

أَعُوذُ بِاللَّهِ مِنَ الشَّيْطَانِ الرَّجِيمِ

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

أَلْحَمْدُ لِلَّهِ كَمَا هُوَ أَهْلُهُ وَالصَّلَاةُ وَالسَّلَامُ عَلَى سَيِّدِ وَدِدِ أَدَمَ كَمَا يُحِبُّ وَيَرْضَى بِأَنْ يُصَلَّى عَلَيْهِ

Allah Almighty, in Whose Name we begin, The Most Compassionate,
The Most Merciful

All Praise is due to Allah Almighty, Countless Peace and Blessings be upon
His Beloved Messenger – *may Allah's peace and blessings be upon him* – his family & his
companions – *may Allah be pleased with them all*

Protection given to non-Muslims

The care to be shown to non-Muslims under your protection is such that even a whip should not be used. These are the words of Hadrat Sayyiduna Ali - *may Allah be pleased with him* - when he sent a person from the Saaqef tribe to retrieve the Jizyah from the region of Nishapur. Hadrat Sayyiduna Ali, the Door of Knowledge - *may Allah be pleased with him* - mentioned to him, “Merely for one Dirham, even the whip should not be abused. One should not sell their clothing which they used to protect themselves against the heat and cold. One should also not sell the animals which they use for work. At the same time, even for one Dirham, one should not allow anyone to stand under the sun and in the heat.”

When these words reached the person who was commanded by him to bring back the Jizyah from this region, the person was highly perplexed. He was also under the

impression that if he followed the advice of the great Muslim, no Jizyah will be collected at all. He then prepared a reply and sent it to the great Muslim leader.

He wrote, “O Ameerul Mo’mineen! If it is absolutely necessary that I obey your every command then please give me permission to return (empty-handed) as when I left. In this manner, I will return in your court empty-handed.”

Hadrat Sayyiduna Ali - *may Allah be pleased with him* - replied in such a manner which gave clear indication that he had no need for this wealth if it was taken in an unfair and oppressive manner. This was that Muslim who had great fear in his heart for Allah Almighty. He mentioned the manner in which Jizyah should be taken and the proper Islamic manner in this regard. He said that if he returned in the same way he left (empty-handed), then too, there would be no problem. He said, “O slave of Allah! We are only entitled for that wealth which is considered as extra wealth.” He clearly indicated that if they took what they were not entitled for, it would be nothing but oppression. He also gave important lessons for people who would come into power after him.

The Holy Prophet - *may Allah’s peace and blessings be upon him* - has also advised that, “He who oppressed a Dhimmi, who is a non-Muslim, or robs him of his right or gives him more than he can handle or takes away something from him without his permission, then on the Day of Judgement, we will give testimony against him.” (Abu Daud)

These are those noble principles and laws which allowed Muslims to conquer major cities and also capture the hearts of its inhabitants. This is the reason that most of these conquered lands quickly came under Islamic law and the majority of its citizens accepted Islam. This is also the reason that the leaders of Islam had always displayed kindness to those non-Muslims who were under their protection. In fact, in most cases, there were excuses created so that these subjects would be pardoned from the act of Jizyah.

Among these great Muslims were also Hadrat Sayyiduna ‘Umar - *may Allah be pleased with him*. When he entered in Syria, he walked past these Dhimmi who were standing in the sun. He asked as to why these people were standing in the sun and it was mentioned to him that the reason these people were standing in the sun is because they had delayed giving their Jizyah.

Hadrat Sayyiduna ‘Umar - *may Allah be pleased with him* - was extremely displeased with this action. He demanded, “What power do they have and what strength do they have?”

He was told that these people had admitted that they did not have the means to give Jizyah. Hadrat Sayyiduna ‘Umar - *may Allah be pleased with him* - then commanded that these people should be freed and that this act should not be done to them. At his command, all of these Dhimmi were then freed.

Leave alone Jizyah, Hadrat Sayyiduna ‘Umar - *may Allah be pleased with him* - even excused people who could give the Khiraaaj on time.

Once, he wrote to Hadrat Sayyiduna Amar bin Al Aas - *may Allah be pleased with him* - to immediately send the Khiraaaj of Egypt as soon as possible to Madina Shareef. He also reprimanded him if there was any delay in having this sent because the people of the Hijaz were in dire need of this.

However Hadrat Sayyiduna Amar - *may Allah be pleased with him* - wrote back that the people of Egypt had asked him for a time period and also they wanted the grain to ripen and that if they had to send this now, they would have to sell items which they had need for. He explained that this is the reason that there was a delay in sending this Khiraaaj. When Hadrat Sayyiduna ‘Umar - *may Allah be pleased with him* - heard this reply, he did not only agree with it but he also supported it. Even though there was great need for this wealth, but he sacrificed the need of the Muslims over these people who were under the protection of the Muslims.

At the same time, Islam has created many means of ease in regard to Jizyah, Khiraaaj and Ushur which is the tenth part. The weak and poor have been excused from this and all those who cannot afford to do so.

These were the rules that were sent to the Muslim Generals:

1. The poor, the orphans and the slaves should be spared because they own nothing themselves.
2. The women, the children and the old should also be spared because they cannot carry weapons and one cannot even start a war against them.

3. Those who are blind, those who are poor, and those who are crippled are also spared because they do not have the power to earn a livelihood.
4. In like manner, the children and the insane should be spared because Islam itself has not made them responsible for any Ibadah.
5. As for those Ahle Kitaab who are religious leaders and those who are monks and have sacrificed their lives for worship, they should be left in their state. (In other words, no harm should be caused to them). (Kitaabul Khiraaaj, Imam Abu Yusuf - *may Allah be pleased with him*)

Hadrat Sayyiduna Amar bin Al Aas bin Waa'il Sehmi Quraishi's - *may Allah be pleased with him* - title was "Abu Abdullah". He was the conqueror of Egypt and was considered as among the learned of the Arabs. He accepted Islam during the days of Hdaybiyah. He was also nominated as a Commander of the Muslims during the expedition of the Zaatul Salaasil. He was also a famous Commander during the era of Hadrat Sayyiduna 'Umar - *may Allah be pleased with him* -and he was nominated as the Governor of Palestine and then Egypt. He was removed from this position during the reign of Hadrat Sayyiduna 'Uthman - *may Allah be pleased with him*. He was born fifty years before the Hijrah and passed away in Cairo in 43 A.H. In the books of Hadith, there are thirty nine Ahadith which are narrated by him. ('Alaam)