

- [Ibn Abi Zayd al-Qayrawani](#) (922 - 996) - Maliki jurist, "He was the Imam of the Malikis in his time, and their model." Wrote the well known Treatise on Maliki Fiqh *La Risala*:

"Jihad is a precept of Divine institution. Its performance by certain individuals may dispense others from it. We Malikis maintain that it is preferable not to begin hostilities with the enemy before having invited the latter to embrace the religion of Allah except where the enemy attacks first. They have the alternative of either converting to Islam or paying the poll tax (jizya), short of which war will be declared against them."

*(La Risala ou Epitre sue les elements du dogma de la loi d'Islam, trans. Leon Bercher, (Algiers 1945) English trans. Bat Ye'or, The Decline of Eastern Christianity under Islam: From Jihad to Dhimmitude Seventh - Twentieth Century)*