

[Baha' ad-Din al-'Amili](#) (1547 - 1621) - Shi'ite, Safavid Empire's most senior jurist in the court of Shāh 'Abbās, wrote an important exposition of Shi'ite jurisprudence in Persian *Jami-i-Abbasi*, prolific writer of treatises and books on astronomy, mathematics, religious sciences, philosophy, and poetry (mostly with mystical themes). An 18th century Arab and Persian manuscript of his *Miftah Al-Falah*, possibly originating in India, [sold](#) at Christie's for \$3,086 in Oct. 2011. Again, orders good for all times and places against all non-Muslims. Not a historical account of an event, it's a legal opinion from an influential Shi'ite jurist:

PART SIX: HOLY WAR (JIHAD)

Islamic holy war against followers of other religions, such as Jews is required unless they convert to Islam or pay the poll tax. There are twelve conditions required in paying the poll tax. First condition: According to some Mojtahids those possessing Holy Scriptures, such as Christians, Jews and Zoroastrians, living in Moslem territories are obliged to pay the poll tax, (in lieu of conversion to Islam). In this regard, Imam Ali required Jews who were poor to pay 12 Dirham in a year, and the average Jews to pay 24 Dirham a year as poll tax. The wealthy Jews, however, paid 148 Dirham a year. The amount of poll tax depends on [the] Imams' decision. If a Jew or any of those possessing Holy Scriptures converted to Islam, they were not obliged to pay the poll tax.

Second condition: Others possessing Holy Scriptures residing in Islamic territories must recognize and respect Islamic laws. Third condition: Those possessing Holy Scriptures are not authorized to sabotage Muslim's safety, which means they are not supposed to associate with Muslim enemies or disobey paying poll tax. Forth condition: Those possessing Holy Scriptures are not allowed to sleep with Muslim women or marry them. Fifth condition: Those possessing Holy Scriptures must not deceive Muslims or debunk what they [the Muslims] believe in. Sixth condition: Those possessing Holy Scriptures must not be convicted of robbery. Seventh condition: Those possessing Holy Scriptures must not harbor or finance the Muslims' enemies such as spies and invaders, or reveal any intelligence information regarding Muslims to infidels. Eighth condition: Those possessing Holy Scriptures must not be convicted of murdering a Muslim. Ninth condition: Those possessing Holy Scriptures must not disrespect the Muslim Faith.

Tenth condition: Those possessing Holy Scriptures are not allowed to practice any un-Islamic behavior such as drinking alcohol, eating pork, or being married to two sisters simultaneously. Eleventh condition: Those possessing Holy Scriptures must not establish any temples or churches in the Dar al-Islam (Muslim territory), preach or read their religious books loudly, ring their church bells, or build their houses higher than Muslim houses. Twelfth condition: Those possessing Holy Scriptures must be distinguished from Muslims by being attired differently. They must also ride on different animals, sit on one side of the animal [i.e., side-saddle] while riding, and are not permitted to carry any weapon or sword with them. They must also not walk on the road. They cannot hold any title nor can they reside in Mecca or Medina. They are not

supposed to buy the Koran or Hadith (collections), for they won't be allowed to own them.

[...]

A Muslim is allowed to kill the *dhimmi* unless the *dhimmi* follows the twelve conditions that are mentioned above in the Jihad section, or the *dhimmi* converts to Islam.

A Muslim who is convicted of murdering [a] *dhimmi* is not liable to pay kaffareh (alms to be given as penance on different occasions). However he is obligated to pay *dieh*, which is called blood money in Islamic sharia law.

According to the Islamic criminal code, a Muslim who is convicted of murdering a Jew is not liable to receive the death penalty. However he will receive retaliation or discretionary (Tazir) punishments that have been prescribed, according to the type of the crime committed. However, a *dhimmi* receives the death penalty if convicted of murdering another *dhimmi*.

If a *dhimmi* is convicted of murdering a Muslim, he will receive the death penalty. If an infidel who is convicted of murdering another infidel, becomes a Muslim, he will pay *dieh* or blood money and receive *Qesas* crimes (revenge crimes restitution).

Jami'-i Abbasi: Yakdawrah-i figh-i (Fars: Tehran, 1980), pp. 153-54, 367, 417, 423, 428-32
(Andrew Bostom [Legacy of Jihad](#))