not be less in intelligence than either.
7. Third, he has to be an Orthodox believer who attained the rank of priesthood.

8. Fourth, he has to have the justice expected of judges and witnesses. First he has to be honest and wise, distance himself away from doubtful situations. Free from bad repute and respected in his content. Wise in his anger and has the fear of God in him. Reverend in his religious and civil affairs. The reason for reverence is because he rules between men and women, wise and foolish, and rules concerning the orphans and those under custody. His distancing himself from doubtful situations, piety and wisdom so no one take lightly his rulings, and because he has to deal with situations that can provoke anger, the rest of it in the part on witnesses.

9. Five, he has to be free, because one who can not act for himself can not act for others.

10. Six, he has to be of full ability to see and hear to be able to distinguish between the accused and accuser.

11. Seven, fully capable to speak and knowledgeable of the common language of the region in which he rules to be able to speak with them freely.

12. Eight, Free of diseases that prevent being in the presence of other (contagious diseases) such as leprosy because he needs to get close to witnesses and other to discuss matters related to ruling.

13. Nine, Knowledgeable of common/civil laws, the basis of laws, and the different branches of law, and the four bases of laws which are:

The First, knowledge of the holy books and its interpretations which are accepted because of agreement on its correct meaning and its interpretations.

The Second, Knowledge of what acceptable books contain which includes the teachings of the Apostles, their sayings, the sayings of the holy councils of the Church, the sayings of the Fathers, and Saints and has to be acting according to these sayings (in his own life) to be able to apply them in his rulings.

The Third, Knowledge of what laws are agreed to by the Fathers and what is not agreed to, and he has to steer away in his rulings from what they did not agree to.

The Fourth, Knowledge of the main topics and the subsidiary issues to be able to rule in situations that are of partial nature (significance) as well. If he mastered all four bases of laws, he became one of the learned rulers who through efforts of learning and copying (learning by example) became worthy to be a ruler and judge, and give opinions.

14. Ten, This knowledge that gives him the ability to rule, is confirmed by recommendation or test by those whose abilities are trusted (his leaders, the bishop in the case of a priest, .. etc.).

15. Eleven, A book of decree has to be made public that gives him the authority to rule. This decree has to be published and be made known publicly.

16. Twelve, he has to accept the decree verbally (saying I do) or by acting in the capacity of the ruler.

17. Thirteen, There is no objection to him by a majority of those in the region in which he is to rule.

**(Part Two: His Rank):**

18. If his rule is “absolute” general, he can rule in seven areas:

First, to settle disputes and disagreement either through mutually acceptable or forced rulings.

19. Second, Giving rights to those who deserve those rights with proof and documented ruling.

20. Third, to restrict those who are under restriction because of age, mental capacity, or judgment to protect public and private wealth from unlawful use.

21. Fourth, Looking into (public and private) trusts to preserve them by maintaining proper documents and assuring proper custody in honest hands, and to look after the rights of orphans and those under custody.
22. Fifth, to execute wills according to the wishes of the benefactors within the limits of the law and if there was an executor, he is made to execute the will otherwise one is appointed.
23. Sixth, appointing others to rule with him if the responsibilities exceed his ability, given that he has authority and/or obtained the authority to appoint such person(s).
24. Seventh, Examining witnesses assistants, and clerks to appoint the ones who are qualified and to remove the ones that are not and to continue to review persons he is charged with to keep if they continue to perform honestly and satisfactorily and to remove the ones that are showing signs of dishonesty or unsatisfactory performance.
25. But if there rule is limited to certain task or tasks, he can only rule within the limitations of his appointment. Examples are: one who is appointed to rule concerning marital relations, or one appointed to rule part of a region but not another, or person appointed to rule among certain group of people because of his knowledge of their language and customs without being given authority over others.

**(Part Three: His Judgment/Recommendation):**

26. The Lord said in the Gospel: “Judge not by appearance, but judge righteous judgment” (John 7:24)
27. He must be fair and rule according to the will of God.
28. And it is written in the psalms: “.. he shall judge thy people with righteousness and thy poor with judgment.” (Psalm 72:2).
29. Also the Lord said: “do not take by the faces (appearance) of the rich in judgment and do not be lenient with the poor “ because justice does not equate with mercy. And learn the proper punishment for the different crimes so you judge according to the magnitude of the crime. Do not unfairly deal with the judged otherwise you will be calling upon yourselves the anger of the Lord on Whose behalf you are passing judgment. Beware, do not be like the two bad elder priests who judged Sossanna (daughter of Halkiah) falsely and passed on her a death sentence unjustly, lest you become deserving of the judgment which Daniel (the prophet) passed on those bad elders, they were exposed in front of the congregation and received the punishment they were going to deal to her. The Lord knows what your judgments are and nothing can be hidden from Him, and if you judge fairly, He will deal fairly with you her and in the age of ages, otherwise you will receive his punishment here and in the hereafter. Do not accept gifts from those you rule on because the gift can turn into a bribe. For that reason accept no gift from anyone whom you rule over. Only accept gifts from those whom you have no authority over like (your) siblings and parents.
30. He has to advise those who follow him in the position to do likewise. Also to advise the assistants and helpers also to fear God and seek justice for all and to be kind with adversaries, and do not engage in business or commerce or partnerships in the region in which you rule. And if he wants to interact socially with one side of a dispute, not to do so until after the case is settled and judgment is passed.

**(Part Four: Requirements for Ruling/Judging):**

31. He has to show his appointment decree and have it heard (announced) in the region of his rule. Afterwards he has to examine the cases of those in detention to free those who are supposed to be freed and continue the detention of the others.
32. If one claims that he was unjustly treated is to be tried again if his accusers are available they had to be called in and if they appear the trial proceeds, if they refuse to appear the person should be freed after boasting a bond. If one is detained for debt, he can free him after posting a bond which is kept until he pays what he owes.

33. He has to instruct his servants (assistants) not to favor one person over another or one grouped over another and not to favor a late arrival on early comer.
34. He has to be with dignity and without boasting (not buffeted). And not to rule when he is in a mode that can influence his judgment like being angry, afraid, exceedingly troubled, euphoric (excess happiness), very Hungary, very thirsty, very sick, very sleepy, very tired, drunk, or tired from ruling for a longtime (many cases one after another).
35. He should not take many absences except for what is reasonable and necessary.
36. When the adversaries arrive, he should take them first come, first serve, and not to bring a late comer ahead of the others. Also an early comer can be made wait if he is involved in more than one ruling.
37. But if there are ones with special circumstance like illness or necessary travel, they can be brought ahead (given priority).
38. He has to give equal treatment to adversaries in coming, going, talking to him, judging, and ruling. He should not socialize with one of the adversaries (during the trial) even if that person was a highly regarded member of the community. So, no noble person would expect a better judgment because of his position and no one else expect poor judgment (under the law) because of weak social standing.
39. He should not delay issuing judgment if the adversaries are quarreling unless there is a (very) strong reason to delay the verdict.
40. He should not rule in matters concerning (relatives) his parents, grandparents, children, wife, brothers, their children (nephews), wives of siblings (in-laws). He can however rule in situations concerning relative against relative. But in any case, if one of the adversaries objects to his rule, he should resign (the case) and appoint one of the assistants (another) to rule in his place.
41. He can rule for his enemy and against him, but he can not testify against him. Because the reasons for ruling are visible (known) but the reasons for testimony can be hidden (unknown).
42. If he ruled in a situation a certain way, and a similar situation arises he does not have to rule the same way because he has to rule based on his new effort for the new situation even if the ruling does not agree with the previous one.
43. He does not contradict his old rulings or the rulings of others unless the previous rulings clearly violated canonical laws directly or by interpretation. Also if it violates laws agreed to by majority of rulers or laws that are measurably being violated because it is better to return to proper judgment than to continue in false rule.
44. He has to rule based on testimony established as valid in the ruling council after its implications are understood by him and by the witness by fact or by oath and he should not rule on things not clearly known to him.

**(Part Five: On Oath):**

45. Paul the Apostle said in Hebrews (4) that people swear by what is greater than they are, so every dispute among people can be resolved completely by faith for this reason God desired for the heirs of the promise to realize that his promise is true and just so he sealed it by faith and when there existed nothing greater than He is, He swore by Himself (Hebrews 6:13) saying that I will bless you and multiply you. So, when the Lord says in the Gospel of perfection not to swear, He did not mean in a trial but it was meant not to swear in normal conversation because he concluded let your conversation yea yea or nay nay. he also said any addition on that, and addition means things that there is no need for.

46. To settle disputes by oath sometimes is needed by necessity, but it is desirable if people do not have to swear by who is greater (God) and it is advised if possible to avoid swearing by sacrificing possessions (material things) in place of the oath to glorify God (by not swearing) and hope for what He has for us.

47. Saint John Crysostom said in interpreting the verse do not swear that what is the oath other than showing each other our fear of God. Because one who acts according to the teachings of Christianity do not need to swear because he is respected by people and assisted by God.

48. Do not swear by the name of Lord for useless things especially if you are swearing falsely, because we are commanded that swearing is a violation of the commandments of the Church. But if it is necessary, we swear because of the lacking faith and as we do it we do it without fear otherwise our faith is out of fear (and not through faithfulness).

49. A clergy who swear by the name of the Lord falsely is to be casted out for three years.

50. If two men (people) have a dealing or a shared business (corporation) or a promise and have a written agreement assured by their common faith they should not violate such agreement. If one does retract from what is agreed and written (documented) he is punished by the ruler for swearing falsely and is obligated to the other to do what is written.

51. If one is commanded by the ruler to swear and he puts his hands on the holy bible and swears and was proven to swear falsely is to be punished.

**(Part):**

52. Beware the commandments of God intends for open judicial matters to be done in justice and hidden matters to be handles with virtue. In the old testament punishment was ordained for false oath. But speaking about oath in the new testament requires (better) thinking because we should not swear any because of the saying of the Lord in the Gospel: “Again you have heard that it hath been said by them of old time. Thou shalt not for swear thyself but shalt perform thy oath unto the Lord. But I say unto you, Swear not at all. ...” (Matthew 5:33-37). If we swear we do it intentionally or without intention. If we do it intentionally there has to be reason. But if we swear unintentionally because we are used to it in common conversation because of bad habit or lacking attention without meaning to do so it is still considered a sin and we ought to repent from it regardless of the nature of the oath, true or false.

53. The first could be related to past times or future. Like saying: “I swear by God that I did or not do this or that, or I owe or not owe you this or that”. Future oath is like saying: “By God I will do or not do this or that.”

**54. Oaths related to past things are three parts:**

(First) With honest knowledge and according to the conscious and this can be avoided if agreement is sought. If it can not be avoided it is the fault of the one who seeks the oath if he new that he was seeking unfairly. The conscious is expected to move the seeker to ask God’s forgiveness and conciliation if he was mistaken. But if he was not he owes nothing more than what the conscious blames him for.

(Second) With knowing that it is false and is against the conscious. This is to be stopped because of the saying of the Lord in the Torah (ten commandments): swear not by the name of the Lord falsely. If it is by the moving by the devil it should be retracted and one has to return to the truth through repentance.

(Third) If swearing is while in doubt, it can be avoided by seeking agreement with willingness to endure more than in the other situations mentioned but if one is to swear it is the fault of the one seeking the oath if he new or had doubt about his unfair demands.

55. Swearing (giving oath) is related to future actions one has to keep his word although it is not always guaranteed! If the oath includes promise of evil it should not be followed through and one has to repent otherwise he adds to his old sins (the oath) new ones (the bad deeds).

56. Beware that swearing by the name of God is the same if one swears by ‘Allah’ (God) or the name of Christ because it is one and the same since Christ is God Incarnate, if they desire they add other descriptions of the Lord from the holy books for instilling fear like saying: “By God the Al-Mighty, the Strong, The Capable, The Knowing of Secrets, the One who Rewards everyone according to his deeds, and then they add things pertaining to God like His Gospel, His Cross, His Altar, His Saints.” It is not proper to ask an oath from those who are demented or not of legal age.

**(Part Six: The Ruling Council, Who attend and Who does not):**

57. Let in attendance with the bishops the priests and deacons in the ruling councils. Rule without favoritism but with justice as people of God knowing that Christ the Son of God is present with you in the place of ruling looking at your rulings and listening to what you are saying. The law states that we ought not congregate with doers of evil, ought not speak evil, and ought not sit in a council that rules against the truth.

**(Part):**

58. You ought to take for ruling a known (not secret) council, kind and does not seek harm, not in a extreme cold or extreme hot places, not offending smell and not in the altar room because the altar is for the priest only to enter and is not a place for hatred or enmity. It is desirable that the council is attended by learned people and witnesses so if a problem arises (the ruler) can ask advise/witness until all issues are clear and understood.

**(Part Seven: Times of Ruling and How it is done):**

59. It is not permitted to have a ruling council on Sundays. Also not permitted to have a ruler or enemy or tax collector for the purpose of instilling fear.

60. Let your ruling councils be held from Monday to Saturday to rule and resolve disputes by Saturday. So when the holy Sunday (considered every Sunday holy day) comes you have already resolved the disputes between the parties. When the disputing parties arrive let them both stand in the middle of the council as the commandments said. And after you have heard their claims rule between them with justice. Do not rule based on the claims of one side before the others arrives and only when both sides are present rule between them with justice. The Lord said: “seek justice and rule by it!” When you sit to rule and the disputing parties are in front of you do not call them brothers until after their dispute is settled and you have sought and found the truth. And as we said before it not legal to rule unless both sides are present in front of you because if you rule based on the word (claims) of one side you caused a hurried judgment and the other side was not present to speak for himself, by doing so you become deserving of the judgment which you passed and is sharing with the liar in his reward in front of God the Pantokrator.

61. It is not permissible for a man to make his slave represent him in settling a dispute through a ruling council because free and slave are not equal.

**Part:**

62. Beware that the proof is required from the accuser and the oath from the accused. So if they agreed to take by the oath of the accused it is binding and the one who denied is required of what he is accused of.

63. The accuser is the claimant and the accused is the one who owes what is claimed.

64. A claim is not valid unless the claimant is permitted to act freely concerning what he is claiming and the accused can do likewise with what is claimed against him.

65. When the two feuding parties appear in front of the ruler, the ruler has the authority to ask them to speak and he has to remain silent until they finish their speech. If one claims or both make claims, the claim is for the first. And when he finishes the other can make his claim. But if one interrupts the speech of the other or showed contempt or impolite remarks he is reminded by the ruler twice then if he continues he is prevented (by the ruler)

66. If one makes claims that are not understood he is asked to document his claims and the ruler is not required to rule unless the claim contains things understood by quality (description) and quantity (amount) and stated in non-contradicting language. For example by saying he is owed 50 Egyptian Dinaries, its being Egyptian Dinaries is the description (quality) and its being 50 is the quantity (amount).

67. If one makes a proven understood claim, the ruler asks the other party what you have to say (in your defense) and if he agrees with the accusation, it is ruled for the claimant against his foe. But if the accused denies the accusation, the ruler asks the accuser to produce proof. If the accuser is not able to produce a proof it is the word of the accused and his oath if the accuser asks for his oath. If he refuses to swear, it is then expected that the accuser to swear to his accusation and if he swore he is owed otherwise the claim is dismissed. But after the dismissal if any of the parties want to swear it is only if the other side approves of the oath that the case is reopened or if he case is presented to another council with that party still willing to give oath. If one has a proof he can bring the proof in and his foe is not required in this case to give oath. (because of the proof). If the accuser declares that he has a proof but he does not have enough witnesses, he has to produce strong proof. If the accused is seeking fairness he can ask that the witnesses be questioned separately as Daniel (the prophet) did with the two elders in the case of Sossana. If the witnesses agree, the ruler should remind them to be truthful and honest and remind them of the punishment for false witness. Also that it is better for the mind to return to the truth than to continue with falsehood because turning away from false witness is repenting and insisting on it is adding sin to sin. If they continue with their story, the ruler shall remind the accuser of the witness against him by so and so and so and so. The accused can contest the accusation still in which case he has to discredit the witnesses with proof. If his proof discredits the witness one after the other, the witness proofs are dropped otherwise he stays accused as first sought. There is a special part on witnesses.

68. If the accused chooses to remain silent, the ruler reminds him of the accusation and witnesses against him and requests an answer from him reminding him that he is bound by the oath or the articles of accusation. If the accused responds by saying I have proof but give me a few days to produce my proof, he is to be given the opportunity to find it while being under the watching eye of the law. If he does not produce what he promised he remains accused according to the accusation or oath of (witnesses).

69. If the oath (statement) conflicts between the two feuding parties, the ruler takes by what is more plausible. If none was a plausible claim, ruling with or without is equally likely and the ruler takes by the word of the one who has the stronger proof of his claim.

70. If one brings an accusation against a woman who is not familiar with ruling councils, conducting business, or engaging in contracts; she does not have to appear, instead she can choose one to represent her. If her oath is required one can be asked to take her oath and bring word.

71. The ruler can write a detailed report of the trial to another ruler and on the hands of two witnesses he can send his report to the other ruler. The other ruler based on the report can review the validity of the ruling and sign to that effect if he accepts the statement of the witnesses.

**(Part Eight: On Rulings):**

72. These were included in the specific chapters like trusts, slavery and freedom, deposits, selling and trade, rentals, inheritances, wills, ..etc.

**(Part Nine: Reconciliation):**

73. Reconciliation is a commandment of the Lord according to the Gospel. Go ye and be reconciled with your brother and then come forward to present your offerings. And his saying: “Blessed are the peace makers because they are called sons of God” The Apostles said: “It is not lawful for a servant of Christ to quarrel.”

74. “With all lowliness and meekness with long-suffering , forbearing one another in love” (Eph 4:2) and also the saying: “Do not let the sun set on your anger, and do not give the evil one a place lest he tempts you”

75. Take care to reconcile those among you who are feuding before the bishop has to rule between them. Trial is not desired for anything whatsoever from this world. So if one is afflicted through the devils temptation by such, he is advised to hurry up and settle it even if he loses some. It is better for you to lose some and achieve reconciliation not only with your brothers but also the whole wide world because if you lose some of the things of this world you will not lose what is of God if you were an honest servant who lives according to the commandments of Christ. The feuding ones made peace through reconciliation all those who were old enemies reconciled to become in agreement because the Lord said: “blessed are the peace makers because they are called sons of God.”

76. Those who make enmity, war, resistance, or trials are ungodly estranged from God because God is the God of Mercy.

77. You tired your bodies in the past by feuding and quarreling and although you thought you did not think that you harmed or deprived each other you did and sinned. Do you not know that sinners do not inherit the kingdom of God.

78. Beware that reconciliation about a certain matter is done by compensation, giving to satisfy an oath and breaking an enmity. The trial is obedience to God and keeping faith with people and is three different kinds: Reconciliation with admission, reconciliation with denial, or conciliation with silence without admission or denial (no contest).

79. If the reconciliation for money with money is treated like a sales contract. If it is for money with other benefits it is treated as a rental contract, both are legal as long as usury (excessive interest charges) is not involved. Examples of not acceptable usury is if one says I reconcile if you give me 30 measures in the future for the 20 you give me now, or if they say you give new wheat (grain) in the future for the old wheat you owe me now. This kind of reconciliation is not proper and is voided by its unfair conditions. Also reconciliation based on a type of future payment that is not possible in the future is also voided because of the unattainable conditions.

**Part Ten: Admonishing the believers not to seek rulers who are un-believers, Advising that rulers be priests or arch-priests, Not to be one own ruler, and not to refuse appearing when called to see the ruler:**

80. The Apostle Paul said in Corinth 6: “Dare any of you having a matter against another go to law before the unjust and not before the saints.” (I Corinth 6:1). Don’t you know that the saints will judge the world. So, if the world is judged by you why do you not rule concerning the smaller matters. Don’t you know that we will judge the angels. so it is more appropriate that we judge the things pertaining to this world. But if two of you have a dispute ask the least in your congregation to sit in the Church and rule among you. I say that to shame you. Is it such that no one among you wise enough to judge so that there is enmity between brothers or they take their disputes to the un-believers?

81. It is not proper for the Nazarene (Christian) to go to the judges of the gentiles, also it is not proper to use laymen as your rulers. because the devil prepares traps for one Christian against the other. and he makes them commit shameful things that so it appears as if none of them is wise enough to find out what are the rights of each one, because if we do we can save each from his foe and remove the doubt from both. Do not let the gentiles know what goes on between you.

82. All the judgments which the priests should rule are not to be handled by the leaders of the laymen (‘Arakhinah’) but by the priests but if the priests are not able let it be ruled on by the bishops or the first in the priests (Hegomens). It is not the ‘Arakhinah’ to rule but the priests. (See Matt 18:15-17).

83. If there is a dispute between two people, and one of them choose not to use the government channels (took the law to his own hands) and grabbed what he could from his foe, let such be known to the government and let the government punish him because he did not follow the law and let the government take away what he grabbed to teach him to obey the law.

84. If one takes an item by force from another without government legal intervention, the item is taken away if it was his own property. If it was another's it is taken away and he pays its value on top.

85. If one called to appear in front of the ruler refuses to appear, a witness to the facts is found and he is punished or kept under arrest until he is brought to trial in front of a ruling council.

**Part Eleven: Conditions for Continuation as Ruler:**

86. This requires continuing to satisfy the conditions for the appointment, conditions for his rank, conditions for satisfying the appointment decree, the recommendations based on which he was appointed, and conditions for ruling as explained previously.

87. Notice that the conditions that prevent appointment are different than those that prevent continuation. For appointment completeness of every condition is required. For continuation completeness is not always sought. For example concerning mental health, to start one has to be in complete mental health, but for continuation one might be going through minor mental problems but given continuation on the hope that the condition will disappear. Also it is hoped that he recognizes his problem and avoid it having an effect on his rules otherwise it is grounds for removal.

**Part Twelve: Concerning Moving:**

88. It is not up to him to remove himself. It is up to the one who appointed him and even then for an obvious reason.

89. If he resigns or is removed the action must be known public as in appointing a ruler, in this case so no one will come to him for ruling.

90. If he passes a ruling after being removed the ruling remains valid if it was passed before he was informed of his removal and is not valid if he already knew that he was removed and continued to rule.

91. He can not remove his assistants because he was removed. Their situation should be reviewed by his successor and their removal shall be for obvious (good) reasons.

92. If he states after his removal that he ruled a certain way in a certain matter, it is not accepted unless there is a witness to the stated rulings if one of the disputing parties disagree with the statement or his removal was not followed by attaining a higher rank; e.g. a small priest becomes arch-priest or a bishop becomes a patriarch (The elevation is considered indication of high standing and trustworthiness).

**Part Thirteen: On Witnesses- Eleven Sections:**

93. First, The necessity of having them and is indicated by learning and logic. Learning because the Lord said: “On the mouth of two or three witness a word is established.” And the saying of Paul the Apostle in Titus 5, “Do not accept a word against a priest except by the witness of two or three men.” Also in the laws: “Bishop do not judge any one without witnesses.” Also what was mentioned about the characteristics of witnesses, their qualifications which is an indication that it is necessary to have them because characteristics of existing things can not be unless they exist.

94. The logical reasons for having them (witnesses) are because some people are fair (just) and “many” others are unfair, it is necessary that fair people have to appear in front of the rulers so they can rely on their statements in trials

to support truth and disprove untruth. And because the mind (logic) necessitates having witnesses and the civil council (court) needs them having witnesses became a necessity for those who follow the Godly commandment (law) and others as well, because through witnesses truth is made evident and there is much less need for reliance on faith (in unknown or unproved) and this is sufficient (reason for having them).

95. Second, Conditions for Worthiness- St. John Chrysostom said in his commentary on the Gospel of St. Matthew: "The word justice although is used to describe certain virtues like honesty it is more often used to describe those who are complete in this virtue (meaning honesty). Also as St. Luke said (speaking about Zakariah and Elizabeth) they were both just (and devout) in the eyes of God. And he continued describing them saying and they both obeyed (followed) all the commandments of the Lord and were without blemish."

96. The Apostle said: "Let the witnesses be just, not provoked to anger, righteous, loving, kind, not evil doers, not greedy, but good believers. Accept the witness of such because of their good example. honest speech, and good deeds. But those who behave opposite to these virtues are not to be accepted as witnesses even if they agree in their statement (avoiding pre meditated false witness).

97. Let witnesses be those who are trustworthy, not vile, and not a complete unknown. What is required of them is reputation, honesty, and good behavior.

98. Learn that justice for the wise is by those who completed their souls with virtuous science (knowledge), good deeds, and controlled his anger and desires and used them for spiritual benefits. Because the one leads the other to quiet the desires of the flesh.

99. Learn that what is required of witnesses is honesty. And since this can not be achieved except through knowledge, following virtue, and avoiding vices; it is then necessary to complete these things to achieve honesty.

100. Third, What Disqualifies (witnesses)- Non-believers can not be witnesses.

101. Those who are under 20 years of age, under custody, dumb, deaf, crazed, negligent, poor, slave, convicted felon, or those who are led by others like the servants (aides) to those in authority.  
(Original footnote: the admonition not to have poor for witnesses is the fear that a poor person might be tempted to accept bribe to give false witness)

102. Also included here anything that makes a person not worthy to be a witness.

103. Example of what makes one not worthy is if one is known to: have a kept woman, get drunk, addictions small or large, idle talk, gamble, play dominoes or chess on the street (doing things not in the proper place), eats in the market place (doing things not in the proper place), and those known to dress improperly like one who wears cloth of the opposite sex or dress like clergy when he is not or dress like a soldiers when he is not one.

104. Fourth- Concerning number of witnesses- Their number should be two or three at least. Because of the Lord's saying: "On the mouth of two or three witness is established." This was mentioned both in the old and new testaments. If one wants to be more careful he has to increase the number (of witnesses).

105. Do not accept the witness of one but we say three and they all have to be commended for good deeds from the beginning.

106. They do not approve of lies.

107. Let the number of those who witness a debt agreement be five.

108. Let those who witness a will be seven or five.

[It is universally accepted that two is sufficient, but more witnesses gives more credibility to what is stated]

109. Fifth, Concerning Time Allowed to Bring Proof and Have Witnesses Ready- If they walk they are given a number of days corresponding to the distance they travel based on accepted norms. One day allowed for confession, arrival day is exempted, and one who needs witnesses has to provide their necessary expenses.

110. sixth, Those whose witness is not accepted for or against- It is not proper for one to be his own witness by his word according to the Lord Jesus Christ: “If I testify for myself, my testimony is not true.” and his saying about people: “You justify yourselves but the Father knows your inner thoughts.”

111. It is not proper for one to testify for things belonging (close) to him. e.g. to testify for his children or grandchildren or their descendants, he should not testify for parents or grandparents or those above. He also should not testify for wife or brother or slave or trustee or business partner unless the other party in the dispute approves of his being allowed to testify. Also it becomes permissible if the disputing parties are equal in relation to him. [The Fifth Amendment of the American Constitution is against self incrimination which is similar to this rule]

112. He can not testify for an inheritance if he is one of the heirs or one in the will. A slave can not testify in favor of his master or master’s off-spring.

113. It is not proper for one to testify for or against his foes unless they seek such witness for or against.

114. If one becomes a mediator in a dispute/claim he can not testify for or against. Also if one testifies against an accused, the accused is not permitted to testify against the witness. And if one had a complaint and reconciliation concerning a certain matter, he can not testify for or against that matter. If one’s witness for a matter is not valid his witness against is acceptable and vice. versa.

115. The testimony of a heretic is not accepted against a bishop. And the testimony of one bishop is not accepted against him (two or more witnesses required).

116. One who witnessed a will can be prevented from testifying and is not required by the commandments to testify (in matters concerning contesting it).

117. Learn that testimony is a duty of the witness to the one who seeks it. He has to do it as soon as it is requested. And if one is doing it to receive compensation no one is required to pay him for testifying.

118. Seventh, What Is Not Proven of Testimonies- Witness by a passer by is not acceptable. Like if one says I was passing by and heard so and so saying this or that.. This testimony is of no value whatsoever because it is not certain so it is not acceptable at all.

119. Witness can not be taken by force. It is necessary that the witnesses know what they are testifying for and they can limit what they are testifying for according to the truth of the matter.

120. Eighth,- Not To Give False Witness- To falsify testimony is a criminal act. The Lord said: “Do not give false witness.” If one testifies against another to cause him to loose rank or position falsely is to receive the punishment that he cause the falsely accused to receive.

121. Ninth- Reason to be Relieved of Witness- These are the reasons for being not worthy and reasons for prevention. One who received money (bribe) to testify or not testify is prevented from giving witness. It is necessary that one who testifies or not testify be clean of any doubtful acts.

122. Tenth- Witness for (in support of) Witness- It is not legal to give witness in support of a witness unless if the main witness asks the secondary one to testify in support of his testimony. This has to be conducted by approval and in front of the ruler (judge).

123. It is proper to have witness for witness if the primary witness is sick, imprisoned, on travel, or has died. There are situations that can prevent the secondary witness like enmity with the accused in which case it is possible to make it improper especially if there is enough witnesses already.

124. Thirteenth- Rulings Concerning What Is Witnessed, they are eight:

First, Witness against crime- Do not believe every testimony you hear because there are some people who lie against their brothers (fellow people) out of jealousy or out of evil thoughts like the two elder priests who testified falsely against Sossana of Babylon. Bishops have long spirit (patience) in these matters as a man of God and do not be easy in accepting witness from those lest you destroy the non guilty and kill the righteous.

125. Second, Necessity of their Attendance to Give Witness, Those who witness the payment of a debt, should attend and testify that they were present when the money was paid and there was a written report to that effect and for that matter they were invited. In criminal proceeding the witnesses have to be present and it is not sufficient to send their testimony because it is important to see the accused face to face to testify against him.

126. Third, In Disagreement, If some witnesses give conflicting testimonies or falsified their testimony, it is up to the ruler to accept the testimony of the most trustworthy. He also can punish the accused more severely if it is proven that their bad deeds were premeditated. But if the witnesses seem to be of similar conditions (intentions) but inconsistent stories he has to accept those testimonies which are similar. Also he can ignore the testimony of the ones who harbor enmity to the accused especially if it is known to him. Also it is not important the number of witnesses but the quality of the testimony in terms of correctness and honesty. And it is important to examine the witness to make sure that he is reputable and not of evil intentions.

127. Fourth, Who Is Nominated and Who Nominates, Unknown witnesses should be examined if they are called because of need. And if it was determined that they can give witness they have to be examined before they are allowed to testify.

128. Do not recommend those who are not to be recommended, because it is written: woe to those who approve of the evil doers for a bribe and take away the rights of the weak and keep it from those who deserve it.

129. Fifth, If one brings witnesses to testify against another can not prevent them from testifying against himself unless if he has proof between the time he accepted them as good witnesses and the time he refuses to accept them enmity between him and the witnesses for reasons accepted by the commandments has occurred which disqualifies (impeaches) them.

130. Sixth, If the testimony of witnesses brought by one was found false three times, he is not allowed to bring others because he might be able to fabricate a testimony the fourth time (he was allowed several times to prove his case and could not).

131. Seventh, If one brings an accusation against another, he is allowed to prove what is his and not to prove what is not the other side's. However, the thing must stay with the one who has control over it. And one is not required to bring witnesses to prove that the things that are his are not.

132. Eighth, Recanted a Testimony, If the witnesses recant their testimony in front of the ruler before ruling, the verdict is voided. But if the retraction is after the ruling it can not be voided. They are responsible for the damage they caused. If one of two witnesses recants, he owes half of the judgment. But if one of three or more recants he does not owe because his recanting does not change the matter any. But if two or more recant until one is only left, they owe half of the judgment because that is the amount of damage they caused. .

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same canon (law)).

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## Chapter 45

### Concerning Kings (Applies Also to Other Forms of Governing) In Five Parts

(Preliminary Translation)

#### Part One

1. Let the king you appoint be one of your brethren (one of the people). It is not proper to appoint a foreign man as your king. He should not accumulate horses, women, gold, or silver. And when he sits on the throne of the kingdom, he is given the heavenly law by the priests to read (study) it all the days of his life (meaning to rule according to written laws based on the Holy Books and be reminded of it always) so he learns to fear God and obey his commands, to keep and follow them lest his heart is elevated up against his brothers! or deviate from the commandments right or left. And by following the commandments his life and his off-spring lives shall become long in his kingdom and let his faith in God be complete.

2. Remember that through faith the walls of Jehrico fell (Hebrews 9) when the Israelites circled it seven days and through the faith of Gideon, Barak, Simson, Yephthah, and David they defeated kings and acted righteously and received the promises and were strong in battle and defeated the armies of the enemies.

3. When the king become hypocritical he is no longer king but an outcast.

#### Part

4. The Lord said in His Gospel: “Give what is Cesars to Cesars and what is God’s to God” Also Paul the Apostle said: “For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? do that which is good, and thou shalt have praise of the same: For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil. Wherefore ye must needs be subject, not only for wrath, but also for conscience sake. For this cause pay ye tribute also: for they are God’s ministers, attending continually upon this very thing. Render therefore to all their dues: tribute to whom tribute is due; custom to whom custom; fear to whom fear; honour to whom honour. Owe no man any thing, but to love one another: for he that loveth another hath fulfilled the law.” (Romans 13:2-8).

5. John Chrysostom in his commentary on this chapter said: The apostle was very careful in pointing out in this epistle and other epistles as well the relation between rulers and their subjects. He ordained obedience by the subjects to their rulers as the obedience of servants to their masters and he did that to show us that the Lord (Jesus Christ) did not come to overthrow the rules of public conduct but elevated it to higher level. And by his saying every soul, he means all people with no exception. And his saying every authority (rule) is of God, he means that God ordained authority, rulers and ruled (subjects). This is for the world to be in good order. And because equal status for all produces strife, the Lord ordained with his (infinite) wisdom that there be rules like husband with wife, father with son, elder with young, master with slave, teacher with student, and in conclusion every boss with those whom he is charged with. Also, concerning the body he made parts to rule and others to be ruled. Also, he ordained the same for the rest of the animals like the bees, wild birds, wild buffalo, and kinds of fish (sea creatures). The absence of authority is a cause of disturbance and lack of order. And his saying that the ruler is servant of God for your benefit means that he facilitates obedience to God through punishment of those who disobey God like murderers, robbers, fornicators, doers of evil, and his good conduct towards those who obey God the righteous and good ones. So, for your benefit from him material and spiritual you pay your income, property and head taxes as a reward (for your benefits).. Also, for this reason it was agreed that the heads of legislation are to leave their own personal affairs and care for what benefits the public (society at large). So, do not say that so and so did bad (do not criticize them) but look at the god and marvel saying these things were done for the public benefit. But if you think that you are better qualified than he is in faith and deed (do not be discouraged) but think that your time has not come yet. and it will come and when it does you will do better than he does and always remember that this world is not the place to receive the reward.

**Part:**

6. Let the king respect the ranks of clergy like the righteous king Constantine, the believer and righteous who was elected to be king (emperor). He used his own funds to support the clergy each according to his rank starting from the bishops, priests, and deacons. He also exempted them from personal and property taxes. The king also created trusts for Churches and monasteries to support their affairs and the needs of the widows and orphans which this organizations cared for to keep all of them in the fold of the Church and to maintain them in the true Orthodox faith and to maintain the kingdom of the Christian faith he made a portion of all the benefits of the state for God as king David (the prophet) did a s well as other righteous kings in the past. Also, the king does not stretch his hand against the priests lest he gets hurt as the evil kings of Israel who did such things in the past were punished.

7. If you enter the city which the Lord your God gave you to conquer take the first fruits of everything you gained and go to the place which the Lord your God directs you to and offer worship to the Lord and be merry because of all the things that the Lord gave you, your clan, the priests among you, and the strangers among you as well.

**Part**

8. He must rule his flock with justice and does not compromise in any fairness situation for himself, his children, his friends, or even for strangers. About the king, he must love justice and for this cause evil people would want to destroy him. (King) Solomon the wiseone said: doing justice in excess is favored over sacrifices and offering. He should not take the possessions of others by force and he should not buy it against their will directly or through tricks lest God punishes him in this world (here) and in the latter days (thereafter).. In this world like what befell king Ahab and his wife Isabel and the destruction of their off-spring because of what they did to Nabbot by forcing him to sell his vine field. They both died (instantly) and the dogs licked her blood. The Apostle said: The unjust and one who takes other’s property by force do not inherit the kingdom of God.

9. He does not harm the widows and orphans because the Lord said: “If you hurt them, they pray to me and I hear their prayer and answer it, so my wrath increases against you and I destroy you in the battle and your wives become widows and your children orphans.” (Deut 14?)

10. He treats his soldiers and companions with gentleness and listens to the opinions of the elders and does not accept the advise of the youth who grew up with him and does not put heavy burdens on those who serve him learning a lesson from what happened to the son of (king) Solomon in his dealing with his father’s advisers (he basically ignored the advise of the elders and lost 10 of the 12 tribes when he told the elders my thumb is bigger than my father’s wrist. He punished with whips, I will use scorpions).

11. He should be kind to the off-spring of the king who preceded him following what (king) David did with the children of Saul.

12. He should be kind to the ambassadors of another king and not harm them learning from what befell the king of Amoonites because when he harmed the messengers of (king) David, the Lord gave David victory against him (David beat him badly).

13. If his father was a king, he should not repel against his father learning from what happened to Abshaloom in the battle (he was killed by the Sword) when he repelled and went to war against his father.

14. If you go out to battle with your soldiers against your enemy beware of every unclean act. And if one of your soldiers is unclean, he should stay the day out of the battle field, and join the following day after he is cleansed. Let your soldiers be holy lest He (the Lord) sees evil in you and departs you.

15. If you go out to battle and see your enemies soldiers, horses, and carriages more than what you have, be not afraid because the Lord your God is with you. And when you advance for the fight, he (the king) moves to the front and speaks to the people saying: “You are advancing to the battle against your enemies, be not afraid, be not soft hearted because the Lord is with you, He fights your enemies on your behalf and helps you.”

16. If you advance towards a village or a city to fight them, call them to conciliation first. If they accept you and open their city to you take the men that are in it as your slaves, they pay taxes to you. If they do not accept conciliation fight them and tighten the grip on them because the Lord your God delivers it to your hands. But if they beg your forgiveness (surrender) accept to cease the fight because the Lord said: “Blessed are the merciful, because they receive mercy.” And mercy to the servants of God is a thanksgiving prayer to God. And when the Disciples told Jesus: “If you will, You can ask a fire from heaven to fall on them and destroy them as Eliah did.” Christ answered: “You do not know of what spirit you are.” So, through mercy and love one is in the image of his creator and that is what distinguishes Christians from all others.

17. If you surround a village (town) for many days to conquer it, do not spoil (destroy) the trees because the trees will not escape from you (are yours to own). But if any tree does not bear fruits, it shall be removed and fight the people (of the village) until you achieve victory.

18. If (in your way to the battle) you pass by cities that belong to your brothers (meaning not your enemies) buy from them food and water with silver (meaning paying for it, not through force or extortion) for your food and drink so the Lord may bless you.

19. If one buys a prisoner of war for a price. If the prisoner has money, he can pay for his own freedom and become free. Otherwise, the buyer keeps him as a servant (not slave) unless he has fully paid for himself by the wages he earn as a servant according to the witness of some people (familiar with the situation).

20. If the prisoner escapes, do not take him back to his master. Keep him in one of your villages and be fair to him.

21. The spoils of war, one sixth (1/6) should be kept by the treasury as a public share. and the rest is divided equally among the rulers and the those whom they rule Those soldiers who showed more courage in the battle receive an extra share from the 1/6 which was set aside.

22. Anyone who seeks to harm the kingdom by siding with the enemy, or giving him secret information, or escapes to their side, or sells them weapons shall be hanged and burned.

### Part

23. If the Lord places you in the hands of your enemies because of your sins and they took you to their lands, you must stick to your faith holding to your tradition in food, drinks, and all the laws as Daniel and the three young men (Sedrak, Mishak, and Abdnagho) did, so the Lord may save you from the lion and the fire and praise is brought to his name for your obedience and He will return you (safely) to your countries as it was for the mentioned.

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and

appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

## **Chapter 46**

### **Concerning What Should be Mentioned In This Book From Old and New Other than What Is Already Stated Miscellaneous Topics**

(Preliminary Translation)

1. Because man is composed of Soul and Body, the purpose of legislating laws is two folds:

First, To make him complete in his actions related to visible feelings,

Second, To make him complete in his actions related to his inner feelings and powers.

2. The first is obviated with the first law which is the law of justice. In which sensible laws are written for sensible acts like the commandment to kill the killer, seek compensation including penalty as punishment for the thief, and beating the unjust. (Everything else concerning these actions is to reach these goals spiritually as the righteous Moses and Eliah did). The second is obviated by the other law which is the law of righteousness in which commandments for the mind (actions) are intended for the inner man which the person has to discipline himself to follow and to do it between himself and his creator (self control) like the commandments against anger, lust of the eyes, love of the enemy, forgiveness of those who trespass, warning against excess eating, getting drunk and advising humility towards all people. These are the rules which man has to abide by his own will if he wants to reach perfection. They are not what the rulers legislate for people by force. The latter does not make the first ones invalid, because the Lord said: I did not come to destroy the commandments but to complete them.” So He did not abolish the laws of the rulers (judges), this is stated in the eighth chapter of the Desolia (Teachings of the Apostles), “Forgive the sins of your brethren quickly, we do not say that to the rulers (judges)”

3. In this book we tried to show the rules for the judges to follow as in other books as well which are according to what was stated in the torah (Old Testament). When we explained, we tried to give all the legislation (known to us) from the point of view of what the rulers should do concerning the visible things. We also documented what one should do regarding things of the behavior? each in its chapter. In this chapter things that are not mentioned in the other chapters.

4. Here we like to say when the latter laws (the laws of perfection) came, the previous laws did not all stay and did not all cease.

1- A group of old laws remained because it was good for all times and no virtue exists that is higher than it, like the commandment to worship the creator without the creation and the commandments against killing and fornication.

2- Another group became obsolete because (new) knowledge made it not needed anymore like the laws against eating pork because the purpose of it was to keep the Israelites away from the gentiles who kept swine, so that they do not pick their religions (idol worship)and bad habits. So, when the faith was opened to all nations, except for those few who refused the will of god and rejected the faith, there was no need to separate one nation from another and the reason for the foreboding and forbidding were no longer valid.

3- Another group was made perfect (complete) some by increase and some by decrease. Like when it said not only to have mercy on the good but also on the sinners, and when it asked to do good on the Sabbath after it was commanded not to do any work on the Sabbath.

4- Another group was for the flesh and was transformed to be for the spirit; like substituting for the cleansing of the body with water and blood the cleansing of the spirit with repentance and its required deeds. Also, the promise of inheriting the land and its fruits was replaced with the promise of the kingdom of God and the eternal paradise of delight.

5. So in this book (chapter) we do not mention all the commandments of the first book (Old Testament) but only the following from the second book (Exodus) of Torah:

I am the Lord your God , have no God other than me.

Do Not make for yourself an idol or a statue of any of the things up in heaven or down on earth and do not bow in worship to it because I am the Lord your God.

Do Not swear by the name of the Lord falsely because the Lord does not justify those who swore by His name falsely.

Honor your father and your mother so you have blessings and your live longer.

Do not kill.

Do not commit adultery.

Do not steal.

Do not give false witness against your companion.

Do not desire the house of your companions (neighbor), neither his wife, nor his slave, nor his maiden slave, nor his domestic animals, nor anything that belongs to your relative.

6. These are rules you make for them: if one owned a Hebrew slave he shall use him for six years and in the seventh he shall set him free without paying a price. If his wife entered with him, she leaves with him. But if his master gave him a woman as wife and she gave birth to sons and daughters, she and the off-spring remain with her master and he leaves alone. But if he said I loved my master and my wife and my children, he remains a slave forever. And if he (the slave) sold his daughter as a slave, she does not depart his house as the slaves depart and is not sold to foreign nation.

7. If two have enmity and one beat the other without being dead but only sick, if he gets up and walks on his cane he is not held guilty for beating him but has to pay for his unemployment and his medication.

8. If one hits a male or female slave which causes the slave to loose his eye, he should set him free as compensation for his eye.

9. If a bull attacks a man and kills him as a result, the bull is stoned and his meat is not eaten. The owner if blameless. But if the bull was known to attack before and his owner did not keep him under control, both the bull and its owner are stoned and killed. But if they choose to ask for a compensation instead he has to pay for (saving) his life what is being asked. If the bull kills a male or female slave, its owner has to pay the master the price of the slave and the bull is stoned.

10. If one digs a hole or own a well and does not cover it, and if a bull or a donkey falls in it and dies. He owes the owner of the animal its price and the dead animal is his.

11. If a bull of one attacks the bull of another and kills it; the live bull is sold and its price is split evenly between the two owners. They both also share the price of the dead. But if the bull was known to attack before and was not restrained by its owner, the owner of the attacking bull pays the other the price of the dead animal and he keeps the dead animal.

12. If one borrows a work animal from another and it gets hurt or dies in the absence of its owner, he owes the owner the price of the animal. But if the owner was present, the other does not owe him anything. But if it was rented, it is covered by the rent.

13. If a man deceives a virgin and sleeps with her, he owes dowry and marriage. But if her father refuses to let him marry her, he owes dowry of a virgin.

14. Do not criticize your ruler (judge) and do not say evil against the leader of you people.

15. Do not delay bringing to the Lord offerings from the first grain and first vines and the first born of your off-spring. Do likewise with the first born of your sheep, cows, donkeys. They shall be kept with the mother seven days and on the eighth bring it to me.

16. If you find a lost bull or donkey that belongs to your enemy return it back to him.
17. If you saw the donkey of your enemy falling down under its heavy load, help him in getting it back up and do not share in the killing of the innocent.
18. Do not justify the unjust and do not accept bribe because bribe blinds and falsifies what is just.
19. From the third book, if one sins unintentionally in one of the things related to the holies of the Lord shall offer sacrifice and what he sinned against of the holies and five times is added and offered to the priest and he shall as forgiveness for him through the sacrifice and is forgiven.
20. If one sinned by doing one of the things the Lord forbade without knowing he shall offer sacrifice.
21. If one cheated his friend in a deposit or transaction or took something by force or took something that was lost knowingly and swore that he did no such thing he sinned. If he sinned, he has to return the item or compensate the unfair dealing and five times as much is added on the day of his repentance and confession of his sin and to offer sacrifice.
22. Anyone from the people of Israel or the strangers who live among you eats things in its blood, he arouses my anger and should be cutoff from the people.
23. No one shall see the vulva of his relative (sleep with/marry): mother, father’s wife, sister, sister’s daughter, son’s daughter, daughter’s daughter, daughter of father’s wife, father’s sister, mother’s sister, wife of father’s brother, wife of your son, wife of your brother, a woman and her daughter, woman and her son’s or daughter’s daughter, a woman and her sister while the first is alive, a woman in her minstural period. Do not defile yourself with your friends wife. And males shall not sleep with other males as substitute for woman. And a man or woman shall not be defiled by sleeping with animals.
24. Do not harvest everything to the last grain and do not go back and collect what was dropped, the same for your grape vines. But leave that for the poor and strangers so the Lord your God may compensate you with his goodness.
25. Do not delay paying the wages of your workers to the following day.
26. Do not swear at a dumb (unable to speak or hear) and do not put an object in front of a blind person that he might stumble over it. Do not read fortunes, do not shave the corners of your head, and do not spoil the honor (fornicate with relatives) of your rulers.
27. Do not scratch (cut) your face or body (sign of mourning) for your dead. And do not use a needle to make markings (tattoos) on you bodies.
28. Do not cause your daughters to become adulterous.
29. Do not flee to the sorceress and fortune tellers because (only) God your Lord is the one who know the future.
30. Respect those who are older than you.
31. Do not harm those who live among you, treat them as one of you.
32. Do not cheat in ruling, surveying (measuring distance) , weighing, measuring (by volume) but use proper and just weights, rulers, and measures (for volume) because the Lord your God is just.

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33. One who throws seed in a stranger (sleeps with a strange woman) shall be stoned to death. And if you ignore that the Lord will destroy you and the man and woman who committed this sin shall be killed. Also anyone who is defiled with an animal both the person and the animal shall be stoned to death. And any one who sleeps with a woman in her issue of blood (menstrual period) shall be killed.
34. The fortune teller and sorcerer be stoned to death.
35. A priest shall not marry neither a sinner nor a divorced woman.
36. The daughter of a leader (‘Imaam’) who commits adultery shames her father, shall be burned with fire.
37. The head priest shall not pull his hair or tear his cloth for the death of anyone. He shall only marry a virgin from his relations (meaning his people not a stranger). A widow, a divorced, or a adulterous he shall not marry.
38. One who approaches the holies (church mysteries) and is not clean shall be cut off.
39. Every stranger shall not eat from the holies even if he is residing in the house of the priest. Even those who serve him and eat from his own food.
40. If the daughter of the priest marries a stranger, she does not eat from the holies (offerings) anymore.
41. A deformed or not whole is not to be offered as sacrifice because it will not be accepted (by God).
42. The tenth (number ten) of your sheep and cows is holy to the Lord.
43. From the fourth chapter, the Lord spoke to Moses saying: “I am the Lord your God, tell the priests to call the people and tell them that the Lord will bless you, keep you, and shine his face upon you, have mercy upon you, and comes for his purpose to you, and give you peace and you shall call my name on Israel and I bless them”
44. From the Fifth Book (of the Old Testament), Do not deviate right or left from the orders of the rulers, and do not judge a person in any situation related to transgression or criminal action based on one witness but listen to the testimony of two or three witnesses. And if one makes a false witness against another, the rulers should be extremely careful in dealing with the false witness and do to him what he intended to do to the other.
45. Return what your neighbor loses to him. And if you do not know the owner keep it in your place, animal or cloths, .. etc until the (true) owner asks for it (with proof of ownership) and do not delay in doing that.
46. Women should not carry the tools men use, and they should not dress like men because this is an abomination.
47. Make a guard (fence) around the roof of your house and do not leave a place where one can fall.
48. If one was found (to be guilty) of stealing one of the brethren and uses him as a slave or sells him a slave, the thief shall be killed.
49. If there was a an enmity between two parties, they shall present themselves to thos who are empowered to rule. The rulers shall justify the innocent and punish the guilty. And if the guilty is found to be desrving of being beaten, they shall order him whipped a number of times proportional to the crime not to exceed forty.
50. Do not mask the mouth of a bull working the field.
51. (The second) concerns higher (spiritual) height. For example it gives anyone who chooses to be complete to select celibacy over marriage. Also, for some to give up all possessions and to leave the world and follow Christ as mentioned in the Chapter concerning monks. Also what was commanded and made known concerning controling anger, desire, and doing good unto those who do good and those who do evil to us, and leaving the hypocrisy in

worship which includes prayer, fasting and giving, and seeking the kingdom of God and nothing else and teaching people virtue and acting on it and enduring the difficulties of the narrow pass which leads to the kingdom of God and to seek martyrdom and not to depart the just faith as mentioned in the chapter concerning the martyrs.

52. From what was mentioned in the Gospel according to St. Matthew Chapter “And seeing the multitudes, he went up into a mountain: and when he was set, his disciples came unto him: And he opened his mouth, and taught them, saying, Blessed are the poor in spirit: for theirs is the kingdom of heaven. Blessed are they that mourn: for they shall be comforted. Blessed are the meek: for they shall inherit the earth. Blessed are they which do hunger and thirst after righteousness: for they shall be filled. Blessed are the merciful: for they shall obtain mercy. Blessed are the pure in heart: for they shall see God. Blessed are the peacemakers: for they shall be called the children of God. Blessed are they which are persecuted for righteousness' sake: for theirs is the kingdom of heaven. Blessed are ye, when men shall revile you, and persecute you, and shall say all manner of evil against you falsely, for my sake. Rejoice, and be exceeding glad: for great is your reward in heaven: for so persecuted they the prophets which were before you. Ye are the salt of the earth: but if the salt have lost his savour, wherewith shall it be salted? it is thenceforth good for nothing, but to be cast out, and to be trodden under foot of men. Ye are the light of the world. A city that is set on an hill cannot be hid. Neither do men light a candle, and put it under a bushel, but on a candlestick; and it giveth light unto all that are in the house. Let your light so shine before men, that they may see your good works, and glorify your Father which is in heaven. Think not that I am come to destroy the law, or the prophets: I am not come to destroy, but to fulfil. For verily I say unto you, Till heaven and earth pass, one jot or one tittle shall in no wise pass from the law, till all be fulfilled. Whosoever therefore shall break one of these least commandments, and shall teach men so, he shall be called the least in the kingdom of heaven: but whosoever shall do and teach them, the same shall be called great in the kingdom of heaven. For I say unto you, That except your righteousness shall exceed the righteousness of the scribes and Pharisees, ye shall in no case enter into the kingdom of heaven.”

(Matt 5;1-22)

53. You heard what was said to those before: “Ye have heard that it was said by them of old time, Thou shalt not kill; and whosoever shall kill shall be in danger of the judgment: But I say unto you, That whosoever is angry with his brother without a cause shall be in danger of the judgment: and whosoever shall say to his brother, Raca, shall be in danger of the council: but whosoever shall say, Thou fool, shall be in danger of hell fire. Therefore if thou bring thy gift to the altar, and there rememberest that thy brother hath ought against thee; Leave there thy gift before the altar, and go thy way; first be reconciled to thy brother, and then come and offer thy gift. Agree with thine adversary quickly, whiles thou art in the way with him; lest at any time the adversary deliver thee to the judge, and the judge deliver thee to the officer, and thou be cast into prison. Verily I say unto thee, Thou shalt by no means come out thence, till thou hast paid the uttermost farthing. Ye have heard that it was said by them of old time, Thou shalt not commit adultery: But I say unto you, That whosoever looketh on a woman to lust after her hath committed adultery with her already in his heart. And if thy right eye offend thee, pluck it out, and cast it from thee: for it is profitable for thee that one of thy members should perish, and not that thy whole body should be cast into hell. And if thy right hand offend thee, cut it off, and cast it from thee: for it is profitable for thee that one of thy members should perish, and not that thy whole body should be cast into hell. It hath been said, Whosoever shall put away his wife, let him give her a writing of divorcement: But I say unto you, That whosoever shall put away his wife, saving for the cause of fornication, causeth her to commit adultery: and whosoever shall marry her that is divorced committeth adultery. Again, ye have heard that it hath been said by them of old time, Thou shalt not forswear thyself, but shalt perform unto the Lord thine oaths: But I say unto you, Swear not at all; neither by heaven; for it is God's throne: Nor by the earth; for it is his footstool: neither by Jerusalem; for it is the city of the great King. Neither shalt thou swear by thy head, because thou canst not make one hair white or black. But let your communication be, Yea, yea; Nay, nay: for whatsoever is more than these cometh of evil. Ye have heard that it hath been said, An eye for an eye, and a tooth for a tooth: But I say unto you, That ye resist not evil: but whosoever shall smite thee on thy right cheek, turn to him the other also. And if any man will sue thee at the law, and take away thy coat, let him have thy cloke also. And whosoever shall compel thee to go a mile, go with him twain. Give to him that asketh thee, and from him that would borrow of thee turn not thou away. Ye have heard that it hath been said, Thou shalt love thy neighbour, and hate thine enemy. But I say unto you, Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you; That ye may be the children of your Father which is in heaven: for he maketh his sun to rise on the evil and on the good, and

sendeth rain on the just and on the unjust. For if ye love them which love you, what reward have ye? do not even the publicans the same? And if ye salute your brethren only, what do ye more than other? do not even the publicans so? Be ye therefore perfect, even as your Father which is in heaven is perfect.” (Matt 5:21-48)

54. Mark (4:18-19, 21) “And these are they which are sown among thorns; such as hear the word, And the cares of this world, and the deceitfulness of riches, and the lusts of other things entering in, choke the word, and it becometh unfruitful. .. For there is nothing hid, which shall not be manifested; neither was any thing kept secret, but that it should come abroad.”

55. Luke (6:24-27): “But woe unto you that are rich! for ye have received your consolation. Woe unto you that are full! for ye shall hunger. Woe unto you that laugh now! for ye shall mourn and weep. Woe unto you, when all men shall speak well of you! for so did their fathers to the false prophets. But I say unto you which hear, Love your enemies, do good to them which hate you, Bless them that curse you, and pray for them which despitefully use you.”

56. Luke (10:20): “Notwithstanding in this rejoice not, that the spirits are subject unto you; but rather rejoice, because your names are written in heaven.”

57. Luke (14:10-11): “But when thou art bidden, go and sit down in the lowest room; that when he that bade thee cometh, he may say unto thee, Friend, go up higher: then shalt thou have worship in the presence of them that sit at meat with thee. For whosoever exalteth himself shall be abased; and he that humbleth himself shall be exalted.”

58. John (3:5-7): “Jesus answered, Verily, verily, I say unto thee, Except a man be born of water and of the Spirit, he cannot enter into the kingdom of God. That which is born of the flesh is flesh; and that which is born of the Spirit is spirit. Marvel not that I said unto thee, Ye must be born again.”

59. Romans (12:14-15): “Bless them which persecute you: bless, and curse not. Rejoice with them that do rejoice, and weep with them that weep.”

60. I Corinthians (8:10-11): “For if any man see thee which hast knowledge sit at meat in the idol's temple, shall not the conscience of him which is weak be emboldened to eat those things which are offered to idols; And through thy knowledge shall the weak brother perish, for whom Christ died?”

61. Revelation (21:8): “But the fearful, and unbelieving, and the abominable, and murderers, and whoremongers, and sorcerers, and idolaters, and all liars, shall have their part in the lake which burneth with fire and brimstone: which is the second death.

62. I Corinthians (13:1-13): “Though I speak with the tongues of men and of angels, and have not charity, I am become as sounding brass, or a tinkling cymbal. And though I have the gift of prophecy, and understand all mysteries, and all knowledge; and though I have all faith, so that I could remove mountains, and have not charity, I am nothing. And though I bestow all my goods to feed the poor, and though I give my body to be burned, and have not charity, it profiteth me nothing. Charity suffereth long, and is kind; charity envieth not; charity vaunteth not itself, is not puffed up, Doth not behave itself unseemly, seeketh not her own, is not easily provoked, thinketh no evil; Rejoiceth not in iniquity, but rejoiceth in the truth; Beareth all things, believeth all things, hopeth all things, endureth all things. Charity never faileth: but whether there be prophecies, they shall fail; whether there be tongues, they shall cease; whether there be knowledge, it shall vanish away. For we know in part, and we prophesy in part. But when that which is perfect is come, then that which is in part shall be done away. When I was a child, I spake as a child, I understood as a child, I thought as a child: but when I became a man, I put away childish things. For now we see through a glass, darkly; but then face to face: now I know in part; but then shall I know even as also I am known. And now abideth faith, hope, charity, these three; but the greatest of these is charity.”

63. “Be like children in evil and like perfect men in your thoughts!”

[This is a quote from the New Testament. I could not think of the the exact verse. Please help!]

64. II Corinthians (5:10) “For we must all appear before the judgment seat of Christ; that every one may receive the things done in his body, according to that he hath done, whether it be good or bad.”

65. II Corinthians (4:7-18): “But we have this treasure in earthen vessels, that the excellency of the power may be of God, and not of us. We are troubled on every side, yet not distressed; we are perplexed, but not in despair; Persecuted, but not forsaken; cast down, but not destroyed; Always bearing about in the body the dying of the Lord Jesus, that the life also of Jesus might be made manifest in our body. For we which live are always delivered unto death for Jesus' sake, that the life also of Jesus might be made manifest in our mortal flesh. So then death worketh in us, but life in you. We having the same spirit of faith, according as it is written, I believed, and therefore have I spoken; we also believe, and therefore speak; Knowing that he which raised up the Lord Jesus shall raise up us also by Jesus, and shall present us with you. For all things are for your sakes, that the abundant grace might through the thanksgiving of many redound to the glory of God. For which cause we faint not; but though our outward man perish, yet the inward man is renewed day by day. For our light affliction, which is but for a moment, worketh for us a far more exceeding and eternal weight of glory; While we look not at the things which are seen, but at the things which are not seen: for the things which are seen are temporal; but the things which are not seen are eternal.”

66. Galatians (6:6-10): ”Be not deceived; God is not mocked: for whatsoever a man soweth, that shall he also reap. For he that soweth to his flesh shall of the flesh reap corruption; but he that soweth to the Spirit shall of the Spirit reap life everlasting. And let us not be weary in well doing: for in due season we shall reap, if we faint not. As we have therefore opportunity, let us do good unto all me , especially unto them who are of the household of faith.”

67. Ephesians (3:1-3, 4:1-7) : “For this cause I Paul, the prisoner of Jesus Christ for you Gentiles, If ye have heard of the dispensation of the grace of God which is given me to you-ward: How that by revelation he made known unto me the mystery; (as I wrote afore in few words,...I therefore, the prisoner of the Lord, beseech you that ye walk worthy of the vocation wherewith ye are called, With all lowliness and meekness, with longsuffering, forbearing one another in love; Endeavouring to keep the unity of the Spirit in the bond of peace. There is one body, and one Spirit, even as ye are called in one hope of your calling; One Lord, one faith, one baptism, One God and Father of all, who is above all, and through all, and in you all. But unto every one of us is given grace according to the measure of the gift of Christ.”

68. Ephesians (4:26-32): “Be ye angry, and sin not: let not the sun go down upon your wrath: Neither give place to the devil. Let him that stole steal no more: but rather let him labour, working with his hands the thing which is good, that he may have to give to him that needeth. Let no corrupt communication proceed out of your mouth, but that which is good to the use of edifying, that it may minister grace unto the hearers. And grieve not the holy Spirit of God, whereby ye are sealed unto the day of redemption. Let all bitterness, and wrath, and anger, and clamour, and evil speaking, be put away from you, with all malice: And be ye kind one to another, tenderhearted, forgiving one another, even as God for Christ's sake hath forgiven you.”

69. Philippians 2:2-4): “Fulfil ye my joy, that ye be likeminded, having the same love, being of one accord, of one mind. Let nothing be done through strife or vainglory; but in lowliness of mind let each esteem other better than themselves. Look not every man on his own things, but every man also on the things of others.”

70. James (4:17): “Therefore to him that knoweth to do good, and doeth it not, to him it is sin.”

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are

authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

## **Chapter 47**

### **Concerning Blaspheming Against God Al-Mighty, Unfair Attitude Toward Him and what follows Like Sorcery, Seeking Fortune Tellers, Horoscopes, etc.**

(Preliminary Translation)

#### **Part One: The Limits Beyond Which Is Blasphemy**

1. The Lord said in the Gospel: “It is written, Worship the Lord your God and bow only to Him.” And He commanded the disciples saying: “Go ye and preach the whole world, baptizing them in the name of the Father, the Son, and the Holy Spirit.” He also said: “I am one with the Father. All that belongs to the Father is mine.” All these sayings indicate the necessity to believe in one God, who has three ‘akaneem’ manifestations (Father, Son, and Holy spirit). These manifestations are equal in essence, power, and glory. It is a must to direct our bowing and worship to the one God. The Gospel also included: “The Word was God, and the Word was with God, He was incarnated and became man and dwelt among us and we saw His glory as the Glory of the only begotten of the Father.” This is to indicate that God incarnated (became man) that is Christ to whom is Glory and honor and to His goodness our thanks (always). And the Lord, glory be to His name, said in the Old Testament: Numbers 15:41 “I am the LORD your God, which brought you out of the land of Egypt, to be your God: I am the LORD your God.” , etc.

#### **Part Two: Punishment for Blasphemy, Two Types: One is Bodily, the Other Is Spiritually:**

##### **First, Bodily Punishment:**

2. If one among you makes a claim of being a prophet or of seeing dreams and even if he gives you a proof or a wonder. And if he says let us go and worship things that you do not know, do not go along because these things the Lord sends (allows) to test you, to find out if you love Him from all your hearts and all your souls or if you do not. The one that claims prophecy and dreams shall be killed because he is lying to deceive you, your brothers, and your sisters, your parents and your children, your spouse and your friends. He wants to make you all worship gods your fathers did not know from the gods of the gentiles. So do not accept his offers and do not feel sorry for him but kill him by stoning, you (do it) first (cast the first stone) and the others following you. Also if you hear that one of your villages is worshipping idols, investigate first and if you find out that it is true, the whole village shall be killed by the edge of the sword and all the things in it shall be spoiled (destroyed) and burned..

3. One who slaughters an offering in worship to other than God shall perish.

4. One who offers his off-spring to idols shall be stoned to death. If the people of the town ignore (look the other way concerning) such person the anger of the Lord will befall them. And any one who blasphemes against God shall be stoned to death.

5. One who offers sacrifice to idols, slaughters for it, or offer incense to it shall be punished to the maximum limit. The same punishment is to be reserved for those who follow them or offers idol sacrifice. Also those who teach blasphemy and those who depart the faith for idol worship deserve the maximum punishment. Those who protect them and resist turning them over to the rulers deserve the same punishment.

##### **Second, Spiritual Punishment:**

6. The Lord said in the Gospel: “Those who blaspheme against the Holy Spirit are not forgiven in this age or in the coming age.” Paul the Apostle said: “Idol worshipers do not inherit the kingdom of God.” John the Evangelist in his second epistle (II John 1:7-11) said: “For many deceivers are entered into the world, who confess not that Jesus Christ is come in the flesh. This is a deceiver and an antichrist. Look to yourselves, that we lose not those things which we have wrought, but that we receive a full reward. Whosoever transgresseth, and abideth not in the doctrine of Christ, hath not God. He that abideth in the doctrine of Christ, he hath both the Father and the Son. If there come

any unto you, and bring not this doctrine, receive him not into your house, neither bid him God speed: For he that biddeth him God speed is partaker of his evil deeds.” And Paul the Apostle said: “But though we, or an angel from heaven, preach any other gospel unto you than that which we have preached unto you, let him be accursed. As we said before, so say I now again, If any man preach any other gospel unto you than that ye have received, let him be accursed. For do I now persuade men, or God? or do I seek to please men? for if I yet pleased men, I should not be the servant of Christ. But I certify you, brethren, that the gospel which was preached of me is not after man. For I neither received it of man, neither was I taught it, but by the revelation of Jesus Christ.” (Galatians 1:8-12)

7. It is not proper for the Nazarene (Christian) to mention the names of idols or devils by praises (songs) that should not be because when he says it he is attracting to himself evil instead of the holy Spirit.  
[This is true of some of the songs and music common in our Western culture without naming names!]

8. Those who were forced to sacrifice to idols twice or three times shall stay at the door of the Church for four years, then can share with the believers in prayer only (without communion) for two years and in the seventh years they are accepted as the rest of the believers.

9. Priests who sacrificed to idols and repented are to stay in their rank without being allowed to do any of the duties of he priesthood.

10. The same for deacons and bishops, there punishment is increased or decreased as they deserve based on what they know.

11. The rest is mentioned in the chapter on those who denied the faith, but those who offered idol sacrifice before they were baptized they are treated like what was mentioned about priest (paragraph 9)  
[The original footnote refers to Council of Nicea laws (Nicea 34), clergy who sacrifice to idols and repent is punished by given a one level reduction in rank]

12. Those who fled and their possessions were taken away or endured punishment and confessed the Christian faith showing sorrow for (any) blasphemy they might have committed are blameless and did not commit the sin of denial of the faith, they shall not be denied communion.

13. And those who through threat and fear of torture (followed idols) and returned to the faith with full heart are to be accepted, preached to, and made to repent.

14. But those who follow idols without extreme reasons or difficulty are accepted after experiencing stronger repentance.

**Part Three: Concerning Punishment for things Leading to Worship of Other than God Al-Mighty, Like Sorcery, Incense for Idols, Black Magic, Reading the Stars and Fortune Telling:**

15. Magicians are not to stay (meaning should be sat out!).

16. If one becomes fortune teller male or female should be stoned to death , their blood is on themselves.

17. There should be none among you who asks for the teachings of the fortune tellers or those who guess by eyeing (seeing) things (like reading tea leaves or coffee cups), or magicians, or charmers, or those who levitate, or those who call the spirits of the dead because everyone who does such things is defiled in the hands of the Lord your God.

18. Magicians, sorcerers, those who read the stars (horoscope), those who interpret dreams, fortune tellers, and those who write magic papers are to quit or be expelled.

19. (Nicea 22) The believers are not to mix (socialize) with magicians or fortune tellers and if one chooses to socialize with them or allow them to enter his house or if he enters their houses or eat their food or drink their drinks

(he is doing wrong). If he was a priest he loses his position and should not mix (socialize) with the believers. If he was a lay person he is advised to avoid them and needs to repent.

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D.(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

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## Chapter 48

### Concerning Killing (Murder) and its punishment, Physical and Spiritual and the Regulated Laws

(Preliminary Translation)

1. Murder is one of the biggest forbidden acts according to the mind (conscious) and commandments and is not completed until the body (physical) and the soul (mental abilities) are involved. So, punishment of the physical is required by the ruler to keep civil order. If murder is hidden (from authority) it has to be punished by the ruler, meaning high priest to save the soul in the eternal world.
2. Murderers are two types: One is not punishable those are the mentally deficient and those who are less than seven years of age. The person who was drunk when committing murder is one who suffered from mental atrophy at the time and for this reason he is not to receive the death sentence, but the crazed and hallucinating are different and their punishment is different than that of the drunk, because their loss of mental capacity is out of their control. If the drunk was known to kill while drunk before or if he is known to hold enmity, his punishment is different (stiffer). But if the drunk was not known to be habitual or if the murderer did not hold a grudge, he is treated as just a drunk and his punishment is not of one who premeditated his action. Those who kill because they are forced (pressured) or commanded their rule is different. If the ruler is the one that order killing (by law) the killer and the one who gave him the command are blameless. But if the killing is according to illegal orders, the one who gave the command is the one to be blamed. If the one who carried the orders was free not to execute them without harm to himself, he is to be blamed.
3. The other group is to receive punishment as will be detailed hereon.
4. The murdered are two types: One is not to be avenged by killing which is two types, (One) If one was a target of killing and kills (in self defense) now if the one that intended to kill died immediately there is no punishment, but if he survives to the morning he is to be condemned to death. If one kills a thief there is no punishment. It is lawful for anyone to kill a thief (caught in the act) if he could not get rid of him (control him) using less drastic actions. Also, there is no blame for one who kills in self defense if his life is threatened. Also no harm in killing in war situation, but if one can escape the sword the attacker may receive other punishment. If one catches another man with his wife in the act, and if he (the husband) kills the other man, that death is without punishment. If a man accuses another of sinful act with his wife, proven with reputable witnesses, three times in his home, the other man's home, or public place of drink, or in the countryside? this man is deserving of death, and if the husband kills him he is blameless. If he catches him in other places or in the Church, he can turn him to authority and if it is proven by the witness of three persons, he is punishable according to the punishment of committing the sin (of fornication).
5. The other is about slaves and off-spring (murder),

There is two opinions about the murder of slaves:

First, If one beats a slave, male or female, with a rod and the slave dies immediately, the master is punishable. But if he lives a day or two after the beating, he is not punished because it is his possession. If the beating is with a whip or a rod, he is punished but not to the maximum limit. But if the beating was excessive or the killing is due to poisoning the punishment is that of murder.

Second Opinion, If one has a slave who committed acts deserving of death, he should turn him to the authority to be tried and punished. But if he kills him without consulting authority, the master is deserving of death.

Two Opinions Concerning Murder of Off-spring:

First, Parents are not killed for the murder of children and children are not killed for murder of parents.,  
 Second, One who kills (relative) up or down the relation should be turned over to the authority for punishment.

7. The other group is deserving of punishment regardless.

8. Those who are deserving punishment are the ones who order murder or commit it.

9. One who gives orders to kill is punished the same punishment of the killer.

10. The one who commits murder directly or through tricks like poison, witchcraft (black magic), burning are treated as killers. Also are punished as killer those who make poisons, possess them, or sell them to people. If one free or slave gives a drink to another male or female which cause the other person to become sick and eventually die (by poisoning) is punishable by the sword (beheading). Those who bring up devils to harm other people are punished by the sword except if they did it unknowingly. The law concerning burning was mentioned before.

### **11. Obvious Murder is in Twelve Groups:**

First, If one intends to kill another and kills him (premeditated murder). One ho kills another unfairly is punished by death. Anyone who beats another to death should be killed. Even if he uses the altar as a shelter, he should be taken away and killed. If one injure another with an iron rod, or hits him with a rock, or a wooden beam, to kill him and he dies he is a killer and is deserving of death. But if the family of the murdered forgive him, the ruler shall require of him a true repentance and because of his repentance and return to God can be given forgiveness through repentance.

12. Second Group, If one intends to kill a person and kills another by mistake, then if the killer was deserving of punishment for killing the one, he is guilty of killing the other. But if he was in his right to kill, he is judged as one who killed without premeditation and the ruling concerning this situation was mentioned previously.

13. Third Group, If one hits another with a tool usually used for killing such as a weapon or with rocks without intending to kill but kills him anyway. If one kills with the sword, he is punished with the sword even if he victim does not die, the offending person is cut (injured) with the sword because he dared to use the sword. And if the killing was because of a dispute, and if it was found that the killing was with a rod or a large stone, the killer is cut-off with the same type tool. But if the incident did not cause death, the person(s) is punished with the same type instrument without and let go.

14. Fourth Group, If the (unintentional) hit kills one other than the one who was the target (of the weapons). If the killer takes the house of God as a refuge, he is saved from punishment but if he is turned over to the ruler, the ruler will pass judgment in favor of the blood custodians (family of the murdered) and usually seeks conciliation which is different than what is mentioned in the second group, because it was not intentional.

15. Fifth Group, Concerns killing with a beating instrument like a whip or rod. If the beating resulted in the death of a slave and was repeated but not excessive the master is not judged as a killer but if it was excessive he is punished as a killer.

16. Sixth Group, If the beating falls on other than the intended person and causes the person to die, it is treated like the fourth group above except that the punishment is lighter because the instrument is less deadly.

17. Seventh Group, If the beating was with a lighter instrument which usually would not cause death like spanking by hand or by a light stick and it cause death of the intended or another. The person is punished by being beaten and exiled.

18. Eighth Group, If one causes the death of the other while fooling around, like if he shoved him which cause him to fall in a water way or fall from a great height, the punishment is like in the group above.

19. If one did not kill any person, but intends something else like hitting an animal or shooting it like in hunting, and those are in two groups:

First, If one know the possibility of killing like one who shoots at a bird or a wild animal in the middle of residential areas without intending to kill a person but kills one anyway, he is treated like one who killed without the intention to kill. Also, if one owned a property which has a tilted (in danger of falling) wall or owned an animal which was inclined to attack like raging bull or an angry camel or if he has a well or hole that is not covered or a roof that is not fenced, and the owned object caused a death, it is considered as unintentional as explained in chapter 38 on property and corresponding obligations.

Second, If he does not know of the possibility of killing like if he shoots at an animal and hits a person he did not see, or if his wall that fell was (in good condition) not expected to fall or his well was secured or roof is fenced, but caused death anyway. The shooter or hitter is exiled, but a slave or an animal is turned over to the blood custodian, but the owner of a wall, well, or roof is blameless.

20. Tenth Group, If one keeps another in isolation which prevents anyone else to reach him, or if he intentionally keeps a person with a dangerous beast like a lion or a serpent, he is considered a premeditated murderer.

21. Eleventh Group, if one gives a witness that causes one to be condemned to death, and later on it is proven that he gave false witness, he is to be killed as commanded in the Torah and the laws as was mentioned in the chapter on witnesses and it is also applicable to the ruler if he accepts false witness knowingly which results in death sentence.

22. Twelfth Group, One who does not intend to kill but accidentally causes a death like one who slides and hits a pregnant woman and cause death or one who rolls in his sleep and smothers a child or hits a rock and cause the rock to fall and kill another, he should not be punished physically and if any conciliation or exile (expulsion) can be applied.

23. (in this section we mention things not mentioned before but ruled on according to one of the rulings above) Like if the action was a cause of follow on action that causes death. Examples: if one pushes another which causes him to be killed by the sword of another (without collusion) or if he falls alive but is hit by an animal following the push or if he is pushed into a water way and although he knows how to swim is killed by a crocodile, or if one hits another causing him to fall sick, then the sick causes another to die by infection. In all these cases ruling is based on the intention of the accused not the result.

24. If a group conspire to kill a person, they are all guilty of killing him regardless of doing the act or agreeing to it.

25. If one kills a group, they are all killed by him.

26. The judgment is based on the condition of the killer at the time of the killing and not his condition at following times, like if the killing occurred while the person was young or crazed in which case he is not judged even if the ruling takes place after the condition is removed like reaching age or becoming sane.

27. conciliation does not wave penalty and exile does not wave repentance because one is physical punishment and the other is spiritual, and one does not replace the other.

28. Learn that if one kills with the intention to kill he is guilty of killing and deserving of death but if the custodians of the blood agree to a financial settlement or even a complete waver of sentence the ruler should consider, but if it was unintentional the punishment is exile.

29. But if he killed him by shooting or throwing accidentally with no bad intention, the authority should protect the killer from revenge by sending him away to the villages (exile or hiding).  
[taking revenge is common among villagers especially in Southern Egypt (‘Saeed’) to this day]

30. If he did not intend to kill, he should escape to the place of God (holy place). If the custodian of the blood found him outside the holy place and kills him in revenge, there is no liability.

31. One who kidnaps an accused person from the Church by force is to be beaten, his head shaven and stays in exile forever.

32. If one killed without the intention to kill and did not escape, the ruler should rule between him and the blood custodians by conciliation to save the life of killer, but if the killer boasts or gets cocky with the blood custodians and they kill him, there is no liability.

**Part: (The Punishment of Killing Other Than the Above Mentioned):**

33. If two persons as they quarreled hit a pregnant woman causing her to abort her fetus and if the soul did not move in the aborted!!!! the one who whittled her is to pay compensation/penalty according to the amount her husband requires him to pay. But if the soul moved in the fetus then it is a soul for a soul unless they give and forgive.

34. Thrown in the fire those slaves who conspire against the lives of their masters. Also are punished those slaves who hear the sound of the master struggling for life in the home, field, or on the road. If a slave works towards ending the life he is to be killed unless his action is to protect his master (The same for one who was set free).

35. One who conspires against the life of the king is killed and his wealth is taken away.

36. Is to be killed one who instigates the killing of believers or supports their enemies or pass to the enemy their opinions (plans), the use of their fighting instruments, ships, or sell them weapons. They should be hanged in the place where they committed their bad deeds to instill fear in those who are considering doing the same and as a comfort for those who are victims.

**Part: Concerning Completion of Physical Punishment:**

37. It is for the blood custodian to kill the killer but only after it is presented to the ruler (judge).

38. If one kills he is killed after hearing the witness of three individuals. No one is allowed to give witness against the one who was killed, also do not accept bribe to give (false) witness.

39. It is not proper for the blood custodian to kill the killer himself but to turn him to the ruler (authority) to execute the death penalty.

40. It is not proper for anyone to do that but the authority to hand out punishment.

41. It is up to the blood custodian to give away the blood of his murder victim and forgive the killer. He also can ask for other forms of punishment.

42. One who conspires against his companion is deserving of punishment similar to what he planned to do if by the sword or by fire it will be to him accordingly because it is written in the law if one spills the blood of a man his blood should be spilled in return.

43. One who conspires is deserving the same punishment as a killer.

44. If you find a person who is murdered in the field and do not know who the killer is, let the rulers and elders go out to the nearby villages and gather the people and ask them if they know who the killer is and if they all swear that they did not kill him it is the responsibility of the elders to investigate and rule justly.

**Part: Spiritual Punishment:**

45. If a priest fights with a person and beat him causing his death, the priest is cut off for his cruelty, and if it was a layman he is cast out.
46. If one kills willingly, he needs to repent to reach perfection at the end of his life (perfection means being able to share with the believers in the communion).
47. If one kills unintentionally he reaches perfection in the seventh year for the first group and three years for the second group. (See paragraphs 11 and 12)!
48. If one kills, the congregation keeps him out 20 years. He must stay at the door weeping . Three years completely outside the Church, six years with the believers outside the Church , and eleven years with the preached (not allowed to receive communion). Do not be alarmed by the length of time. If he killed unintentionally the times are cut in half.
49. If one fell with a woman through witchcraft he is kept outside the Church all his life, but towards the end of his life or when he becomes gravely ill can receive communion. This harsh punishment is because he committed three grave sins: adultery, killing, and witchcraft.
50. Women if they commit adultery or murder should be cast out until they die for their grave sins, but for the much love of God the period of exile can be at least 10 years.

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## Chapter 49

### Concerning Punishment or Adultery, Physical and Spiritual

(Preliminary Translation)

1. First, Those who mix the blood (meaning commit adultery) with parents or children or brothers with sisters should be punished by the sword. But those who commit adultery with other relations like father in law, mother in law, step daughter, sister in law, aunts, two sisters, or a woman and her daughter shall have their noses cut off both male and female.
2. Those who marry collectively, like a father and a son marrying a woman and her daughter, a nephew marrying his uncle's wife, two brothers marrying a woman and her daughter, or son of a sister marrying his mother's sister, or son of sister marrying the wife of his mother's brother are all to be separated (illegal marriage) and all beaten up.
3. Second, Those who spoil (commit adultery) with nuns, deaconesses, or soul travelers ('saehaat') their noses shall be cut off.
4. One who commits adultery with his eshpeen (one who adopted him spiritually in baptism) their noses shall be cut off and the one she was married to receives the same punishment.
5. Third, If one forcefully commits adultery (rapes) a woman slave, his nose shall be cut off and she receives 1/3 of what he owns.
6. If the slave he raped was less than 13 years of age, his nose is cut off and she receives 1/2 of what he owns.
7. If one commits adultery with the fiancée of another by her choice, his nose is cut off. But if he does it by force she receives 1/3 of what he owns in addition to the previous punishment.
8. Fourth, If one kidnaps a woman citizen or not citizen, free or slave, widow or not, from rich family or not, and if he uses weapons to commit his crime, he is punished by the sword and those who help him are to be beaten, their heads shaven, and their noses cut-off. But if they did not use weapons, the one who committed the kidnapping shall be punished by the cutting of his hand and those who helped him punished by beating, shaving of their heads and exile. If a slave did kidnap or help in the kidnapping of his mistress (wife of his master), he is to be burned (to death).
9. Fifth, If one mixes (commits adultery) with a slave woman with her choice but without the knowledge of her parents and if he chooses he can marry her if the parents approve of the wedding. But if they refuse and he is well to do, he should pay her a pound of gold. If he is not capable, he pays 1/2 pound of gold. But if he is completely poor, he shall be beaten up, his head shaven, and he is to be exiled.
10. Sixth, concerning one who commits adultery with male or female slave, A married woman committing adultery with her slave shall be beaten, her head shaven, her nose cut off, and she is exiled and loses all her privileges. The slave shall be punished (killed) by the sword.
11. If a woman without a husband commits adultery with a slave and she was childless, she is beaten and her head shaven. The slave also is beaten and his head shaven and turned to the authority to be sold. If she had children, all her wealth is taken out of her hands for the benefit of the children. Also the proceeds of the sale of the slave goes to the children and is kept out of her hands.
12. One who is married and sleeps with his female slave shall be punished by beating and the chief (authority) shall take the female slave away, sell her and deposit the money in the public treasury.

13. One who commits adultery with a slave that is not his, has to pay her mistress 36 Dinaries if he is well to do. But if he is not capable, he should be punished by beating and pay what he can of the 36 Dinaries.
14. Seventh, Adultery in General, Those who commit adultery are beaten, their heads shaven, and their noses cut off. Those who aid them are to be punished by beating, their heads are shaven, and they are exiled permanently (with no return).
15. One who is married who commits adultery is whipped twelve lashes, if he was unmarried, six lashes to make them repent.
16. The crime of adultery disappears (is erased from the records) after five years if they mix with good company (show good behavior).
17. If one dares to have two wives outside the commandments, it is fair that he is to be punished as adulterer. If the second wife was not aware of the first marriage she is given forgiveness.
18. If a woman became pregnant and conspired to abort what is in her Tommy (womb) she is to be beaten and exiled.
19. Eighth, concerning homosexual acts, the one who commits it and the one to whom it is done are both to be punished (killed) by the sword. But if the victim is less than twelve years old, he is saved from death.
20. Those who do intercourse with animals their malehood is cut off.
21. If one new that he is wife is an adulterous and he forgave her, he is beaten and exiled. The adulterers are to have their noses cut off.

**Part Two: Concerning Spiritual Punishment, Six Parts:**

22. First Concerning Priests, If a bishop is found in a situation of committing sin (of adultery) he is to loose his priestly rank and never return to it. If he repents he is not to be prevented from mixing with the congregation and receiving communion because in his sin he is not like the laymen.
23. If a priest sins (commits adultery) and it was not common for him to do so, if he was not married, he is to repent for a whole year and to give exceedingly to the poor and after the year he can return to his service and he has to be extremely careful . If he returns to his sin, he is to be prevented from returning back to the service but not to be prevented from mixing with the congregation. If he was married the punishment should be doubled.
24. The deacon’s punishment is like that of the priest, if he repeats he is to be prevented for one year, but if he repeats a third time he is to loose his priestly (deaconea) rank if he was single. If he was married his punishment is three years after which he returns to his service. If he repeats he looses his service completely.
25. In conclusion, the bishop looses his priestly rank but not to be separated from the congregation. The unmarried priest repents and returns, the married priest repents but does not return, the unmarried deacon repent and returns twice, the married once. All are not separated from the congregation or from taking communion.
26. The rest of the priests and monks if they commit sin (of adultery) are to be tried and punished by the ruler (head priest) and he should hand the proper judgment not to be lenient and not to be harsh because harshness could lead to their destruction (not a desired end result). The ruler who violates these (rules) is to be tried and sanctioned by the synod.

**Second the rest of the believers:**

27. If a believer follows an un-believing woman or a female believer follows an un-believing man which leads to adultery and being led away from the faith, they are to be punished by being separated from the Church for three years standing outside the doors in rags and ashes. They then are allowed to enter the Church without participating in the kiss of peace or receiving communion for one year. After that, the priest takes oil and water, not like that for baptism, but like that for the unction of the sick and prays on it and anoints them with the oil sprinkles the water on them after they ask the lord’s forgiveness through repentance. After that, if they go back to their sins, they are punished by the synod.

28. Any layman who sins with a virgin by force (rapes her) is punished by being separated from the Church and not allowed to marry anyone else even if she was comely, not pretty.

29. One who commits adultery with a married woman, has to endure seven years of punishment.

30. A married person who commits adultery is punished by separation for two years. If he sinned before his marriage, his punishment is seven weeks and is taught to behave by marriage! , but if he refuses he is to be cast out until he gets married or stops committing adultery.

31. If one’s wife committed adultery without his knowledge, she is punished alone, but if he knew and did not want to commit her to punishment, they are both punished

32. If he was a priest he is to be cast out of the priesthood and denied communion. If he repents and lets her receive her punishment, he is allowed to receive communion but is not allowed to return to his priesthood because he is a partner in her sin.

**Third: Concerning Adultery With Those Whom You Are Not Permitted to Marry:**

33. One who commits adultery with his step daughter is punished 15 years: six years weeping, four years he hears words of preaching, and five years he spends with the believers.

34. One who commits adultery with his wife’s sister or a woman who marries two brothers is punished 12 years.

35. One (man) who marries two sisters or one (woman) who marries two brothers are to be separated and punished and to be separated from the Church as long as they are in this condition.

Fourth,

36. If an adulterous woman wants to change her ways, she should change her dress of adultery (manner of dressing) and attend the church for a year standing at the door for a whole year before she can mix with the believers. After that she spends 8 months hearing the word (of God) and leaving after the sermon, and 4 months attending with the female believers after that she can receive communion. If she was not baptized, she is to be taught 40 days then baptized (before receiving communion).

Fifth,

37. Those who commit homosexuality (‘Loat’) are to be exiled if they live.

38. Those who fornicate with animals and anyone who commits sin (adultery) before the age of twenty, are punished 15 years. They can participate in congregation prayers and receive communion after the first 5 years of punishment.

39. One who eats ( receives income) from adulterous women should stop or be cast out.

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## **Chapter 50**

### **Concerning Punishment for Stealing, Physical and Spiritual**

(Preliminary Translation)

1. What was stated in the second book of Torah (concerning punishment for stealing) is: if one steals a bull or a goat and he slaughtered or sold it he owes to replace it five times for the bull and four times for the goat and if it was found no more or he does not have what to pay, he should be sold for his stealing. And if the stolen item be it a bull or a donkey or a goat is harmed he has to return two for each one.
2. If one lets his animal roam around and ends up in the farm of another. He has to compensate the other by the best produce of his farm for what his animal(s) ate.
3. In the fifth book of the torah it is stated that if one steals a soul from his brethren, and he treated the brother as a slave or sold him, the thief shall be killed.
4. What was mentioned in the kings laws is in five parts:  
  
First, One who enters to the altar and takes away (steals) anything day or night his eyes should be filled with ‘kohl’ (mascara like substance) and if he is caught outside, he shall be beaten, his head shaven, and he is exiled.
5. Second, If one steals children free or slave or if a gang comes through town to steal animals, children, or women that gang shall be killed or at least exiled to the end of the earth. There situation is turned over to the ruler to punish them according to their actions big or small.
6. Those who lead a cattle drive that is not their own (by stealing) are punished first by beating, second time by exile, and the third time by the cutting off of their hands and the cattle is returned to its owner.
7. If a man steals weapons from a (military) camp is punished by beating that causes pain. If he steals animals the hands shall be cut off. One who steals from a town being well to do, he has to return the items plus equal amount of the same as punishment. If he was poor he is to be beaten and exiled but if he repeats his hand are to be cut off.
8. Thieves of the night who come in the night and steal by force are to be killed. Those who steal during the day and the shop lifters and pocket picker are to be punished and penalized.
9. Those who break into homes are to be punished according to our commandments either by death, or exile, or penalty.
10. Fourth, One who deceives a slave and hides him away from his master is to be punished by returning him and an equal amount as penalty.
11. The master of a slave that steals is punished by paying the value and penalty and if he does not he has to turn the slave over and slave becomes a fully owned slave by the one whose objects were stolen.
12. One who accepts stolen objects from his slave has to return it and four time the value as penalty.
13. One who accepts an escaped slave has to return him and another as penalty or he has to pay 20 Dinaries (for the penalty)/
14. Those who embezzle things in a fire or a sea wreck, and those who receive such items are penalized by paying four times the value if it was done within a year (from the incident), but if the incident was over a year past they only pay double.

15. One who buys a free person knowingly and uses him as a slave or in a business deal or sells him out right is punished if it is proven by having his hands cut off.

16. Fifth, Those who uncover the dead in their graves (desecration) are punished by having the hands cut off.

17. The commandments prohibit cutting off the hands and feet both as punishment (one or the other).

**Part Two: Spiritual Punishment:**

18. Any clergy or layman who steals oil or candles (Church property) from the Church is punished by returning what he took and five folds as penalty.

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## Chapter 51

### Concerning Getting Drunk, Usury, Disobedient Children, and Some Criminal Acts

(Preliminary Translation)

#### First, Getting Drunk:

1. The Lord warned in the Gospel about getting drunk (Matt 24:48-51) and said that He will punish those who (neglect their duties and) eat and drink with the drunks in the place where is weeping and the gnashing of teeth.
2. Paul (the Apostle) in his epistle to the Corinthians (I Corinthians 5:11) included the drunken with the killers and the adulterers in the statement that they will not inherit the kingdom of God. He also warned against associating with them or eating with them.
3. Isiah the prophet gives woes to those who get drunk and seek drinking what makes one drunk and those who drink in night clubs and spend their evening there (Isiah 5:11).
4. Solomon the Wise saw woes, sorrows, tribulations, and disasters for those who drink excessively and said do not be a drunken because if you sacrifice your eyes in saying cups and glasses of wine you will walk naked because the end of drinking is worse than the bite of a serpent (Proverbs 23:29-32).
5. And he said drinking leads to adultery (Proverbs 23:33), and adultery leads to destruction (Proverbs 5:26).
6. It was mentioned in the Chapter on Priests the spiritual punishment for drinking.
7. (Saint) John the Golden Mouth (Chrysostom) calls drinking the madness by free will.
8. Drunkenness can be the cause for all disobedience and vices. Also according to medical books it can lead to many diseases including: shaking, laziness, paralysis, fevers, pain in the stomach, swellings in the head, sudden heart stop, sudden death, falling from high places, falling in wells and in digging places.
9. But the use of wine for medication is as Paul commanded his disciple ‘temothaoes’ Timothy to use little wine for his stomach and his many illnesses (Timothy 5:23). In the laws of the disciples (‘Descolia’) The strong nerved does not drink wine lest he forgets the wisdom and is not able to rule straightway. We say that does not mean that we forbid them from drinking what God made for the pleasure of man but to warn them that they do not drink lest they become drunken. The books did not say not to drink but it said do not drink the wine to get drunk. We say that to the priests and all the Christians.

#### Second, Usury (Lending for Excessive Return):

10. In the first commandment (Old Testament) the Lord admonished against lending for excessive return. In the second (New Testament) the Lord added that not to ask for a return. (Matt 5:42).
11. In the commandments (Church laws) it admonishes against lending for Usury. It also punishes those who do such things. For example the laws of the Apostles states that if a priest or a laymen charges one any Usury, he is to return it back otherwise he is to be cut off.
12. In the end of (rules of the Council of) Nicea it says that you should be without blame in front of God by not lending your brothers for Usury and if you have grains or gold to sell to him do not ask for three fold or four fold the value because this is usury (excessive return).

13. Many rush for the bigger share forgetting the holy words saying: his silver he did not give for usury and they accept usury. The great council (of Nicea) stated that if one is found accepting usury or making others accept usury for grain or otherwise using tricks for defiled gain he is to be cut off and made a stranger.

**Third, About Disobedient Children:**

13. (Kings Laws 4) A disobedient child is to be exiled from the group. He is also to be denied the inheritance due him from his parents. In the Old he was to be stoned, but in the Christian Laws mercy limited punishment to what was stated.

14. If one has a disobedient child who hurts his parents, he has to state the situation to the ruler (authority) and the authority takes the action of exile and denying him inheritance.

**Fourth, Rumors/Gossip:**

15. If one says dirty (bad) things about another he has to produce proof of his statement by having witnesses or by confirmation from the man (person) who is the subject of what is stated.. But if he fails to prove his statements he is to be penalized and even punished.

16. If you rule without hypocrisy you should be able to discern the false sayings because those who make rumors are fast talkers and for that reason you ought to punish them and do unto them what they intended to do unto others.

17. One who spreads lies against the brothers ought to be punished so he will not dare to do it again and as a warning for others not to do such thing.

18. The brothers should not expose the faults of others because (if they are not sure) they can cause them to be punished or exiled (unfairly).

**Fifth, Concerning Witchcraft:**

19. If one knows about any who practices witchcraft and does not report them to authority is to receive the maximum punishment (for collaboration).

20. Those who write word of magic (‘Herooz’ used by some as magic power) for the purpose of gaining favor should be exposed and exiled.

**Sixth, Concerning Fire (Arson):**

21. One who sets fire in a city or a village for the purpose of hurting some of the inhabitants shall be (killed) by burning.

22. If one intentionally sets a house on fire should be punished.

23. If a home is burned intentionally and the fire extends to other areas, the first one is not to be compensated (because it was intentional).

24. If one sets a fire in his own field intentionally (for example for weed control) and it extended and caused damage to a neighboring field, the situation has to be examined carefully. If the person took all the required precautions he does not owe but if he did not, he owes compensation (for the damage he caused).

**Seventh: Misc. Crimes:**

25. If the body of a free person is harmed, the ruler should ask for the cost of medication and lost wages, but he should not ask for compensation for lost figure because a free body is priceless! But if the harmed is a slave he has to ask additionally for the loss of value of the slave!

26. If one keeps domestic animals that do not belong to him and causes its destruction due to lack in food or otherwise, he was double its value.

27. If one takes land or homestead by force he owes double what he took by force.

28. Youth who cause trouble after being warned by the leaders are to be exiled. If they were not given warning, they are punished by beating with a wooden rod and released.

29. One who uses equipment to make counterfeit Dinaries (money), his hand cut off.

30. One who attacks the priest of a Church is beaten and exiled.

31. One who attacks the keeper of the Church is to be kept away far enough distance (12 ‘darah?’). One who aids him in hiding is guilty. And when he is found he is to be turned over to the priest and the leaders of the congregation to be tried and punished according to the commandments.

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## **Chapter 52**

### **Concerning Hair (Styling), Circumcision, Confession, The Duties Towards Leaders not to be Increased or Decreased, and the Advice to Adhere to the Commandments**

(Preliminary Translation)

{Note: After Chapter 51, there are two major footnotes: One about why we should adhere to commandments and Church laws. The other is an interview with Pope Kyrillos III (Ibn Luqluque) concerning Church laws. Also I have to go back and translate chapters 1-10. Since I started in Feb ‘96 with chapter 11 (Concerning Prayer) not knowing that God will lead me to translate the whole thing. It is good to go back and learn from those who preceded us in the Orthodox faith even if we do not agree with everything they practiced and/or taught. Remember that these writings were preceded with 500 years spiritual drought and terrible undeclared persecution. Pray for me. Ogaai.(be well)}

#### **Hair (Styling):**

1. It is not proper for men to grow their hair long or to braid their hair, this applies in particular to the priests. Men should have their hair cut.
2. It is not proper to grow it long because the Apostle Paul in his epistle to the Corinthians said that if men leave their hair to grow long, it is a defiled thing (I Corinithians 11:14). Also he said in the epistle to Timothy that women should not adorn themselves with hair braids (I Timothy 3:1). And because of what the Apostle Peter said concerning women not to concern themselves with outer appearance like jewelry and hair braids (I Peter 3:3). And if it was not proper for women, it is more so for men.
3. The admonition here is included in the admonition against the adornment of the flesh in general. And (Saint) Bassellious used the 27th canon (referring to the council of Nicea) to admonish men not to allow their hair to grow long at all, adding as the Apostle said.
4. The command to have the hair cut is because the Apostles said in the Descolia: “Don’t leave your hair to grow long, Don’t Service it!, Don’t rub it with ointment, Don’t wear it wet or flattened or braided or hanging. Do not grow long side burns and do not use make up to make you look like women because this will cause them to desire you which will make you guilty of their sins (of desire).
5. Paul the Apostle had his hair grow long twice according the book of Acts, but this was because of a promise to God and we know that he was guided by the Holy Spirit and no doubt that his promise which was for a whole year at one time was a virtue for him and his followers (disciples).
6. The words stated in the canons of the council of Nicea, twenty following twenty? does not mention growing hair as unacceptable because the Apostle had his hair grown as a promise but it definitely states that one should not take hair from his beard to replace the hair cut from his head and to not use hair to enhance appearance (as make up) and the Council at Gangara did admonish women against shaving their heads and that was for women not men.

#### **Circumcision:**

7. Circumcision is an old commandment from God Al-Mighty intended to distinguish God’s people from other people (gentiles) as a marking relates things to their rightful owners. For this reason, it was not proper to give a child a name until after the circumcision and the proof of that is what St. John said about John the Baptist when they brought the child to be circumcised they called him John (Luke 1:59). When Christianity spread in the entire world, man because he consist of body and soul was given a spiritual identity through baptism which distinguishes the Christian from the others. Also, he is to be given a name (Christian) name during baptism by which he is called as

the slave is called to his master. For that same reason the animals were brought to Adam to be given names as a proof that he had right of ownership and authority over them.

8. In the new Testament, circumcision (of the flesh) is a custom/tradition not a commandment because it already has been replaced with baptism. In the old testament circumcision had to be performed on the eighth day after birth to be legal, but in the new such is not required.

9. In our (tradition) having circumcision or not having it does not make any difference because of the Apostle saying: “One called while circumcised should not desire to be uncircumcised and uncircumcised not to desire to be circumcised because neither benefits you nothing, but keeping the commandments” (I Corinith 7:18-19) also “being circumcised or not circumcised benefits us nothing, but faith completed with love” (Gal 5:6). He repeats the same saying in Galatians 6 “Circumcision or un-circumcision benefits man nothing but the new creation” (Gal 6:15). which is baptism.

10. His saying which appear to be admonition against flesh circumcision were intended not admonish but to teach that it is not important to adhere to the old testament rule concerning flesh circumcision for which reason the old testament commandments were called the circumcision commandments, as the books were called by what they state like Genesis (creation) and Numbers (statistics).. According to this nomenclature following old testaments rules is called circumcision and following new testament rules is un-circumcision. So in the seventh chapter of I Corinthians the Apostle states that if one is called to the faith while circumcised, he does not return to un-circumcision (meaning to follow the old testament commandments even after you became Christian because Christ came to complete and not to destroy).

11. It is clear from the saying (above) that he is not talking about flesh circumcision because one can not return the flesh back after it was cut off, when he said he can not return to un-circumcision because it is not possible to become un-circumcised after one is circumcised. This is assured by his saying in the epistle to the Romans: “You who are circumcised by your disobedience to the law made you circumcision un-circumcision.” And if the one who is un-circumcised obeys the law, he makes his un-circumcision to be circumcision. And the flesh un-circumcision for the one who obeys is a proof for him that he is circumcised (spiritually).

12. Yes, it is unlawful to have (flesh) circumcision after being baptized, and the proof of that is in the closing of the epistle to the Corinthians: “Everyone should stay on the condition in which he was called to the faith” (I Corinith 7:20).

13. If flesh circumcision was originally illegal, St. Paul would not have done (recommended) it for the Bishop Timothy his disciple as certified in the book of Acts. But if one says that necessity made him circumcise him, the answer is that actions based on commandments are two types:

First, commandments which must be followed and can not be abandoned in all conditions and at all times as the Lord commanded what to do and what not to do. In this category are baptism without which one can not inherit the kingdom of God, belief in the one person of God with three manifestations as the Apostle Paul said: “If we or an angel from heaven preaches to you other than what we preached you in the beginning let them be anathema” (Gal 1:8).

And commandments not to do certain things is like the commandment not to kill, or commit adultery because he said that those who commit such major transgression shall not inherit the kingdom of God.

Second, Things that one is allowed to do or not to do, like extra praying and fasting,, circumcision and the proof that it is possible to do them or not do them is in what we stated before and what is customary and ordinary in common every day things.

14. The other denominations (traditions/nations) have customs some of which is desirable and others are not. Like deep engravings of the face by the Ethiopian and Nobeans, Shaving the beards for the ‘Fringy’ Westerners, and shaving the center of the head for the ‘room’ Greek clergy. If those say that their patriarchs (Church Fathers)

allowed them to do these things, we say the Coptic Patriarchs (Church Fathers) gave us the permission to perform circumcision of the flesh.

15. One would say that the Apostle did (require) flesh circumcision for necessity and benefit. Also, the Copts required it for necessity and benefit. It is necessity because by doing so, our boys are protected from doing it after baptism which is prohibited as stated here and many places other than this book. It is also a benefit because physicians and those philosophers who wrote and classified said that circumcision weakens sexual desire and this by agreement (of many )is desirable.

**Confession:**

16. But confession is a spiritual medicine it is relation to the soul is the same as the relation of physical medicine to the body, it can only be performed by a (spiritual) physician good and experienced otherwise it should be abandoned if the physician is ignorant or evil. Then, when the patient accepts the medicine and uses what is prescribed for him according to prescription time, place, and circumstances he benefits from it otherwise it is no use. This applies to both physical and spiritual medicines.

17. Because the good and experienced spiritual physicians became scarce and hard to find (the author talking about the conditions in his time, 1200 A.D.), confession became rare among Copts and some of their patriarchs prevented the public from taking part in it because of the absence of three conditions mentioned above without which it can not be completed effectively> Also, because not everyone is in need for physical medicine not everyone is in need of spiritual medicine (This is plain wrong, how about preventive medicine. It was not known at the time!). (The president, meaning the patriarch can add or delete from practices in their time according to what he sees of benefit in his time.)

18. Learn that the purpose of the commandments is two folds: (First) Belief in God Al-Mighty (Second) Doing what pleases Him.

19. (First) Two categories (literal) statement and interpretation. Statement is not be added to or taken from because of the Apostles saying: “If we or an angel from heaven preach to you other than what we preached original let them be anathema.” and interpretation should not introduce contradiction to the literal statement and should not be in contradiction of what was agreed to you by majority (of Church Fathers) or what is not the opinion of the Saintly Great Scientists of the Church.

20. (Second) Two categories: (One) what is obvious in the literal statement and the (laws) of the accepted councils concerning fasting, prayer, giving and the likes. This goes like the first (literal statement) in being accepted and upheld. (Two) What was not clearly stated in the books mentioned and is not obvious in being bound by it and there is no majority agreement about it in which case the (clergy) applies the authority of binding and absolving with the following condition:

First- The (clergy) must be complete in mind according to its two meanings: innate and acquired.

Second- His faith is correct (in the orthodox sense) to protect the faith and give interpretation.

Third- He is knowledgeable of three bases: (First) The (full) contents of the Holy Books, its agreed to interpretations. (Second) Of what the Saintly Scientists (of the Church) agreed to and disagreed about and the things closer to their agreement. (Third) Knowledge of the measures of the reaction to things kept quiet (not being discussed or considered) and the things allowed (spoken about) and the interpretations and majority agreement.

Fourth- He is knowledgeable of things which are common and customary.

Fifth- His reputation is good both in the spiritual and physical sense which makes his flock accept what he says.

Sixth- He has to consider when he makes statements and interpretations what the flock can bear and what they are in need for like giving them the benefit of certain science (teachings) which can strengthen their faith and improve their reputation and complete their worship and causes them to be in harmony in their political affairs and to help them improve their civil affairs and help them straighten their worldly and heavenly affairs.

Seventh- To consult in his binding and absolving decisions righteous learned clergy and laymen both privately and publicly. And after they reach agreement, he prepares a written statement explaining what is stated, the reasons for it, the benefits, and the agreement he reached with learned clergy and laymen concerning it. And if it was a major issue, he has to gather the bishops, the leaders of the priests, and leaders of the laymen and everyone knowledgeable and righteous of the people and their own hand writings should be included in the written decree and copies are made to read in the Churches public and private (meaning the secluded ones on monasteries and far away places) and in all town and villages.

21. To our Lord glory and thanks many times always and from his mercy we ask help to us succeed in learning and doing accordingly so we can be in his peace here and we inherit the kingdom of heaven. Amen. Amen. Amen.

### **(The Book Is Completed)**

Footnote: Why We Should Adhere to Commandments (Laws):

(Last Footnote) If one disobeys what we started to say, he is resisting God. He should search the books of God (Holy Books) and contemplate what the Church has inside it and he will understand that all these things are ordained. The Lord said in the Gospel: “If one is of God, he listens to the words of God.” He also said: “Blessed are those who hear the word of God and keep it in their hearts.” He also said to his disciples: “If one accepts from you, he accepts from me and who disobeys you disobeys me.” And the disciples said at the end of the canons which are 56 in number, These canons we command you we the Apostles if you adhere to them you will reach the shore of safety to the end of ages and if you do not accept and obey it you will be mocked and will be calling upon yourselves wars among yourselves and afterwards you will be receiving the punishment you deserve for your disobedience. Allah (God) the omnipotent, his son Jesus Christ, and the Holy Spirit the creator of all beings makes you one and only one in peace and prepares for you every good thing and you shall stand and stay without blemish and without sin and makes you worthy for the places of eternal life for the sake of his beloved Son Jesus Christ, the God of Truth our Savior to him is Glory with the Father and the Holy Spirit for ever and ever. Amen.

This is the end of what was written in the book collection of laws but necessity made it essential to add the following chapters to make the book achieve the purpose and bring the full benefit:  
[These were most likely added to the book later]

### **Footnote: (About Confession):**

It came in the fifty fifth chapter of the book (The Origins of Religion and The Sciences of Assurance) written by the reverend elder (‘Sheik’) the leader (‘Raees’) the righteous trusted Christian scientist Mutaman Al-Dawlaah (Trusted by the Nation) Abi-Issac Ibn-Alfadl known as Ibn Al-Assal, he said about confessing transgressions and sins:

Confessing according to the language means statement of what a person said and did in the past and present according to the civil laws it can be confession of transgressions, sins, bad deeds, buffiness, disobedience’s, bad desires, unintended and unconscious bad deeds and the intended ones cause by bad thoughts, false hopes and words and deeds which are against the Church and the faith. And it is considered according to the following original thoughts:

(First Original Thought) Can not be more than three categories: (First) Confession from the created (being) to the creator in privacy admitting to the Al-Mighty the secret and the known publicly, what goes through the mind and in the conscious and what one did in his youth and old age desiring to stop all these things and promising the Al-Mighty to not return to any of it even if one is pressured to do so and offering repentance through prayers, fasting,

giving, and performing what our religion commands us to do even the ones that exhaust the body and the fortunes> At this point God accepts the repentance in the future and forgives him and accepts him. This is what most Copts do.

[Speaking about the time of the original writings. Not necessarily the practice today!]

(Second) A persons confession to all those whom he offended or transgressed against asking them to forgive him and when the offended one(s) forgive him, God forgives him on the condition that he does not go back and transgress against that person or any other in secret or in public. This is don by the Coptic public because of the Lord’s saying: “If you are about to make your offerings and remembered that you owe someone, leave the offerings on the altar and go make peace with the other and then....” (Third) Confession to the priest entrusted with hearing confession. In this case also, he has to tell him everything and not hide anything in word, thoughts, or deeds. If he hide anything he is destroyed by it because the priest will prescribe spiritual medicine for what he hears and the others will gain strength against the person and bring upon him destruction. And if he confesses everything to the priest, he will be able to prescribe the spiritual medicine which includes prayers, fasting, giving, and offerings required to receive the forgiveness from God for all his sins and be in good health and to maintain good health. This is the opinion of majority of the Coptic public for many reason that follows.

(Second Original Thought): The legal oral statements mentioned concerning confession (First) The Gospel statement that: “They came from Jerusalem and all of Judea and the region surrounding the Jordan river to be baptized (with water) confessing their sins.” (Matt 3:6)- (Second) the saying of St. Jacob (James) the Apostle mentioned in the Catholic epistles: “Confess to each other your sins, and pray for each other to be healed.” (James 5:6).- Also the saying “If we say that we are without sin we are deceiving ourselves and we do not have the truth in us. But if we confess our sins is trust worthy and just to forgive us our sins and cleanse us from our transgressions.” (I John 1: 8,9).- (Third) The saying of (St.) Luke in epraksees (book of Acts): “Many of those who became believers came and confessed their sins and were baptized...” (Acts 19:18)- (Fourth) The saying of the prophet (and king) David: “Confess unto the Lord because he is righteous and his mercy is forever.” (Psalms 118:1) - Also his saying: “I confess to the Lord my transgression and worry about my sin” (Psalms 32:5)- (Fifth) From the righteous Job chapter 13, second saying to elia-ho about man: “if he looks around and returns back and repent to the Lord and tells his transgression to another man and admits his bad deeds and ignorance. If he admits he does not fall and is saved and does not fall the fall of death and his flesh is renewed like the wall which was renovated and his bones are filled with marrow and fat and he builds his flesh like a boy and is reconciled with people and he prays to the Lord and his prayer is acceptable and he enters with a simple righteous face without darkness and he rewards others justly.” (Job 33???:15-26).- Also in his answer to bel-daad: “what did I hide when I sinned unwillingly. I did not hide my transgression, or judgment, and I did not feel embarrassment in the middle of many people to admit my vices.” (Job 31:33).

(Third Original Thought): Is that, a Copt who does not come to the priest for confession could be because of thinking that the priest does not have the conditions considered necessary for qualification. If he (the priest) lacks them visibly by their observing in eye and mind and by telling of those who saw and heard it in every time and place by bad actions and corrupt behavior which is non bearable, confession becomes even more of spiritual medicine for difficult spiritual illness especially when the one who prescribes it is a lost one (himself). And I saw some who are outside our fold and who resist our ways are mocking us for doing it which made some of the Copts to leave the practice of confessing to the priest and instead they started to confess to God secretly between them and the Al-Mighty and they substitute for it prayers, fasting, and giving. And if one of them transgress against another, he goes to him and asks for his forgiveness. He does not leave him until the Lord has planted in their hearts love for each other.

(Fourth Original Thought): The qualifications of the priest to be able to receive confession: -(first) He has to be a priest (canonical).- (Second) He has a permission form his patriarch or bishop to receive confession after he has proof that the priest is capable of performing this duty: (1) His Faith Is in Truth. (2) His deeds, devoutness, and behavior are according to the true faith. (4) Keeps the secret and everything the confessor tells him he does not tell and does not dwell on or think about . And if he tells any of these things to his wife or child, or friend, or acquaintance the bishop has to take away his rank of priesthood and for that reason confession is a grave responsibility for both the bishop and the priest and for that reason they both have to bury the secret in their heart no

matter what even if his life is threatened. Because it is better for him to loose his bodily life than to loose both body and soul in the fire of Hades. (5) He has to have the energy and strength for prayer and fasting on behalf of those who confide in him with their confession in addition to the customary prayers and fasting and he has to ask forgiveness for them night and day and in every liturgy and during every ‘qurbaan’ (offering) asking for them with weeping and bitter tears and repeated intercessions and repeated fasting. And if the priest is rich and the confessor is poor, the priest has to give for him alms according to his ability and to do all this in addition to his customary worship. (6) he must have the experience gained over time in all kinds of incidents, accidents, disturbances, and new unexpected events. (7) He has to have the ability to observe quickly and correctly the condition of the confessor from his movements, the slips of the tongue, changes, changes in his conditions, from which signs he can read him lying or telling the truth in what manners of spiritual illnesses he is suffering from because some are driven by modesty to hide their spiritual illnesses from their priests especially the repulsive ones. Some also are afraid of the difficulty of telling repulsive things and are afraid of the bitterness of the medicine and also are afraid that their priest might tell it to others or write about it and for this reason they substitute for confession their asking God’s forgiveness and they do no mention these many spiritual illnesses and ignore them. (8) The priest has to be very proficient in the medicine of the soul and the maintenance of its health and treating the ill ones according to the condition, mood, condition, timing, and ability of the patient keeping in mind the habits and manners and changes that affect those individuals and the abilities of their souls and bodies and he has to counteract each illness with its counter (proper) medication as the physicians of the flesh do and does not prescribe for a medicine that could not help him. (9) To treat his patients free of charge and do not accept a gift as long as he confesses through him. (10) He should not use favoritism in his favor, not be bashful with him, faces him with the truth, admonish him, preach to him and chastise him as he can endure.

(Fifth Original Thought): The Conditions Expected in the Confessor: (First) He has to be mature of full age and is to choose the best of doctors (priests) that satisfies the conditions above.- (Second) To be honest in what he says to his physician and not hide anything big or small, great or small, delicate or thick otherwise by hiding or not honestly telling what he suffers from he can bring on himself other spiritual illnesses and by doing so he can bring on himself destruction and the wrath of God the Al-Mighty. - (Third) He has to be patient (with himself) in using the divers prescribed bitter medicines to gain a spiritual vision and at the end is saved by the medicines. - (Fourth) He has to be obedient to his physician, accepting to his sayings, using all the medicines prescribed for him. He has to make of himself like a dead person in front of the one who washes him and like the tool in the hands of its maker and the slave with free (good) manners in front of his master, does not make any of his important obligations stand in the way of following the medication prescribed for his healing.- (Fifth) He has to have good opinion about his physician, by which he can be certain that he will receive healing through receiving the treatment and using the medications. And when these conditions are complete in him, his soul is enlightened and all obstacles are lifted from his ability to see the heavenly visions and the soul shares with the heavenly beings in glorifying, sanctifying, and praising (God) and he mind is elevated to the heavenly world and his physician (priest) also becomes deserving of heavenly praise and to be called great in the kingdom of heaven. But if both lack these conditions (stated above), God forbid! they both are like what the bible said: “A blind leading a blind and both will fall in a deep hole.”(Matt 5:19). If the conditions required in the priest exist, but the confessor lacks thereof, the priest receives his reward alone and the confessor did only exhaust himself and wasted his fortune and added sins to sins and illness to illness which might lead him to a condition requiring the use of hot iron (method used on these days to treat nerve conditions) or even amputation.. If the opposite was the case, the priest becomes deserving damnation which the Lord reserved for the hypocritical scribes and Pharisees and the heavens is pleased with the repentance of the confessor and is healed from his illnesses and pains.

The elder (‘sheikh’), scientist (‘Alim’) the Revered (‘fadel’) the flag of leadership (‘Alaam Al-Reaassah’) Ibn Katib Kaiser (a reference to a contemporary author) wrote an extremely good article on the same subject in which he mentioned the opinions of the two groups: the one that believe in confession and the one that does not showing the pros and cons of the opinions of each side contrasting both of them. I did not detail all of it, considering what I stated sufficient .

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the

first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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Awlaad Al-Assal

## Chapter 53 (Second Footnote: Questions & Answers Ibn Luqluque)

(Preliminary Translation)

These are question and answers reported by the monk-priest Peter the son of Michael the priest at the Church of bo-shenouda (St. Shenouda) in the port of Alexandria during the fast (meaning Lent season) of Nine Hundred and Fifty Seven (957 Martyrs). The writer said: When I took the wood? to the Church Aflakah in the Bohira (lake) region as was mentioned by ibn-doqmaque (In the region of Bohira). He said in the original it was (written) as follows:

In the Name of Allah (God) The Creator (“khaleque’), The Living (‘Haay’), The Speaking (“Natique’)

A copy from the original by the hands of the father Anba Christozolos Metropolitan of the port of Dumiaat, the bride of the see. In which he asked questions to the father, the chief (“raees’) the patriarch Anba Kyrillos to answer the question because of the need to know these answers in the present time (meaning answers appropriate for their time and situation?). This was in Baoni in the year 956 Martyrs (In the year that followed, this book, Al-Safawy Collection was published). He answered each question and we recorded answers for each question in a column facing the question by his own hand writing and his signature. And he said that his poor self exchanged copies with him (meaning with the patriarch).

[Note: We are unable to format text as two columns because of Internet limitations using E-MAIL. In the revised version, God willing, we will follow the format used in the Arabic text.]

After ‘Basmalah’ Reciting In the Name of the Father, the Son, and the Holy Spirit. Amen:

Introduction: Some of the disciples the bishops kiss the ground of the ‘quellaiah’ private residence of the master, the father, the patriarch Kyrillos (pronounced: patriarchiah kyr-ollossiah), the Lord may elevate him more. Came to ask question looking for answers which one can depend

Facing Column: Marking by the patriarch, insignia of the patriarch. Glory to God forever. Amen. Answers from the always inhabited residence of the patriarch.

Q: If two are feuding, and one is due to swear in the name of Allah, His Name Is Praised, and the other comes up with a opposite proof after the first swore, is the proof accepted after the first swore. And if the proof was before swearing with only one witness, is it accepted?

A: One should examine the proof before any swears to his version of the truth, because after swearing no proof shall be accepted. And if there was only one witness, the witness swears together with the claimant.

Q: If one is due to give oath, who is the one to give the proper wording of the oath to him. Is it the bishop, or priest, or deacon, or the person himself, or his enemy, or someone else?

A: He swears by the permission of the ruler, bishop or priest. The ruler selects the one, other than his enemy, who gives him the proper words of oath to say.

Q: If one makes a multiple points claim against another concerning an inheritance or something else. Can he give one oath for all his claims or separate oaths.

A: The plaintiff gives one oath.

Q: If a man was judged in a civil case and he did not fulfill the judgment and the bishop prevented him until he fulfills the judgment and he did not follow through, not only that but he insulted the claimant. Does that give the claimant the right to go to the authority/ruler to ask for what he is owed and for punitive damage?

A: If a feuding person disobeys the orders of the bishop and does not listen to his advise (concerning a judgment) he should be turned over to the ruler/authority and with a strong hand he what he owes is extracted forcefully.

Q: What obligates one who speaks evil against his bishop and causes him ill repute in the presence of believers or unbelievers?

A: To speak evil against the bishop is not permitted and the bishop has the right to complain to the patriarch and the patriarch shall prevent the person (punish him) according to the magnitude of his crime.

Q: If two appear in front of the ruler (bishop/priest) for trial is it allowed for anyone to interrupt the trial or the ruler and to answer for what he was not asked or to argue in favor of one of the disputing parties and to increase the magnitude of the problem?

A: It is not permissible for anyone to interrupt the rulers while he is ruling (trial in progress) and no one is allowed to side with one side, so if one makes noises he should be prevented. And if he was a laymen, he should be denied qurbaan (communion).

Q: If in a large town, there was a single priest serving although he does not know the rules for baptism, marriage service. Does not know Arabic (meaning common language) and makes many big mistakes in Coptic. Allows those who are prevented and prevents those who are eligible to receive qurbaan (communion). he also belittles his bishop. Does not conduct early morning or evening prayers and does not always hold communion Wednesdays and Fridays. And if he is absent a feast or trading season he closes the Church and does not allow anyone else to hold service because he is in charge. And if the bishop relieves him he will spread vicious rumors against him. Should not the bishop replace him with one who can care for the Church better and require him to read and study until he is changed to the better?

A: If what was mentioned was found to be true, the bishop should prevent him and bring another in his place and it is the responsibility of the bishop to manage the affairs of the Church according to the holy canons of the Church without objection from anyone. And if any priest is like that, he should be prevented until he learns the trade (duties) of priesthood.

Q: If the bishop ruled between two feuding people and they left with a ruling according to the commandments and have a settlement between them in the presence of witness, can one of them go out and seek judgment against the other according to another faith/religion and cause him penalties not according to our faith?

A: If two reach settlement in the presence of the bishop, none has the right to go to other ruling councils. If one does, he owes the penalty he cause the other to receive (according to our rules) and should be prevented (from communion).

Q: If a deacon (servant) is absent from the Church for a longtime without obvious reason and was called by the bishop and elders to the Church and refused to come and because of him doubt and offense started with many people, what should be done after the request is repeated many times with no use?

A: If he continued to refuse with no urgent reason twice or three times, if he was a priest he should be prevented from the service of priesthood and if he was a layman he should be prevented from qurbaan (communion) until he obeys.

Q: With the questions concerning the Christian cannon laws, always the question about those who violate them?

A: Those who violate any of these things should be prevented.

Thnaks to the Lord (‘Hammdu Li-llah’).

Forgive me. the reason for these questions and asking the answer from the patriarch was caused by a small group of evil people who are low in honesty and spreading vicious rumors. They do there dishonest thing without consulting with the bishop and it was feared for their souls because of their deeds. Also we feared for their religious standing so we had to show the urgency of the matter to them by bringing the answer in the hand writing of the father the patriarch. And God is the witness, this did not work with them either.

This is what I found written here to the letter as it was found and was added as a footnote to the previous chapters on rulers, oath, and witnesses. It is worthwhile to have it especially in the life of the author of this book and it is a footnote to the original manuscript showing how the bishops dealt with their flocks in these days and they did not make a decision without the permission of the patriarch.

Third Footnote: Inheritance Rules Written As a Poetic hymnal (Church Song)

[I will not be able to translate this hymnal immediately. To be done later! William Hanna]

Fourth Footnote: The Laws of Pope Kyrillos Know as Ibn Luquluque:

[14 pages of manuscript to be translated in the next few weeks ... William Hanna]

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[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

## **Chapter 54**

### **Fourth Footnote: The Laws of the Patriarch Ava Kyrillos Known as Ibn Luquluque**

(Preliminary Translation)

In the Old Manuscript it was found and had in the beginning the following letters (heading):

Glory be to God Always (and) Forever.

“bi vov fa evnouti beh” (transliteration of the Coptic heading)

(The situation is based on what this paper contains)

(to complete what was said previously about rituals)

One who is prevented should not be released (by other than the one who ruled against him). Anyone who does change the situation without the permission of the one who ruled is prevented with him (they both are). Also, no one of the clergy is to bring forward (allow to have communion) one who is prevented without his being absolved by the one who prevented him and the one who does that is prevented also (both of them). And the priests every morning have to come to the ‘qualliah’ residence of the bishop before holding prayers and from it they are sent to their works. And anyone who does not follow these rules are prevented. Written on the 24th of Baramoudah, 956 of the Calendar of the holy Martyrs.

[For our times, this means that the priest has to be in full regular communications with his bishop and in certain episcopate the pope and patriarch if no bishop is appointed for their region]

vvvvvvvvvvvvvv

This paper is in the hand writing of sheikh (elder) Al-Safey Abi Al-fadael Ibn Al-Assal and on it the hand writing and insignia of the father the patriarch an indication that it is a trust (copy righted) so no one can violate it, so if they do after we wrote to them and talked to them, nothing we can do and we can only ask the Lord to straighten their affairs.

This appeared exactly as stated above in the old (original) manuscript which was hand written and dated 956 M (1240 A.D.) and what follows is the laws as were written:

In the Name of the Father and the Son and the Holy Spirit, One God.

What is relied on in the matters concerning trusts and alms (giving) and what comes with it from what was stated in laws and what the mind dictates signed by the master the patriarch Anba Kyrillos, the Lord grant him long life and that was in the month of Baramoudah, in the year six and fifty and nine hundred for the holy martyrs.

Trusts are two categories: (First) For those who are not in need at the time of willing the trust like the offspring, relatives, and friends. This is a trust the purpose of which is good remembrance of the person by those to whom he willed the trust and the good reward in the world to come. (Second) Trusts for the needy and those are eternal alms by which the giver intends a continuing benefit for the needy here on earth and continuing benefit for himself in the place of eternal life.

The trust is anything that can bring benefit without touching the “eye” capital amount like real estate, farms, orchards.

The one who wills a trust has to be of full age, free (to act), and free to act (not done under pressure of any kind) at the time of writing the will.

The ones eligible to benefit from the trust is one that does not boast of being not a follower of the godly commandments neither in his faith like those who worship other than ‘Allah’ God nor in their professions like the

highway robbers or those who deal in falsehood nor those who will not benefit from it, but if they return back (to normalcy) they can receive what was willed for them.

The trustee is the one chosen by the author of the will in his life and recommended after his departure to care for the trust and direct it. If none was named, the receiver himself if he is capable. Otherwise, a trustee is appointed by the bishop and watch over him, because the supervisor of the trustee is the bishop. And if the bishop finds out the trustee is not good he is required to replace him with another who is capable and honest. The trustee should not act alone but consult the bishop and the same for the bishop, he has to consult the trustee in matters related to the trust.

The rest of the conditions as follows:

(First) Should not be used for other than the one(s) to who it is willed until it is exhausted . It is not to be sold and if for any reason parts of a trust are sold the item sold and an item of similar value are asked from the seller as a punishment. If the buyer had knowledge of the trust before buying the item he loses the price he paid as punishment and this is up to the bishop to decide in the fear of the Lord. it is not to be willed to another, given away, or used as security deposit or as mortgage and its capital funds are not to be used as alms and is not to be rented/leased to one suspected of trying to take over the property or the income thereof.

(Second) It has to be treated according to conditions that do not violate its purpose, namely perpetual benefit.

(Third) If a trust was willed for one who was absent and it was proven that he is not to return back or vanished completely (like in death of the beneficiaries) it returns to the Church under the condition that it used for those in absolute need according to need, with the one with the most need or more deserving considered first, so on and so forth.

(Fourth) Is to be developed according to the instructions given by the author of the will, but if he did not leave instructions, it is to be according to the income from it (to the best of the ability of the executor) if the beneficiary likes it or not.

(Fifth) If it was proven that the one who gave a trust to help the poor has himself became poor (in need), he has first priority to the income of the trust, but this does not give him the right to claim it back using poverty as an excuse.

(Sixth) The validity of a trust is based on witness and statement of intent written or not, but it is preferred if the statement and witness are in writing.

Also, alms in perpetuity like real estate or farms is treated like trusts. The giver can not claim it back except under extreme conditions like punishment of the recipient for life threats. But if the giver is in dire need, he can receive income without claiming the property back. If the giving was other than real estate or farms, the bishop with the help of the priests manages such donation and he has the authority to rule over all the instruments of the Church and the properties thereof, donations, and other things because this is what the laws stated that if the bishop is trusted from God over the souls, moreover he is trusted over the things that perish. And ruling over a trust does not mean using the original capital but using the income from it and the original value of the trust remains unchanged.

..... White Area in the Original .....

Original Footnote: (by the hand writing of the Father the Patriarch Anba Kyrillos, may the Lord grant him long constructive life)

It is not lawful to sell a trust. If it is necessary to sell a standing wall (meaning a building) the income should be used to renovate a deteriorating a Church. If the service vessels of a Church are to be sold, it has to be for a grave reason and in such a case that the Copts are not able to cover the deficit causing the sale, but even then the

walls and buildings are to be protected from sale. If a priest is responsible for such sale he is not allowed to manage financial matters until he is able to restore what was sold.

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(It is suspected to be the chapter on Marriage Contracts and Engagement and is lost in the original copy, but the following footnote was intact and states the following):

(Every marriage contract not witnessed by the priests can not be called marriage contract, but rather a conciliation and is not to be ruled on if double penalty or refund (of dowry) is sought. .... The least a guardian is required to do is to prepare the minimum furnishings as he can afford and if possible to pay the dowry he is able to provide. But if he is capable (financially) he can provide more if he chooses to, otherwise he does not have to ...) End of footnote.

..... White Area in the Original .....

If one of them regrets the (marriage) contract, he can annul it after they reach the legal age and this is without penalty to either side if done before the legal age, but if one of the parties seeks to do it after the legal age that party is penalized. Legal age for males is 14 years! and for females 12 years, not before the legal age can they be married. If a woman was forced (raped) her fiancé still has the first right to marriage if he accepts her (after the incident) otherwise the one who forced her is required marry her if he was not married already and is accepted by her family. If he refuses to marry her or if her family refuses to accept him, he has to pay the value of a dowry as penalty.

### (3) The Relation with Guardians:

It is not lawful for a parent to force his off-spring or his grandchildren to marry. If the off-spring chooses celibacy he is not to be prevented, but if the off-spring is of ill repute, he can be denied inheritance. If one refuses to permit those under his guardianship to marry can be required by authority to permit the marriage and pay for the furnishings according to his financial ability. Guardianship is the father's or anyone he chooses in his place. If he does not choose, it goes to the grandparent (father side) then grandfather (mother's side) then to the oldest of the brothers, then to the uncle, then to the uncle's son, then the uncle (mother's side), then the son of the uncle (mother side) and if none of the mentioned was available the ruler (authority) selects a living relative or someone else as guardian. Anyone under age is not allowed to be a guardian, so if the one who is eligible for guardianship was under age at the time of marriage, the ruler appoints another as guardian according to the listed order. If the guardian disagrees with the female of full age and if she was of the same age and level (knowledge and intellect) the ruler follows her opinion otherwise the ruler shall make the decision. One who is a guardian/trustee for financial matters only is not to be considered guardian of marital affairs. If the father was absent for three years, it is permissible for his children to marry without his permission if they are of legal age, but not before three years of his absence has passed.

Part: concerning Marriage:

Forbidden marriages are as follows: It is not permissible for one to marry one of his children or their descendants regardless of how many levels of descend. Also not permissible for one to marry a parent, grandparent, brother, sister or any of their off-spring,. Neither is it permissible for one to marry an uncle or aunt (father side) nor uncle or aunt (mother side) but it is permissible to marry one of their off-spring.

Concerning ‘Eshpeen’ (baptism guardians also referred to as godfather or godmother) it is a condition that male eshpeens do not accept female baptism sons for marriage and male eshpeens do not accept female baptism children in marriage. One can not also marry the Eshpeen off-spring or sisters or brothers because the off-spring are like his own brother or her own sister and the siblings are like uncles or aunts, but can marry the off-spring of those just mentioned. The forbade is also for the parents and grandparents of eshpeens as well as the eshpeens uncles, aunts (both sides)

The children of one can marry from the grandchildren of the Eshpeen and their off-spring. A female person is not permitted to marry a man to whom her (previous) husband was an Eshpeen and a male can not marry the previous wife of his Eshpeen. Concerning nursing, one can not marry a person who was fully nursed by his own mother (as she nursed her own off-spring). same prohibition for the descendants and the parents of the nursing mother. A man can not marry the (ex) wife of his adopted son and the woman can not marry the (ex) husband of whom she raised up.

Concerning relatives, one can not marry the daughter of his wife (from another spouse) or the off-spring of her children, neither her sister, neither the off-spring of her sister s or her brothers, nor her aunt, nor the wife of her uncle, nor her aunt (mother side), nor the wife of her uncle (mother side), nor her mother, nor the wife of her father, nor her grandmother, nor the wife of her grandfather. One is not permitted to marry the wife of his father, nor any of her off-spring, nor her sister, nor her mother, nor her grandmother, nor the sister of her mother’s husband, nor the wife of his son, nor her off-spring, nor her sister, nor her mother, nor her grandmother, nor the sister of the husband of his mother, nor the wife of his son, nor her off-spring, nor her mother, nor her grandmother, nor the wife of his brother, nor her off-spring, nor her mother, nor her grandmother, nor the wife of his uncle (father side), nor the wife of his uncle (mother side). Every one he is forbidden to marry he is forbidden to marry her mother in-law. Everyone who is forbidden to marry a woman, he is forbidden to marry her mother in-law. And every one who is forbidden to marry, the wife is forbidden to marry a male of same level of relation (not to repeat all the above). For the sake of explanation if a man is forbidden to marry the daughter of his (ex)wife, the wife is forbidden to marry the son of her (ex) husband. and his brother, .. etc. And if anyone is found in a forbidden marriage situation, they have to be separated.

What prevents sexual intercourse (annuls marriage) is things like being eunuchs, absolute madness, leprosy, inability to conceive, impotence, and transvestites and the likes

A believer is not to marry an unbeliever, or one who is known to be a adulterous, and if he already married three times (fourth marriage). One is not permitted to have two or more wives. And marriage is not permitted if the two are not in agreement to go-ahead with it.

Undesirable marriage is the marriage inspite of undesirable conditions, under age marriage, and forced marriage. Also, marrying a female past sixty years of age is not desirable. Also, one who has not completed the 10 months of mourning following the death of previous husband. She also loses the right of inheritance of her husband if she does not wait. Also, undesirable for one to marry her guardian or custodian, his off-spring or one of his brothers, except by the knowledge and approval of the ruler (‘raeess’).

Can not be prevented but undesirable the marriage of a slave to a master, the marriage of one who leaves the vows of celibacy, and the marriage of the wife of a priest (widow) after his death.

Other marriages are legal on the condition that it is performed publicly by the priest in the Church in the presence of a group (congregation) and they are made closer through the marriage celebration (sacrament).

Part: Concerning What Follows Marriage:

One who is married for the second time, male or female, must protect what is due to his children from the other parents and separate it from his own money. If one departs the faith, God forbids, if he wants to keep the marriage or leave, the believer should be agreeable in either case. If the husband is in financial difficulty, the wife has to support him and the children using all the furnishings (as assets to sell or pawn). If he pawns anything that is hers without her permission it is not valid. If she learned about it and withheld (sexual favors from her husband) to attract the other party the pawning is valid. And it is not proper to deny the spouse sexual intercourse in the times in which it is not forbidden, except for absolute necessity. The times sexual intercourse is forbidden are: days of fasting and especially paschal week, days of her menstrual period, and the forty days following giving birth (‘nephaass’). It is not legal to insulate the sexual organs (condoms) or to ejaculate on the outside so as to prevent conception. Also not legal to use medication to prevent conception. And if one spread the rumor that his wife was not a virgin when he had intercourse with her (the first time) he is to be punished if he was found to be not telling

the truth and she remains his wife if he likes it or not. If he was proven to be telling the truth, they are separated (marriage annulled) and he gets the furnishings. If one accuses his wife with adultery by hearing or seeing, the ruler has to give her the test cup! And divorce is forbidden and if one divorces his wife, he is denied (communion) until he takes her back.

#### 6 Part: Concerning What Annuls Marriage:

Marriage is annulled (no longer valid) if the woman is proven to have committed adultery. By becoming monks (leading celibate life) approved by both sides. If the marriage was one of the previously mentioned forbidden marriages, not including the undesirable category. Also if any of the situations which prevents sexual intercourse, as stated before, exists. If a man was married for three years and could not perform what a man is required to do (sexually) the woman and her parents can request annulment as long as it is her choice, and her furnishings go with her. A woman who suffers from many bouts of epilepsy, or developed leprosy and if the condition developed after the marriage the man can leave her if he chooses and she gets to keep the dowry and all the furnishings but if these assets are exhausted she can be in seclusion and he has to pay all her expenses. If the condition existed before marriage, she gets the dowry and furnishings but if he was not told (was deceived) she gets the furnishings and he keeps her dowry. If it was proven that the woman committed adultery, they are separated (the marriage annulled) and the furnishings and other riches are kept for the children, but if they had no children, the husband takes the furnishings and riches up to the value of the dowry. If one became a prisoner of war, and was absent for seven years with no information about his being live or dead, the woman is free to marry another. But if it was known that he is alive, she is not allowed to re-marry regardless of the length of his absence, but if the period becomes extremely long, or the man already took another as a wife, or if he did not provide for her, the ruler can decide for the well being of the present person.

#### 7 Part: Concerning the Marriages of Slaves:

Slaves do not gain freedom by marrying according to the commandments. And for fear that their sale might annul their marriage, it is necessary to have the approval of their masters and their promise in front of the priests that they will not sell a slave or his off-spring because of marriage. The rules concerning inheritance of the married slaves is the same as that for the rest of the slaves, except for the one exception that they are not to be sold or bought because of marriage.

#### Part:

Having concubines (kept women) is forbidden because it is a public act of adultery. Every one who has a kept woman who is not a slave, he has to marry her if he was not married. If she was a slave, he has to give her her freedom and marry her (if he was not marry) although it is undesirable!

#### Part: Concerning Wills: What the Mind and Passed Knowledge Dictates:

A will is a desirable thing to have and should be authored in the presence of acceptable witnesses. It is voided if the author recants in the presence of credible witnesses or by actions which make it meaningless like selling off the assets which are the subject of the will, freeing the assets, or allowing him/her to marry, or by making an asset part of another (not subject to the authored will). Also it is voided if the author was forced to make the will or if the recipient refuses to accept its articles in the life of the author of the will or after his death. Also it is voided if the assets in the will are less than what the author owes at the time of his death. It is voided if the recipient acts to cause bodily harm or ultimately to cause the death of the giver, except for acts that were approved by the author of the will. It is also void if the beneficiary dies before the benefactor in which case what was designated to that person reverts back to the author, everything else remains as stated in the will.

The author of a will should appoint an executor if the beneficiaries are under the legal age. The executor should be one of the believers, his name should be mentioned in the will. The will of one under restrictions is not enforceable even after his death occurs after he was free from restrictions unless if he did renew it when he became

free to act. Examples of restricted individuals are: the crazed, being under age, slavery, immaturity, and one who wills the same thing to one place and then the same thing to another place. It is legal to will for one what exceeds what he is legally entitled to as inheritance. If one receives the news of the death of a child and he wills his inheritance and the child was alive, the child is entitled to his inheritance in spite of the will. A will for a pregnant does not include the unborn if the unborn was not mentioned explicitly. Also the will for the unborn is enforced if it was live born and was born within the normal period of carriage. And if the beneficiary dies after the death of the benefactor, his share goes to those who legally inherit him. The object of the will is not proper unless the author of the will owns it free of restrictions and does not exceed half and one quarter of the estate (meaning one can not will his entire estate) and one who has a child born after the authoring of the will, the child has inheritance rights (although he was not in the will). If one is the beneficiary of an item, he is entitled to profit or loss from the time the benefactor dies because this is the time at which his ownership begins. It is proper to will a female slave without her unborn or with her unborn, and if the will was authored while she was pregnant without mention, the unborn is considered part of the will.

The conditions required in the custodian are: honest, competence in managing the affairs of the estate. If the author did not appoint an executor, the ruler appoints one if the beneficiaries are under the legal age. If the custodian makes decisions which are not beneficial to the beneficiary or for reasons not necessary the ruler can remove him and appoint another. It is legal for one to appoint his slave as custodian. And if none is appointed one of the relatives becomes custodian according to the degree of relation rules. The custodian has to write (record) the expenses with witness and give them what they need according to their conditions and save the rest for their benefit after they reach the legal age. The mother is not to rule the financial affairs of under age children unless under the condition of staying un-married so she can pass the inheritance to them and to their off-spring after them.

Chapter: Inheritance:

Consists of eight chapters, most of it what Anba Kouzman, one of the patriarchs of Alexandria, wrote and he said at the end that it is what the Fathers of the commandments stated and the rest is what the mind (logic) and customs dictate.

Part: What Is to do ahead of Inheritance:

First, they start with the cost of burial cloth, cost of burial and funeral then what the dead person owed. If the estate is not responsible for debts and if the heirs do not have objection, the estate is not required to pay debts, but if the heirs accept to pay the debts they have to do that in writing and pay everyone what the estate owes him according to the available funds. If one owed comes forward after the debts are settled and the inheritances are paid, they have to take the debt to the original value of the estate, and figure out what it is owed (according to what was followed with other debtors) after verifying that there is valid proof of the (late) claim. After that (paying debts) is the popular ‘Qurabeen’ offerings and the godly promises and the commandments requirements up to half and quarter of the estate. And if some of the estate is missing, the present and missing parts are divided among the heirs each according to his portion according to the laws. If the will did not include alms, it is still desirable to set aside a portion for alms with the approval of heirs and those who are beneficiaries of a will. The relatives of the person who died should not ask for anything concerning estate for three days after the death.

Part:

The wife (widow) receives a portion equal to that received by the other heirs if they are his off-spring (children) regardless of their number. But if the heirs are relatives other than children, she receives half the estate and all of them together one half. But if he has no natural relatives close or far, she inherits everything. The same applies if the wife is the deceased, the same rules above apply to the husband. and all of that was mentioned in the chapter on marriage.

Part: Levels (Classes) of Relation:

(First Class): off-spring males or females alike, married or single they all inherit equally their father or their mother. If one of them died before his parent’s death and had off-spring, his children inherit with their uncles and aunts what their grandparent would have left for their father if he was alive. After the class of children is the class of children children (grandchildren) as far down as is the case as mentioned in the class of off-spring.

(Second Class): If there is no off-spring, the estate goes to the parents , father and mother, of the deceased. The father gets two thirds and the mother one third. If any of them is not alive his portion goes to his children, males and females, in equal amounts.

(Third Class): If he has no parent alive, the estate goes to his brothers and sisters. Two thirds for the brothers and sisters from father side and one third for the brothers and sisters from mother side. His full brother for example gets one half, brother from father side one third, sister mother side one sixth. If any of the brothers or sisters was deceased his share is divided among his off-spring his children inherit with their uncles and aunts what their grandparent would have left for their father if he was alive. After the class of children is the class of children children (grandchildren) as far down as is the case as mentioned in the class of off-spring

(Fourth Class): If there is no brothers and sisters or off-spring of such, the estate goes to the grandparents. Two thirds for his grandparents (father side) and one third for his grandparents (mother side). The estate is divided to nine shares, six shares for the grandparents (father side) and if one of them is deceased the other takes all six shares, and three shares for the grandparents (mother side) using the same rules (If a set of grandparents is deceased their shares goes to their off-spring according to the rules above.)

(Fifth Class): If none of the grandparents is available (alive) the estate is divided two thirds to uncles and aunts (father side) and one third to uncles and aunts (mother side), nine share to be divide by the rules mentioned above. Also any deceased person, his portion goes to his off-spring as above mentioned.

(Sixth Class) Parents of grandparents both sides, eight persons total. if the fifth class relatives do not exist. The father side receives two thirds and the mother side one third. Two shares for a father side great grandparent versus one share for a mother side great grandparent. Any deceased person his share goes to his off-spring as explained.

(Seventh Class): If none of the above exists, the estate goes two thirds for uncles and aunts (father side) and one third to uncles and aunts (mother side). Anyone not available his share goes to his off-spring as explained.

(Eighth Class): After the mentioned the inheritance becomes for the great great grandparents, sixteen total, two third for father side and one third for mother side. The share of any deceased goes to his off-spring as explained.

(Ninth Class): Uncles and aunts (father side) and uncles and aunts (mother side) of the grandparents. two thirds for the ones from father side and one third for those from mother side. Any deceased person his share goes to his off-spring as explained.

In conclusion, the rules of inheritance stated here are based on looking for the closes class relation and then going for the ones that follows if no one exists in a class of relations and it favors the father side, 2 shares, over mother side, one share. This is because the relation of the father is that of the one that plants the seed and depositor and the mother is that of the vessel and soil. Every class if it exists it inherits by itself without the one above or below it and if there was only one person in the class that inherits he gets all. And regardless of he number of heirs in a relation, father side gets twice the shares of mother side. But males and females in the same class inherit equal amounts because there relation to the deceased is the same. Also full brothers and full sisters are favored over half brothers and half sisters. And every deceased person in a class that inherit is inherited (his share goes to) by his off-spring going down until a class of descendants is found even if it is one person. One who has no relatives to inherit him, his estate reverts to the treasury of the Church. If the estate includes slaves, they are all set free regardless of their number. And any legitimate child inherits with the other off-spring even if he was born after the will was authored and is not listed in it.

Part: The Inheritance of Bishops and Monks:

Let what belongs to the Church separate and clearly identified and do the same for what belongs to the bishop personally. This way he can will what he wants to whom he wants to will it to and the rules of inheritance applies to his personal properties. Everything that came to him because of his position as a bishop belongs to the Church and should be retained by the Church after his death. What he brought in when he became a bishop is his own property and is distributed according to the rules of inheritance or based on an authored will. If he had no estate the Church is responsible for his poor relatives to care for them from what he left for the Church (assuming that he cared for them in his life).

The monk does not inherit any layman except if he is the only relative in existence at the time of distributing the estate. He also is not to be inherited by anyone except if that person shared life as monk with him and his estate goes to the congregation of monks in his monastery regardless of their number. If he leaves an estate outside of the monastery and he willed it to the monastery, it goes to the monastery. If he willed it to a person or persons laymen or monks, it goes to those otherwise it goes to the congregation of his monastery. If he life alone in a monastery or a cave his estate goes to the monk that he wills it to or to congregation of monks that was his advocate (calling). A monk can not will things that already belongs to the congregation of monks. The will of a monk has to be signed according to the rules of authoring wills.

Part: The Inheritance of Slaves and Freed Slaves:

A freed slave can inherit, and can author a will and his heir are like the heirs of a free person. If he had no one to inherit him, his former master inherits 1/4 even if there was no will. And if there is no will and no one to inherit him, the former master inherits everything. A slave does not inherit without a will and no one inherits him other than his master even if he had children, parents, and/or relatives and even if his relatives were free because all he owns belongs to his master and for that reason he can not author a will.

Part: Concerning Those who do not Inherit, two categories:

The first category is those who have neither marriage nor natural (blood) relation with the deceased, but only circumstantial relation or relation through marriage. The second category is children and relatives born in marriages outside the commandments (laws), slaves, and those who commit adultery with the wife of the deceased, his daughter, his sister, or his mother and those who might have conspired or caused his death or the loss of his mental capacity. But those who neglect to speed up the freedom of a prisoner of war when they have the ability to do it do not inherit him if he dies except in the case of being included in the will authored while the person is imprisoned. Also a child who hurt his father, for example one who beats his father, or curses him continuously, or causes him to be fined by intentionally seeking to cause him to be penalized, or forces his father not to author a will or join others who oppose him, is deserving of being excluded from his father's will. But if the father excludes his son unfairly, the son is entitled to an inheritance, one fourth in full. The same is for a wife who was unfairly excluded or was divorced according to another faith, she is entitled to one fourth or her full portion of inheritance with the other heirs. Those who also do not inherit are daughters or granddaughters who refuse the marriage he tried to arrange and chose an unclean life.

Part: Concerning those who do not inherit and have no Custodian:

The believer is not inherited by an unbeliever unless the unbeliever returned to the faith with proof before the estate is divided. A killer, one who conspire against, one who plots against the life of a person, or one who tried to poison another can not inherit that person unless a will is written that includes him with knowledge of what he tried to do.

Part: About Things in Doubt:

This is two categories- If two or more of the heirs are involved in travel accident, drowning, fire, or building collapse and it was not sure who survived and who did not. They can not inherit each other but each of

them can be inherited by those who have the right to inherit him from the living and the dead (the dead in this case is inherited by those who have right to his estate).

-Second category- What cause doubt in the status of a person being live or dead, like prisoners of war, those absent on (long term) travel and in general those whose news stopped for a long time In those cases a proof of death has to be produced or a long enough period has passed and the ruler agrees that for the length of time the person could not be alive. If a person dies the portion of the estate belonging to the absent should be treated with care and set aside until a determination concerning the absent is made.

Chapter on Priesthood: The Ranks of Priests and Deacons:

[There is no secret that for a long time, priesthood was inherited. This is no longer the case in the Coptic Church. Ranking of deacons should be based only on date of ordination and achieved rank and has nothing to do with who the parent is]

What was established previously concerning the ranks of the priests and deacons should not be contradicted. But orders (ranks) for things that were not ranked before should give priority to the children of the priests before the children of the deacons. And in ranking boys who are ordained by the local bishop or another bishop, they are ranked not according to their dates of ordination, but according to the ranks of their fathers who are deacons and a younger boy in the rank is higher than an older one if he was ordained earlier. The children of the priests who are ordained by the present bishop follow in rank those who are ordained by his predecessor. Also the children of the priests of the parish are ahead in rank than the children of priest from another parish. And the children of priests from outside the parish are equal in rank with the children of the laymen so they agree about rank according to a lot or without and they both are ahead in rank than the children from outside the parish.

The priests are different because they are selected for priesthood based on good reputation and better knowledge, while deacons are ordained young and old in large numbers not based on the criteria for selecting priests. For these reasons, priests are ranked based on the date of ordination if they are from that parish or not. If more than one deacon are to be ordained priest on the same day, the laying of hands is based on there ranks and dates of ordination as deacons even if any of them was from an outside parish. If they are equal in rank, the laying of hands order is according to what they agree to or by lot. If one marries a woman that is not marrying for the first time (he calls it ‘rage?’ meaning reject or returned) he and his off-spring has no priesthood. Also, one who leaves celibate life can not become priest, and if he was a priest he lost his priesthood by leaving the celibate life and his situation of that who married twice, but his off-spring is not prevented from seeking the priesthood.

Part:

No one is to be ordained priest if he is less than thirty years of age. And also, one needs to receive the recommendation of at least five men that he is of good repute, knowledgeable of the holy books and is accepted by the local bishop and the majority of the congregation of his church. Also if the recommendation is for a twenty five years of age or older, it is accepted but not less than that age. The priest is to baptize, teach, make offerings (liturgy), conduct marriages, and give communion to those who are less than him in rank (a priest does not give communion to another priest). It is not for him to divide or cast out or place heavy burdens on the congregation outside the laws. He also should not move from one church to another without the permission of his bishop. He also should not go on travel or join a monastery without the permission of his bishop. If he moves to another city (to live) without escape but with the approval of his bishop and if he is known by the people of the new place with good reputation and good conduct they should get to know him and honor him.

No one of the priests should conduct baptism or wedding ceremonies without learning the rituals and studying the books thoroughly and also should not conduct the liturgy unless he is able to recite it good and correct.

The priest should not be prevented from his service during the time his wife gives birth on the condition that he does not know her (as husband and wife) during that time for both male and female birth.

He is prevented from his service if he becomes addicted drunk, known to give false witness, puts down his bishop, lives under the same roof with a woman that is exciting jealousy even if she was his eshpeen, prevents a believer from communion for worldly reasons, or refuses to give him (the blessing) of incense, or refuses to give him the blessings, or causes disputes in the Church, or uses outsiders against the people of his faith.

If one not from a parish desires to be deacon or priest in that church, he should not be prevented because he was not one the children of the parish.

Any one who attempts to offer a bribe for any rank of priesthood does not have the right to receive any rank of priesthood, the same punishment is for the one who recommends him and the one who shares with him in the bribery as the commandments clearly states.

This is what the times dictated that we mention, and there is agreement to do according to the five chapters above mentioned. Any violation of any of it is an act of falsehood. No patriarch or bishop, or priest or laymen is allowed to violate any of it and they should not rely on the rules of any other faith to escape any of these rules because this is an escape from the commandments and can be an act of legalizing the illegal or making the legal illegal. Anyone who does such things is under the law of prevention and separation, and one who mix (socialize) with one who is prevented is prevented also. And we ask the Lord who said that he will be with us from now to the end of all ages and who said that if we gathered in his name He will be in our midst and who said that what we tie on earth is tied in heaven and what we absolve on earth is absolved in heaven to make us succeed and to help us leader and followers to understand that and do accordingly. Amen.

Written on the seventeen’s of Tut, in the year ninehundred and fifty five of the holy martyrs. Glory to God Always, and to Him many thanks.

(This is based on a very old copy on which the handwriting of the patriarch Kyrillos Ibn Luquluque, and is the original copy included here for the benefits it will bring).

[Awlaad Al-Assal, four generations of a wealthy Coptic family who lived in the 13th century A.D(The reign of Ayoubite family during the crusades). They were writers, historians scholars and religious men believed to be the first Copts to write in Arabic, since Coptic continued to be in use until the middle of the 13th century A.D. They are authors of books in Church laws, Church history, science, mathematics, and astronomy. They are believed to be the first to translate the Bible from Coptic to Arabic. Their writings are invaluable in describing the transition from all Coptic to partly Coptic and partly Arabic Church communications. The Church does not accept all the statements in the book being translated, but the translation is for historic record and information we need to understand and appreciate our most highly regarded Coptic (Egyptian) Orthodox Heritage. I hope you benefit from reading this humble work]

(to the best of my ability, I preserved the meaning. Repetition was customary in old writings for emphasis. Also, repetition is caused by multiple sources of same cannon (law)).

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Subj: Concerns About Some Inaccuracies in the Book ‘Magmoo Al-safawy Ibn Al-Assal’

According to His Holiness Pope Shenouda III (HHPS) Arabic Kerazah, 16 FEB ‘96, there is inaccuracies, HHPS calls it traps Al-safey Ibn Al-Assal fell in. HHPS sites the fact that Ibn Al-Assal listed 83 Cannons attributed to The Ecumenical Council at Nicea, when in reality the Council at Nicea issued only 20 Cannons. These additional Cannons are false. We do not know how Ibn Al-Assal being a scholar and good Coptic Orthodox faithful fell in this trap, a subject for scholars to study. One of these false Cannons, (Nicea Cannon #37), no such thing states that the Patrirarchs of the world should be only four, as the Evangelists were four, the rivers in paradise are four, the winds are four, the elements of the universe four .. etc. The false cannon then goes on to say that the one on the See of Peter of (St.) Peter is first among them followed by the one on the See of St. Mark (Pope of Alexandria), and the third among them is the one on the See of St. John (Ephesus) and then the patriarch of Antioch, another See of St. Peter. This false law is used by some Catholics to establish the supremacy of Peter.

As I related to COPT NET readers, I enjoy tremendously reading Ibn Al-Assal, but I also recognize some inaccuracies. This is the cause of a dilemma, how would one translate historic documents, which Ibn Al-Assal is without causing inaccuracy to propagate. I noticed that the departed Hegomen (Arch-priest) Fr. Philothaos Awad had to add a long introduction, many footnotes, and many concluding remarks (called ‘tazieel’ in Arabic) to explain the inaccuracies.

The writer initially translated Chapters 13, 14, and 15 out of 51 Chapters. The topics were not controversial although, you might noticed parthesized words and sentences to cover some wording that is different from common English translation of certain Biblical verses. This is another concern. Is it because the quotations are ‘paraphrased’ or is it because their originals Coptic and Greek were translated the way Ibn Al-Assal went (common use of words in different periods of history). This I will leave to scholars also to research. Example every where the English word ‘reward’ is intended, they use the Arabic word ‘agrr’ which literally translates to ‘wages’

In the meantime I continued to translate whole Chapters with enough footnotes as my busy schedule allows. I find it extremely useful to translate for the Church in the land of immigration, even if one is not a professional, just to fill the huge gap between the knowledge base here and in the motherland. What do you think. Please pray for me, Blessed Lent.

William A. Hanna  
St. Louis, Missouri, USA  
March, 1996

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