

[Yahya ibn Sharaf al-Nawawi](#) (~1234–1278) - shafi'i jurist, Syrian, author, wrote “numerous works of great importance” including [Riyad-us Saliheen](#), and *Minhaj al-Talibin*, both classical shafi'i manuals of Islamic Law:

“3:261-4 In the war against infidels the law prohibits the killing of: minors, aliens, women, and hermaphrodites who do not in any way tend toward the male sex; but it is legitimate to kill: monks, mercenaries whom the infidels have taken into their service, the old and weak, blind or sickly persons, even when they have neither taken part in the battle nor given information to the enemy. When they have not been killed in the war, they must in any case be reduced to slavery. The wives of infidels must also be reduced to slavery and the possessions of infidels must be confiscated. It is lawful to besiege infidels in their towns and in their fortresses and to use flooding, fire and the machines of war against them, and to attack them unawares at night, all of this without regard for the presence in their midst of Muslim prisoners or merchants for whom these means of mass destruction are equally dangerous. It is the teaching of our [Shafi'i] rite. On the basis of the same principle it is even permissible to shoot at women and children when the infidels continue to fight by hiding behind them; but one must refrain from such procedure if the infidels hide behind them solely for the purpose of saving their lives and if the nature of the military operations does not imperatively require resorting to these extreme measures. The same principles must also be followed in cases when the infidels hide behind Muslims. [...]

It is lawful to destroy the dwellings and plantations of the infidels, both because of military necessity and because this measure procures an easier victory; it is even good to resort to this measure in every instance when it is not expected that the dwellings and plantations will one day become our property. But when this eventuality is expected, it is preferable not to proceed with destruction.

3:264-5 Infidels' women and minors, taken as war captives, must be reduced to slavery; and slaves, taken in their country, become our possession. As for free adults of the male sex, the sovereign can choose as he wishes between the following five measures, according to whichever seems to be the most advantageous for the Muslims. He can:

1. Put them to the sword.
2. Set them free unconditionally.
3. Exchange them for Muslims taken as prisoners of war.
4. Set them free on payment of some ransom.
5. Reduce them to slavery.

[...] The infidel, taken prisoner of war, who embraces the faith, has in any case saved his life and in his case the sovereign only has a choice between the above measures 2 to 5. According to others, however, such a prisoner must always be reduced to slavery. The conversion of an infidel before his defeat has the guaranteed effect of securing not only his life but, in addition, of safeguarding his property and his young children, although our faith does not extend this favor to his wife.

3:288-9 An armistice is only allowed when some advantage to Muslims ensues [...] On the other hand, it is perfectly lawful for the sovereign, when he agrees to an armistice, to reserve the right to recommence hostilities when it seems good to him.

3:116 The infidel, not subject to Muslim authority, and the apostate, are outlaws and can be killed with impunity

3:277 Our religion compels the poll tax to be paid by dying people, the old, even in a state of incapacity, the blind, monks, workers, and the poor, incapable of practicing a trade.

3:280-1 The infidel who wishes to pay his poll tax must be treated with disdain by the collector: the collector remains seated and the infidel remains standing in front of him, his head bowed and his back bent. The infidel personally must place the money on the scales, while the collector holds him by his beard and strikes him on both cheeks. However, according to the majority of scholars, these practices are recommended but not, as some think, compulsory.

3:284-5 Infidels who are subjects of our Sovereign by virtue of surrender, must be forbidden to build churches or synagogues in a town we have founded, or whose inhabitants have embraced Islam of their own accord. As for places taken by attack, the infidels must refrain not only from building new churches and synagogues there, but also from using for their purposes such buildings which exist there.

3:285-6 [The dhimmi] has to make himself distinguishable by a piece of yellow cloth and a belt over his clothing. If he enters a bath-house where there are Muslims, or if he undresses elsewhere in their presence, the infidel has to wear an iron or lead ring on his neck or else some other sign of servitude.” [Faith Freedom International Quotes from Islamic jurists](#)