

- [Averroes](#) (Ibn Rushd, 1126-1198) - Maliki jurist, renowned philosopher and legal scholar, was the highest Maliki authority in Cordoba during the “Golden Age” of Islam in present day Spain. He is often cited today in universities as an example of Islamic Tolerance™. This is largely because even though he wasn’t successful advancing Aristotelean philosophy in Islam, Europeans were interested in his teachings, so Averroes’ lasting influence in this regard was greater on Europe. Averroes wrote [The Incoherence of the Incoherent](#) to counter the late great al-Ghazali’s (1058 - 1111) [The Incoherence of the Philosophers](#), but to no avail. In 1195 A.D. in Cordoba, Spain Averroes' [books were burned](#) in the city square, he was sent into exile, and the teaching of philosophy was banned. His works in Arabic today have been back translated from either Latin or Hebrew, the languages in which most of his books were preserved.

Moderate™ Supremacist



Statue of Averroes in Cordoba

Yet he had no conflict with IS&J, and made this religious ruling in his authoritative and most important work *Bidayat al-Mujtahid wa-Nihayat al-Muqtasid*:

"According to the majority of scholars, the compulsory nature of the jihad is founded on sura [2:216](#): 'Prescribed for you is fighting, though it is hateful to you.'... Scholars agree that all polytheists should be fought; This founded on sura [8:39](#): "Fight them until there

is no persecution and the religion is God's entirely"... the Muslims are agreed that the aim of warfare against the People of the Book... is twofold: either conversion to Islam, or payment of poll-tax (jizya). This is based on (9:29)... There is, however, controversy with regard to polytheists who are not People of the Book: is it allowed to accept poll-tax from them or not?"

The Aims of Warfare

The Moslems are agreed that the aim of warfare against the People of the Book, with the exception of those belonging to the Quraysh-tribe and Arab Christians, is twofold: either conversion to Islam, or payment of poll-tax (djizyah). This is based on (9:29): "Fight against those who do not believe in Allah nor in the last Day, and do not make forbidden what Allah and His messenger have made forbidden, and do not practice the religion of truth, of those who have been given the Book, until they pay the jizya off-hand, being subdued." Most lawyers likewise agree that poll-tax may also be collected from Zoroastrians on the strength of the words of the Prophet: "Treat them like the People of the Book." There is, however, controversy with regard to polytheists who are not People of the Book: is it allowed to accept poll-tax from them or not? ..."

Excerpted from *Bidayat al-Mudjtahid*, in Rudolph Peters, *Jihad in Medieval and Modern Islam: The Chapters on Jihad from Averroes' Legal Handbook "Bidayat al-mudjtahid,"* trans. and annotated by Rudolph Peters (Leiden: Brill, 1977), pp. 9-25. (Andrew Bostom [Legacy of Jihad](#))

On Apostasy:

"An apostate...is to be executed by agreement in the case of a man, because of the words of the Prophet, 'Slay those who change their din [religion]'...Asking the apostate to repent was stipulated as a condition...prior to his execution."

Bostom: [Apostasy and the Islamic Nations](#)