

Abu Mansur Hasan bin [Yusuf Al-Hilli](#) (1250-1326) - Shi'ite jurist, "one of the greatest Muslim jurist and scholars of his time", prolific writer.

*"INFIDELS ON WHOM A TRIBUTE MAY BE IMPOSED"*

167. Some infidels are permitted to retain the privilege of practicing their religion, in return for a tribute; they are: the Jews, the Christians, and those whose revealed scripture is of doubtful authenticity, that is, the guebres. Any infidel other than those who profess one of the three above-mentioned religions must be compelled to embrace Islam.

205 It is forbidden to build in a Muslim land any church, synagogue, or temple to be used for any worship other than Muslim worship. Any newly built construction of this sort must be demolished, regardless of whether the inhabitants of this country recently and voluntarily embraced Islam, or whether the territory was conquered by military force or annexed by virtue of a surrender: All that matters is that the country is subject to Muslim rule.

*"TRUCE WITH THE INFIDELS"*

215. This term is understood to mean a treaty concluded with the enemy, having as its purpose a temporary suspension of hostilities during a set period of time.

216. The imam is authorized to negotiate the suspension of hostilities with a view to the general interest, for example, in the case where the number of Muslim soldiers is too weak to be able to continue the war advantageously; when it is necessary to wait for reinforcements, or when there is the hope that, thanks to a suspension of hostilities, the infidel will convert voluntarily to Islam.

217. Except for the cases mentioned in the preceding article, and when the Muslim army is strong enough in number to pursue the war, it is not permitted to declare a truce.

220. When the treaty suspending the hostilities contains a few clauses contrary to the precepts of Islam, for instance the public performance of certain acts forbidden to Muslims, or the return of women captives or refugees, one is not obliged to observe them.

(Excerpted from *Shara'i'u 'l-Islam*, in *A. Querry*, trans., *Droit Musulman, Recued des lois concernant les Musulmans Schyites* [Collection of Laws concerning the Shiite Muslims] (Paris, 1871), pp. 342-52. English translation by Michael J. Miller.) (Andrew Bostom [Legacy of Jihad](#))