

Analysis of *Qā'ida Mukhtaṣara fī Qitāli Al-Kuffāri WA Mudāhanatihim WA Tahrīmi Qatlihim BI Mujarradi Kufrihim* of IBN Taymiyyah**Dr. Jabir Sani Maihula**

Sokoto State University, Sokoto, Nigeria

***Corresponding author**
*Dr. Jabir Sani Maihula***Article History***Received: 04.09.2018**Accepted: 15.09.2018**Published: 30.09.2018***DOI:**

10.21276/sjhss.2018.3.9.10



Abstract: Ahmad ibn Taymiyyah (d.1328), is one of the most quoted medieval scholars by contemporary jihadists from the 1980s to the present time. The frequent use of Ibn Taymiyyah by the jihadists in justifying their doctrines made many to believe that Ibn Taymiyyah share the same view with the contemporary jihadists on the issues of jihad and terrorism. This paper will analyse the other side of Ibn Taymiyyah on jihad by studying one of his treatises on jihad. In the treatise of *Qā'ida mukhtaṣara fī qitāli al-kuffāri wa mudāhanatihim wa tahrīmi qatlihim bi mujarradi kufrihim* Ibn proved soft on the issue of jihad by arguing two issues. Firstly, that the infidels are not fought due to their disbelief, rather, if no danger is sensed from them they should only be subdued to paying *jizya*. Secondly, the *jizya* should not be restricted to the people of the Book, it should be collected from all the infidels. This paper will discuss the textual evidence of the treatise and analyse the two arguments in light of other works of Ibn Taymiyyah and Ibn al-Qayyim.

Keywords: *Qā'ida Mukhtaṣara, Al-Kuffāri, Mudāhanatihim, Tahrīmi Qatlihim Bi Mujarradi Kufrihim* and Ibn Taymiyyah

INTRODUCTION

Qā'ida mukhtaṣara fī qitāli al-kuffāri wa mudāhanatihim wa tahrīmi qatlihim bi mujarradi kufrihim: this is one of the treatises of Ibn Taymiyyah on jihad. The treatise is a summary of a book written by Ibn Taymiyyah on the subject matter, it was summarized from the main book by Sheikh Sulaiman Şanī' (d. 1969), and edited by a Riyadh Scholar Dr. 'Abdu al-'Azīz Bn 'Abd Allah Bn Ibraīm al-Zurair Al-Humayd. In not more than twenty pages, the editor strives establishing the authenticity of the treatise.

The strategy followed the editor in establishing the authenticity of the treatise is by quoting two manuscripts from the summarized version and comparing the contents with other works of Ibn Taymiyyah. The editor further uses some statements of Ibn Taymiyyah which indicates the existence of the treatise. These include his statement in *Al-Nubuwāt*: "The non-believers are fought only on condition if they attack; this is the consensus of the scholars and indication of the book and the Sunna as elaborated elsewhere" (Ibn Taimiyyah, n.d). And in *al-Jawāb al-Sāhiḥ*: "But they [scholars] dispute about the *jizya*, is it collected from the people of the Book? This is elaborated elsewhere" [1]. The editor argues that of Ibn Taymiyyah's statement "as elaborated elsewhere" is referring to the treatise [2]. He also cites one of Ibn Taymiyyah's disciples; Ibn 'Abd al-Hādī stating that Ibn Taymiyyah has a book about fighting the Christians and repelling the invasion, which the editor believes to be the treatise [2].

Authenticity of the Treatise

Some scholars have doubt the authenticity of the treatise. Among those who doubt its authenticity are 'Abd al-Rahmān Ibn Muhammad ibn Qāsim, the editor of *Majmū' fatāwā* and Ibn Bāz the former grand Mufti of Saudi Arabia [3]. For that reason, the former did not include the treatise in his edition of Ibn Taymiyyah's works; *Majmū' fatāwā* [4]. However, in the process of establishing the authenticity of the treatise Yusuf al-Qardawī repudiated the claim of the said scholars and said:

Shaykh al-Islam Ibn Taymiyyah has a treatise on fighting the nonbelievers, that he supported this argument [that non-belief is not the sole reason for fighting]but some Saudi scholars denied the authenticity of the treatise and refuse including it in the collection of *Majmū' fatāwā* which is about thirty five volumes- without any valid

reason except that the content does not concur with the principle they established of fighting the whole world; who sought a truce with us and who fought us [5].

A-Qardawī further mentioned some scholars who affirm the authenticity of the treatise to Ibn Taymiyyah which include: Shaykh Muhammad Abū Zahra in his book on Ibn Taymiyyah, Shaykh ‘Abd Allah ibn Zayd al-Mahmūd the chief judge of Qatar in his book *al-jihād al-mashrū‘ fī al-Islam*, and another Saudi scholar, Dr. ‘Abd Allah Qādarī in his book *al-jihād fī al-Islam* [5].

Analysing the arguments, it could be understood that, the main reason for doubting the treatise is that, in the treatise Ibn Taymiyyah argues only for jihad in the defensive while in his other works he argues for it both in the offensive and in the defensive. However, the jihad doctrines mentioned in the treatise only repeats what Ibn Taymiyyah argues elsewhere in his works. Even if the authenticity of the treatise is not established the same content and arguments are found elsewhere in Ibn Taymiyyah’s works as I will establish in the arguments. Furthermore, in the treatise Ibn Taymiyyah did not neglect jihad in aggression, rather he opines that the nonbelievers must be subdued to paying the *jizya*, which if they accepted should be left untouched. Should in case they refused paying out their *jizya*, they should be fought in jihad as an aggression. Ibn Taymiyyah only argues against those who opine that the non-belief in the main reason why the nonbelievers are fought in jihad, for that will neglect the freedom of religion articulated in many verses in the Qur’ān and practiced by the Prophet the Peace and Blessings of Allah be upon him.

Despite the differences of opinion of scholars on the matter, the point Ibn Taymiyyah argues for is what Yusuf al-Qardawī also reports from Ibn Qudāma to be the preponderant and the opinion of majority of scholars [5].

Ibn Taymiyyah’s arguments in the treatise

In the treatise, Ibn Taymiyyah argues two main points. Firstly; the non-believers are not fought in jihad due to their disbelief, but rather, because of the danger sensed in them. Therefore, if the danger is lifted, then the reason for fighting also ceases. Secondly, *jizya* is to be collected from all nonbelievers, polytheists included. With this established, there is no reason for fighting the non-believers of whatever kind if they agree to give the *jizya*. After discussing the arguments, I will Ibn Taymiyyah’s statements from other works of his to support the arguments.

On the first point, Ibn Taymiyyah argues extensively that jihad is not purposely meant to kill non-believers due to their disbelief. If any danger is not sensed from them, then they should be subdued to paying *jizya*. To support the argument, Ibn Taymiyyah states some reasons. Firstly, Qur’ān 2:90: “And fight in the Way of Allah those who fight you, but transgress not the limits”. The phrase “those who fight you” indicates that the fighting is meant to be for self-defence and if they do not initiate the attack, they should not be attacked. The phrase “but transgress not the limits.” emphasizes that attacking those who do not initiate an attack is transgressing the limit, Ibn Taymiyyah argues [6].

He [God] then said: Fight them until there is no *fitna* (turmoil). And the *fitna* is to afflict a Muslim for his religion just as the polytheists of Mecca were afflicting who accepts Islam. For this, Allah says “and *fitna* is worse than killing.” And this is only when they overpowered and transgress limits against the Muslims then it is obligatory to fight them until they stop afflicting the Muslims... He [God] did not say fight them until they accept Islam [6].

He further said that: “This shows that when we fight the people of the Book [with jihad] we fight them until the *fitna* seizes and the whole religion is for God and this is achieved when they give the *jizya* while they are humbled [6].

Ibn Taymiyyah then responds to the hadith which says “I have been commanded to fight the people until they say there is no God but Allah. So when they say there is no God but Allah then they will be granted protection from me for their lives and properties, except by right of justice, and their reckoning is with Allah [7, 8]. Ibn Taymiyyah argues it does not signify fighting individuals till they believe; rather it indicates that, the fighting is only for the purpose of believing, and that the Prophet always succumbed to the treaty when he was offered [2]. He said: “It is established from the text and consensus that it is prohibited to fight the people of the Book and Magians if they offered *jizya* while they are humbled” [2]. Ibn Taymiyyah then discusses the opinion of scholars on the interpretation of the verse “And fight in the Way of Allah those who fight you, but transgress not the limits” (Q 2:90). He said the first group of scholars argue that Qur’ān 2:90 is abrogated by Qur’ān 2:291 “And kill them wherever you overtake them.” The second group of scholars argue that the verse is not abrogated. Ibn Taymiyyah sides with the second group and says:

The second group opines that the verse is not abrogated and the meaning of “And fight in the Way of Allah those who fight you” is [fighting] the combatants. As for the non-combatants such as the Monks, elderly, sick, blinds and insane are not fought and this ruling is not abrogated. This is the opinion of the majority scholars such as Mālik, Ahmād and others. The first opinion is weak and the claim of abrogation needs evidence. There is nothing in the Qur'an that contradicts this view [2].

Secondly, Ibn Taymiyyah cites some hadiths where the Prophet forbade the killing of some non-Muslims despite their disbelief. It is reported in *Bukhārī* that the Prophet passed by a woman killed in one of his battles and said: “this was not combatant.” Ibn Taymiyyah said this indicates that the Prophet only approves the killing of the combatants [7]. In another hadith in *Sunan Abī-Dawūd*, the Prophet when sending a raid would say: Go in Allah's name, trusting in Allah, and adhering to the religion of Allah's Apostle. Do not kill a decrepit old man, or a young infant, or a child, or a woman; do not be dishonest about booty, but collect your spoils, do right and act well, for Allah loves those who do well [2].

Thirdly, Ibn Taymiyyah uses “No compulsion in the religion” (Q 2:256) and argues that if people were only left with the option of belief or death that would have been the greatest compulsion. He discusses the opinion of the scholars on whether the verse is abrogated or not and concludes that the verse is not abrogated.

The majority of the predecessors (*salaf*) and successors (*khalaf*) opine that the verse is not specified (*makhṣūṣ*) or abrogated. Rather, they said we do not obliged anyone to [accept] the religion. We only fight who fights us, if they accept Islam their wealth and blood are protected. If they are not combatant we do not fight them or obliged them to [accept] the religion [2].

In addition to that Ibn Taymiyyah also uses historical events in the life of the Prophet, to justify his stand. He argues that the prophet signed many treaties

with the Jewish community in Medina and when he had victory in the conquest of Mecca despite obvious disbelief of the people of Mecca and atrocities they committed against him and his followers, the Prophet did not order their extermination, and rather he issued a general pardon. If unconditional killing of non-believers is commanded the Prophet would have executed both the Jewish community in Medina and the people of Mecca without any treaty [2].

For this reason, Ibn Taymiyyah argues that the Prophet did not initiate any attack against the Christian community throughout his mission, rather he sent missionaries to them preaching and introducing the religion of Islam. The battle of Mu'ta between the Muslims and Christians were fought by the Prophet in self-defence after the Christians in Levant attacked the missionaries sent to them by the Prophet [2]. Throughout the missionary life of the Prophet he never engaged in a war against anyone who sought a truce with him. Ibn Taymiyyah narrates some historical moments where the Prophet set free some of the captives of war justifying that if the non-believers were meant to be killed, the Prophet wouldn't have set them free. This first argument of Ibn Taymiyyah in this treatise is echoed in other works of him.

Establishing the argument through other works of Ibn Taymiyyah

Ibn Taymiyyah made a similar argument in *al-Šarī'at al-maslūl* stressing that women, the elderly and priests are exempted from attacks for the same purpose [9]. In a fatwa in *Majmū' fatāwā*, Ibn Taymiyyah also supports the argument by reporting the opinion of the majority of scholars that, it is permissible to spare the life of a captive of war by means of pardoning or taking ransom [9]. He also argues for it in many of his works, such as *Kitāb al-nubuwwāt*, where he states that, the majority of the jurists opined that only combatants of the non-believers are to be killed as indicated in the book and the tradition [10]. The same is repeated with a slight addition in *al-Siyāsa al-shar'iyya*, where Ibn Taymiyyah states that the non-combatants such as the women, minors, priests, elderly and blinds are not to be fought by the opinion of the majority scholars. He said some scholars opposed to this opinion and exempt only women and minors to be taken as booty, but he made preponderant the opinion of the majority scholars [10].

Ibn al Qayyim, the famous disciple of Ibn Taymiyyah also maintains the same view as he supports the argument in his book *Ahkām ahl-al-dhīmma* when he said, “Rather we only fight who attacks us for this has been the tradition of the Prophet in the earth; he fights his attackers until they accept the religion, sign a treaty with him or being subdued to paying *jizya*. And this was his command to all his raids

and militaries” [11]. He also elaborates further in *Hidayat al-hayara*, when he said:

Whoever studies the tradition of the Prophet (Peace and blessings of Allah be upon him) would ascertain that he [the Prophet] did not compel anyone to the religion. He only fights back in self-defence. He did not fight those who sought a truce with him if they abide by the truce, rather God the exalted is He commanded him to maintain the truce. “So as long as they are upright toward you, be upright toward them.” When he advanced to Medina, he signed a treaty with the Jewish community and confirmed them on their religion. When they fought him, broke the treaty and initiated the attack, he fought back; conferred favour on some exiled and killed others. Additionally, also when he made a truce with Quraysh for twenty years, he did not attack them throughout the period until they initiated the attack and broke the truce. Subsequently, he attacked them in their homes. Prior to that, they attacked him in Badr, Uhud and trench (*khandaq*). Had they turned away from him, he would have not attacked them. What is intent is that, he never forced anyone to his religion; the people willingly joined the religion on their own [11].

However, this matter has been discussed and debated by many scholars prior to Ibn Taymiyyah and after his time. The basis of debating the issue has been the Qur'an "Fight in the way of Allah those who fight you but do not transgress" (Q 2:190) is it abrogated by the verse after it Qur'an "And kill them wherever you overtake them and expel them from wherever they have expelled you, and *fitna* is worse than killing" (Q 2:191). Some scholars of exegesis opposed to Ibn Taymiyyah's opinion and answer in affirmative. Abū Bakr al-Jaṣṣāṣ [d. 980], the famous Ḥanafī scholar opines that Qur'an 2:191 abrogates Qur'an 2:190 and indicates the unconditional killing of the non-believers. He states: "This verse indicates that the only option for the Arab polytheists is to accept Islam or face the sword" [12]. Ibn al-'Arabī, [d. 1152] the Mālikī scholar in his exegeses of the Qur'an maintains the same view as that of al-Jaṣṣāṣ. He states:

The second issue: this verse [Q 2:193] indicates that the reason for killing [the non-believers] is

the disbelief, for that reason, The exalted is He said "And fight them until there is no more *fitna*", the text signifies that the purpose of fighting is to end the disbelief, and explains that the reason of killing that legalises the fighting is disbelief. The companions of Abū Hanīfa went astray on this by claiming that the reason of fighting is self-defence and use "Fight in the way of Allah those who fight you" as an evidence, but this verse is abrogated by the verse after it. In the first verse, [Allah] shows that the fighting is in self-defence, then [He] elucidated that the purpose of fighting him [non-believer] and killing him is his disbelief that motivates him to fight, He then commands unconditional killing [of non-believers] without specifying those who initiate the attack [13].

The above statement of Ibn al-'Arabī reveals that Ḥanafī scholars maintain the opinion of Ibn Taymiyyah on the matter, but this just signifies how fragmented the matter is, as al-Jaṣṣāṣ is among the famous Ḥanafī scholars but opposes to the opinion of Ibn Taymiyyah as cited above. An earlier Mālikī scholar who argues against the opinion of Ibn Taymiyyah on the same matter is Abū 'Abd Allah al-Qurtubī [d.1272] in his exegeses on Qur'an. Al-Qurtubī like the two others mentioned above argue against the opinion of Ibn Taymiyyah and made preponderant the opinion that the nonbelievers are fought because of their disbelief. He states:

And his statement 'and kill them' is a command to fight all the polytheists at every spot, for those [scholars] who view it as the ruling [*al-nāsikh*], and those with the different viewpoint said: fight those that Allah said [on their regards]: 'if they fight you...' But the first opinion is the strongest, which is unconditional fighting of the nonbelievers for that reason Allah said: "until there is no *fitna*" and the Prophet- the Peace and Blessings of Allah be upon him- said: 'I was commanded to fight the people until they say there is no deity

worthy of worship except Allah.' and *fitna* is disbelief, [Allah] made the end to be negation of disbelief [14].

The second argument from the treatise

On the second argument in *Qā'ida mukhtaṣara*, Ibn Taymiyyah argues that *jizya* is to be collected from all categories of non-Muslims, the polytheists included. If this argument of Ibn Taymiyyah is established it reduces his understanding of jihad from killing, execution and extermination to subduing the non-Muslims under the Islamic rule. Subsequently, Ibn Taymiyyah employed variety of ways to substantiate his point. He begins by parading the opinions of the scholars from the predecessors, as in the previous point Ibn Taymiyyah also claims the point he is arguing for to be the opinion of the majority scholars [2]. Those who argue against it and opine that the *jizya* is only collected from the people of the book and Zoroastrians said Qur'an 9:29 "Fight those who do not believe in Allah or in the last day and who do not consider unlawful what Allah and His Messenger have made unlawful and who do not adopt the religion of truth from those who were given the Scripture – [fight] until they give the *jizya* willingly while they are humbled" is referring to the people of book excluding the polytheists. Furthermore, it is known that Islamic jurisprudence distinguishes between the People of the Book and the polytheists in number of rulings including marriage and eating from the slaughtered animal. As for the Zoroastrians, the Prophet is reported to have said regarding them "treat them as you treat the people of the book" indicating that the people of book and Zoroastrians are parallel. Notwithstanding, Ibn Taymiyyah argues against this opinion and establishes from variety of ways that the *jizya* if to be collected from all categories of non-Muslims. Despite that Q 9:29, was revealed purposely on the Christians, but it also encompasses Jews, Zoroastrians and polytheists by fortiori, Ibn Taymiyyah argues [2]. To make his argument firm, Ibn Taymiyyah quotes a long hadith narrating how the Prophet advised a raid when dispatched:

Fight in the name of Allah and in the way of Allah. Fight against those who disbelieve in Allah. Make a jihad, do not embezzle the spoils; do not break your pledge; and do not mutilate [the dead] bodies; do not kill the children. When you meet your enemies who are polytheists, invite them to three courses of action. If they respond to any one of these, you also accept it and withhold yourself from doing them any

harm. Invite them to Islam; if they respond to you, accept it from them and desist from fighting against them. Then invite them to migrate from their lands to the land of the migrants (Muhājirīn) and inform them that, if they do so, they shall have all the privileges and obligations of the migrants. If they refuse to migrate, tell them that they will have the status of Bedouin Muslims and will be subjected to the Commands of Allah like other Muslims, but they will not get any share from the spoils of war or (*Fai'*) except when they actually fight with the Muslims [against the disbelievers]. If they refuse to accept Islam, demand from them *jizya*. If they agree to pay, accept it from them and hold off your hands. If they refuse to pay the *jizya*, seek Allah's help and fight them [15].

From the hadith above, Ibn Taymiyyah deduces that the Prophet commanded the raid in one of the three options to take a *jizya* from polytheists and if the polytheists agree to pay, it should be accepted from them and they should not be fought [2]. Additionally, when the Prophet sent Mu'āz to Yemen to collect the *jizya* he did not distinguish the polytheists from the people of the book. Furthermore, the Zoroastrians and the polytheists are two faces of the same coin, Ibn Taymiyyah argues. They both have no messenger sent to them and no book descended upon them and both claim the plurality of God. Besides, the Prophet and his four Caliphs were not known to have differentiated between the people of book and others in collecting the *jizya* [2].

Establishing the second argument from Ibn Taymiyyah's works

Ibn Taymiyyah also argues for this point in his other works. In a fatwa in *Majmū' fatāwā* after surveying the differences of opinion of scholars regarding the issue, he made preponderant the opinion of the Majority that the *jizya* would be collected from all non-Muslims alike, stating that he knows none of the predecessors [*Salaf*] who argue against it [2]. In *al-Safadiyya*, after repeating the same argument as in *Majmū' fatāwā*, Ibn Taymiyyah argues for the reason why the Prophet did not collect *jizya* from the Arab polytheists in Mecca; "The Prophet did not take it [*jizya*] from the Arab because battles with them seized before the legislation of *jizya*" [16]. He further

mentioned that the majority scholars opined that the *jizya* will be collected from the polytheists of India, turkey and non-Arabs [16]. He made similar arguments in *al-Siyāsa al-shar'iyya* and *Minhāj al-sunna al-nabawiyya* [10].

His disciple Ibn al-Qayyim also supports the argument in *Zād al-Ma'ād*. After discussing the matter and compiling the opinions of scholars, he made preponderant the opinion of Ibn Taymiyyah that *jizya* is to be collected from all categories of non-believers. Responding to the counterclaim that the Prophet did not collect the *jizya* from the polytheist of Mecca, Ibn al-Qayyim said, that was because it was legislated after conquest of Mecca, leaving no polytheist in Mecca. To make it clearer, he further argues that, the Prophet and his Caliphs did not distinguish between the Arabs and non-Arabs in taking the *jizya*. Despite that, the Arabs were not originally Jews or Christians, they reverted to both religion, but the Prophet did not consider the origin of their religion, rather he took the *jizya* from them and Zoroastrians alike. As in the previous topic, the scholars have difference of opinion on whom to collect the *jizya* from. It is reported in *al-Mausū'at al-Fiqhiyya*; a recent encyclopaedia of Islamic jurisprudence, that the majority scholars argue against Ibn Taymiyyah's opinion that *jizya* is collected from all categories of non-Muslims, including the polytheists. "The majority of the jurists from the Shāfi'iīs, the manifest statement of Ahmad and a narration from Mālik that *jizya* should not be collected from the polytheists, the Arabs and non-Arabs alike, they either accept Islam or face death" [17]. This statement seems not only opposing Ibn Taymiyyah's view on the *jizya*, but on the purpose of fighting as a whole. If the *jizya* is not collected from the polytheists and they are only left to the options of Islam or death, then the purpose of fighting jihad against the polytheists is the disbelief. Unlike the previous point, Ibn Taymiyyah is the only scholar who claims the majority of the scholars support his view on *jizya*. Ibn al-Qayyim dedicates many pages arguing for the matter in *Ahkām ahl al-thimma* but only attributes the opinion to Abū Ḥanīfa and Ahmad in one of the narrations from him [11]. Al-Qardāwī also follows Ibn Taymiyyah in the argument. He mentions the differences of opinion of scholars but did not parade it as the opinion of the majority scholars [5].

However, for Ibn Taymiyyah the apostates have completely different status from the non-believers. In the second anti-Mongol Fatwas and elsewhere Ibn Taymiyyah maintains that the apostates are to be killed unconditionally. They are not covered either by the *jizya* or fear of any danger from them. This is what he argues for and triumphs in almost of his works. He also claims it to be a consensus of all scholars, "There is consensus that the apostate is killed even if he was not able to fight such as blind, weak and priest" [10].

CONCLUSION

These two main points Ibn Taymiyyah argues for in this treatise [*Qā'ida mukhtaṣara*], parade his opinion on jihad in away far less radical than it is claim by the contemporary jihadists. The jihadists who paraded Ibn Taymiyyah as extremist and engaged in killing and bombardment of those who claim Islam let alone the people of the Book and polytheists using Ibn Taymiyyah as justification would be shocked when they come across some of his statements in this treatise. For that reason, the jihadists in their various publications did not quote or acknowledge the treatise or any of his works similar to it. This treatise when compared to the anti-Mongol and Nuṣayrī fatwas would reiterate the necessity of making a holistic approach to all the works of Ibn Taymiyyah on jihad before branding or sidelining him with particular doctrine on jihad. The treatise has furthermore made clear why Ibn Taymiyyah was particularly harsh in the anti-Mongol fatwa. During the Mongol period, Ibn Taymiyyah was faced with a danger of the Mongols who committed enormous atrocities in the history.

REFERENCES

1. Ibn Taymiyyah, A. A. (1999). *Al-jawāb al-Šāhīh li-man baddala dīn al-masīḥ* ed. 'Alī Ibn Hasan Ibn Nāṣir. Riyadh: Dār al-'āsimā.
2. Ibn Taymiyyah, A. A. (2004). *Qā'ida Mukhtasara fī qitāl al-kuffār wa mudāhanatihim wa taḥrīm qatlihim bi mujarradi kufrihim* ed. 'Abd al-'Aziz A. I. Riyadh: Maktab al-Malik Fahad al-waṭanīyya,
3. Cigdem, R. (2004). The Concept of Ta'zir (Discretionary Punishment) in Theory and in Practice. *Selcuk Üniversitesi Hukuk Fakultesi Dergisi*, 12, 167.
4. Ibn Ṣāliḥ. (n.d) *Aqwāl al-`ulmā' a fī al-risālat al-mansūba ilā sheikh al-islam*.
5. Al-Qardāwī, Y. (2009). *Fiqh al-jihad: dirāsa muqarana li-aḥkāmihi wa falsafatihi fī daw'i al-Qur'an wa al-sunna* Cairo: Maktabat al-wahba.
6. Ibn Taymiyyah, A. A. (n.d) *Kitāb al-Nubuwat*. Ed. 'Abd al-'Azīz bin Ṣāliḥ al-Tawayān Medina: Aḍwā' al-salaf.
7. Bukhari, M. B. I. I. (1981). Sahih al-Bukhari. B., *Dar al-Fekr*.
8. bin al-Hajjaj, M. nd Sahih Muslim. *Beirut: Dar Ihya' al-Turath al-cArabiyya*.
9. Ibn Taymiyyah, A. A. (1997). *Al-ṣārim al-maslūl 'alā Shātimi al-rasūl* ed. Muhammad 'Abd Allah ibn 'Imran al-huwainī Dammām, KSA: zamādi publishers.
10. Ibn Taymiyyah, A. (1988). *Al-Siyasah al-Shariyya fi Islah al-Rai wa al-Raiyyah*.
11. Ibn al-Qayyim, A. A. (1998). *Ahkām ahl al-thimma*. Dammam: Ramādī li-annashr.

12. Alī al-Rāzī al-Jaṣṣāṣ, A. A. (1992). *Ahkām al-Qur'an* ed. Muhammad Ṣādiq al-qamhāwī Beirut: Dār iḥyā'i turāth al-'arabī.
13. Al-Arabī, A. M. (2016). *Ahkām al-Qur'an* ed. Muhammad, A. Al-Jabāwī. 1:109, (n.p), (n.p).
14. Al-Qurṭubī, A. M. A. (2006). *Al-jāmi'u li-ahkām al-Qur'an* ed. Abd Allah Ibn Abd al-Mushim al-turkī Beirut: Muassat al-risāla.
15. Muslim, S. (2016). nd. Collection of sunnah and hadith.
16. Ibn Taymiyyah, A. A. (1406 A.H). *Al-Safadiyyah*, ed. Muhammad R. S., Misra, Maktabah Ibn Taimiyyah.
17. Wizārat al auqāf wa al shu'ūn al-Islāmiyya, *Al- Mausū'at al-fiqhiyya*, (Kuwait: wizārat al auqāf wa al shu'ūn al-Islāmiyya,) 15:170.