1340–1345: Ibn Qayyim al-Ǧawziyya on the Question of Permanent Truce

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Abstract: This article analyses Ibn Qayyim al-Ǧawziyya's discussion of permanent truce (*al-hudna al-muṭlaqa*) in his "Legal Judgements about the People of Protected Status" (*Aḥkām ahl al-ḏimma*). Focusing on Ibn al-Qayyim's method and arguments, the article examines the content of a relevant section from the work, situating it within the broader discussion of "truce" in the Sunnī legal tradition. Ibn al-Qayyim manages to ground permanent truce in the Prophetic tradition. Both his argument and its justification do not conform to anything we find in Sunnī law, including Ibn al-Qayyim's own Ḥanbalī school. The article thus underscores the creativity and dynamism of Islamic jurists who often think outside the box, even in instances where they agree with their predecessors, let alone cases where they disagree. The article also points out a major inaccuracy in modern research about truce in Islamic law, i.e. the claim that the latter does not allow for a truce to exceed ten years.

Source

Ibn Qayyim al-Ǧawziyya, *Aḥkām ahl al-ḏimma*, ed. Yūsuf Aḥmad al-Bakrī and Šākir Tawfīq al-ʿĀrūrī, 3 vols, Dammām: Ramādī li-l-Našr, 1997, vol. 2, pp. 874–877, trans. Suleiman A. Mourad.

فصل – هل تجوز الهدنة المطلقة دون تحديد مدّة؟

إذا عُرِف هذا فهل يجوز لوليّ الأمر أن يعقد الهدنة مع الكفّار عقداً مطلقاً لا يُقدّره بمدّة، بل يقول: نكون على العهد ما شئنا، ومن أراد فسخ العقد فله ذلك إذا أعلم الآخر ولم يغدر به، أو يقول: نعاهدكم ما شئنا، ونقرّكم ما شئنا؟ فهذا فيه للعلماء قولان في مذهب أحمد وغيره، أحدهما: لا يجوز؛ قال به الشافعي في موضع، ووافقه طائفة من أصحاب أحمد، كالقاضي في "المجرّد" والشيخ في "المغني" ولم يذكروا غيره.

Chapter—Is a permanent truce permissible without specifying a duration?

Taking into account the preceding discussion, is it permissible for the Muslim leader (*walī al-amr*) to contract a permanent truce with the unbelievers without specifying its duration, as by saying: "We will abide by the covenant as long as we wish, and whoever wants to cancel the contract may do so if they inform the other party and do not betray them," or by saying: "We will establish the covenant with you as long as we wish, and honour our pledge to you as long as we wish"? The legal school of Aḥmad [Ibn Ḥanbal] has two opinions on the matter, as do others. One of them is that it is not permissible. This was argued by al-Šāfiʿī in one of his works, and a group of Ḥanbalīs agreed with him, such as the judge [Abū Yaʿlā Ibn al-Farrāʾ] in *al-Muǧarrad* [*fī l-maḏhab*] and the venerable elder [Ibn Qudāma] in *al-Muġnī*, and they did not mention any other view.

والثاني: يجوز ذلك، وهو الذي نصّ عليه الشافعي في "المختصر"، وقد ذكر الوجهين في مذهب أحمد طائفةٌ آخرهم ابن حمدان. والمذكور عن أبي حنيفة أنّها لا تكون لازمةً بل جائزةً، فإنّه جوّز للإمام فسخها متى شاء. وهذا القول في الطرف المقابل لقول الشافعي الأول.

The second opinion is that it is permissible, and this is what al-Šāfiʿī stated in *al-Muḫtaṣar*. A group of Ḥanbalīs mentioned both opinions as possible, the last one to do so was Ibn Ḥamdān. It is reported that Abū Ḥanīfa said it can never be binding but rather it can be revocable, for he allowed the Muslim leader (*al-imām*) to cancel the truce whenever he wishes. This opinion is the opposite of al-Šāfiʿī's first opinion.

والقول الثالث: وسط بين هذين القولين. وأجاب الشافعي عن قول النبي صلّى الله عليه وسلّم لأهل خيبر: "نُقِرّكم ما أقرّكم الله" بأنّ المراد: نُقِرّكم ما أذن الله في إقراركم بحكم الشرع. قال: وهذا لا يعلم إلّا بالوحي، فليس هذا لغير النبي صلّى الله عليه وسلّم. وأصحاب هذا القول كأنّهم ظنّوا أنّها إذا كانت مطلقة تكون لازمةً مؤبّدةً كالذمّة، فلا تجوز بالاتفاق. ولأجل أن تكون الهدنة لازمةً مؤبّدةً فلا بدّ من توفيتها، وذلك أنّ الله عزّ وجلّ أمر بالوفاء، ونهى عن الغدر، والوفاء لا يكون إلّا إذا كان العقد لازماً.

The third opinion is between these two opinions. Al-Šāfiʿī said about the Prophet's statement—may God bless him and grant him peace—to the people of Ḫaybar, "We will honour what God pledged to you," that meant: We pledge to honour what God permitted that we pledge to you to honour according to Šarīʿa. He added: But this is only known through revelation, therefore it is restricted to the Prophet—may God bless him and grant him peace. Those who uphold this opinion confusedly think that if it is permanent, it must be binding and eternal, like the *ḏimma* covenant, and so it is not permissible to conclude it by agreement. [They added that] for the truce to be binding and eternal, it must be fulfilled, because God—glorified and sublime—decreed that a contract must be fulfilled and he forbade treachery, and fulfilment can only be possible if the contract is binding.

والقول الثاني – وهو الصواب – أنّه يجوز عقدها مطلقةً ومؤقّتةً. فإذا كانت مؤقّتةً جاز أن تُجعل لازمةً، ولو جُعلت جائزةً بحيث يجوز لكلّ منهما فسخها متى شاء كالشركة، والوكالة، والمضاربة ونحوها جاز ذلك، لكن بشرط أن ينبذ إليهم على سواءٍ. ويجوز عقدها مطلقةً، وإذا كانت مطلقةً لم يمكن أن تكون لازمة التأبيد، بل متى شاء نقضها، وذلك أنّ الأصل في العقود أن تُعقد على أيّ صفةٍ كانت فيها المصلحة، والمصلحة قد تكون في هذا وهذا.

Nevertheless, the second opinion is the correct one, namely that it is permissible to contract a permanent truce or a temporary one. If it is temporary, it is permissible to make it binding. But if it is made revocable, whereby each side can cancel it whenever they wish—like a partnership, delegation, profit-sharing agreement, or similar arrangements—it is permissible too on condition that the one cancelling should notify the other side. Also, it is permissible to conclude it as permanent, but if it is permanent, it cannot be binding forever, but rather they may cancel it whenever they wish, because the principle in contracts is that they are concluded in manners that intend the benefit, and benefit may lie in keeping it or cancelling it.

وللعاقد أن يعقد العقد لازماً من الطرفين، وله أن يعقده جائزاً يمكن فسخه إذا لم يمنع من ذلك مانعٌ شرعيّ، وليس هنا مانعٌ، بل هذا قد يكون هو

The contracting party may conclude the contract as binding on both parties, and may conclude it as revocable and possible to cancel if there is no legal barrier preventing it. In this case, there is no such barrier. Rather, this may be in the Muslims' benefit.

المصلحة، فإنّه إذا عقد عقداً إلى مدّة طويلةٍ فقد تكون مصلحةُ المسلمين في محاربتهم قبل تلك المدّة، فكيف إذا كان ذلك قد دل عليه الكتاب والسنّة؟ وعامّة عهود النبي صلّى الله عليه وسلّم مع المشركين كانت كذلك مطلقةً غير مؤقّتةٍ، جائزةً غير لازمةٍ، مِنها عهده مع أهل خيبر، مع أنّ خيبر فتحت، وصارت للمسلمين، لكنّ سكّانها كانوا هم اليهود، ولم يكن عندهم مسلمٌ، ولم تكن بعد نزلت آية الجزية، إنّما نزلت في "براءة" عام تبوك سنة تسعٍ من الهجرة. وخيبر فتحت قبل مكّة بعد الحُديبية سنة سبعٍ، ومع هذا، فاليهود كانوا تحت حكم النبي صلّى الله عليه وسلّم فإنّ العقار مِلك المسلمين دونهم. وقد ثبت في "الصحيحين" أنّه قال لهم: "نقرّكم ما شئنا"، أو "ما أقرّكم الله". وقوله: "ما أقرّكم الله" يُفسّره اللفظ الآخر، وأنّ المراد أنّا متى شئنا أخرجناكم منها، ولهذا أمر عند موته بإخراج اليهود والنصارى من جزيرة العرب، وأنفذ ذلك عمر رضي الله عنه في خلافته.

For if the contracting party makes a treaty for a long period, the Muslims' benefit may lie in fighting the enemy before that period ends. How much more so if this is supported by the Book and Sunna? After all, the treatises of the Prophet—may God bless him and grant him peace—with the polytheists were all permanent and not temporary, revocable and not binding. Among them was his treaty with the people of Ḫaybar. Even though Ḫaybar was conquered and came under Muslim possession, its inhabitants remained Jews and there were no Muslims living among them. Moreover, the *ǧizya*-tax verse had not yet been revealed. Rather, it was revealed in the chapter Repentance in the year when the Muslims captured Tabūk, in the ninth year of the Hiǧra. Additionally, Ḫaybar was conquered before Mecca, after Ḥudaybiyya in the seventh year. Nevertheless, the Jews became subjects of the Prophet—may God bless him and grant him peace—and the land became no more theirs but rather a property of the Muslims. It is verified in the two *Ṣaḥīḥ* books that he said to them: "We will honour our pledge to you as long as we wish," or "what God pledged to you." His statement "what God pledged to you" is explained by the other wording, namely that it means "whenever we want, we can expel you from it." For this reason, he ordered before his death the expulsion of the Jews and Christians from the Arabian Peninsula, and ʿUmar—may God be pleased with him—carried out the order during his caliphate.

Authorship & Work

[§1] Ibn Qayyim al-Ǧawziyya (henceforth Ibn al-Qayyim)[1]— his full name is Šams al-Dīn Abū ʿAbd Allāh Muḥammad b. Abī Bakr b. Ayyūb al-Zuraʿī—was a celebrated Damascene scholar and prolific author on a number of important religious topics. He was born on 7 Ṣafar 691 / 29 January 1292, and received most of his education in his hometown, especially in law, Hadith, Qurʾānic interpretation, theology, and mysticism. His father was the superintendent of al-Madrasa al-Ǧawziyya, which at the time was a leading Ḥanbalī college and also housed the main court of law for the Ḥanbalīs in Damascus. This no doubt allowed the young Ibn al-Qayyim to study with some notable religious scholars in the city. In 712/1313, he met Ibn Taymiyya (d. 728/1328) and for the next decade and a half, he became devoted to his new teacher. The two were even imprisoned together in the citadel of Damascus between 726/1326

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[1] It is the convention in Islamic studies to observe Arabic grammar in spelling of names and titles. This applies to Ibn al-Qayyim's shortened name. According to the rules of Arabic grammar, "Ibn Qayyim al-Ǧawziyya" [without a definite article before "Qayyim"] is called "Ibn al-Qayyim" [with article] as soon as the genitive object (*muḍāf ilayhi*) "al-Ǧawziyya" falls away.

and 728/1328. Following the death of Ibn Taymiyya, Ibn al-Qayyim was released and embarked on a life of teaching and writing. As far as we can tell, all his books were written after 728/1328. He taught at some prestigious Ḥanbalī colleges, such as al-Madrasa al-Ṣadriyya and al-Madrasa al-Ǧawziyya; he was the chief prayer leader at the latter. Ibn al-Qayyim also devoted his life to the propagation of Ibn Taymiyya's beliefs and writing.[2] He died on 13 Rağab 751 / 16 September 1350.[3]

[§2] Ibn al-Qayyim's "Legal Judgements about People of Protected Status" (*Aḥkām ahl al-ḏimma*) treats the laws that govern non-Muslim communities—Christians, Jews, Samaritans, Sabaeans, and Zoroastrians—who live under Islamic rule, especially in terms of their rights, obligations, and interactions with Muslims. They include such legal matters as the poll tax (*ǧizya*), intermarriage with the people of protected status, permissibility of their food (especially meat), their suitability to occupy positions in Muslim political courts, etc. Ibn al-Qayyim also delved into the history of early Islamic Arabic in order to determine the precise contexts and circumstances of relevant Qurʾānic and Prophetic pronouncements that are often applied to people of protected status.[4] The *Aḥkām* also addresses issues that relate to external non-Muslim groups, suggesting that Ibn al-Qayyim thought of the concept of *ḏimma* as applicable in some parts to relations with non-Muslim groups who do not actually live under Muslim rule.[5]

[§3] It is likely that Ibn al-Qayyim composed the *Aḥkām* sometime in the middle part of his writing career.[6] This can be deduced on the basis of three observations: first, Ibn al-Qayyim mentioned in the *Aḥkām* an earlier book of his, namely "Guiding the Confused on How to Answer the Jews and Christians" (*Hidāyat al-ḥayārā fī aǧwibat al-Yahūd wa-l-Naṣārā*),[7] which was written after 728/1328. Second, he referenced the *Aḥkām* in some of his other later works, which were composed before 751/1350 (his date of death). Third, Antonia Bosanquet has shown that Ibn al-Qayyim alluded to a fire in Damascus in the *Aḥkām*, which was blamed on the Christians. Whereas she dated it to 740/1339,[8] contemporary Arabic-Islamic historiography shows that it actually occurred on 26 Šawwāl 740 / 25 April 1340.[9] Therefore, we should assume that the *Aḥkām* was written sometime between May 1340 and 1345.

[§4] Even though we do not have any proof that the *Aḥkām* shaped public and official debates about the laws of *ḏimma*, or war and peace in general, we can safely assume that it reflected contemporary concerns and conversations. As for the book's influence, some modern scholars argued that the medieval biographers of Ibn al-Qayyim did not mention it among the books they ascribed to him and that it fell into oblivion until its first modern edition in 1961.[10] This opinion, however, does not take into account that such biographers did not necessarily provide a

[2] For Ibn al-Qayyim's life and career, see Krawietz, Ibn Qayyim; Holtzman, Ibn Qayyim; Hoover, Ibn Qayyim; and Bosanquet, *Minding their Place*.

[3] Unlike what Hoover, Ibn Qayyim, p. 990, claimed, there is actually no disagreement in the sources about the date of Ibn al-Qayyim's death. All relevant sources specify it was the evening of Thursday (which today means Wednesday night; the medieval day started at sunset). In the modern edition of Ibn Rağab's *Ḏayl*, there is a clear transcription error that turned 13 Rağab to 23 Rağab. This is especially the case as Ibn Rağab specified the day as Thursday, and 23 Rağab was a Sunday. See al-Ṣafadī, *al-Wāfī*, ed. al-Arnāʾūṭ and Muṣṭafā, vol. 2, pp. 195–197; Ibn Kaṯīr, *al-Bidāya*, ed. Šīrī, vol. 14, p. 270; Ibn Rağab, *al-Ḏayl*, ed. al-ʿUṯaymīn, vol. 5, pp. 170–179; and Ibn Mufliḥ al-Ḥafīd, *al-Maqṣad*, ed. al-ʿUṯaymīn, vol. 2, pp. 384–385. Holtzman gave the wrong date on the basis of the scribal error as 23 Rağab 715 / 26 September 1350: Holtzman, Ibn Qayyim, p. 221.

[4] For more on *Aḥkām ahl al-ḏimma*, see Krawietz, Ibn Qayyim, pp. 44–45; and Holtzman, Ibn Qayyim, p. 214.

[5] For a broad study of Ibn al-Qayyim's *Aḥkām*, see Bosanquet, *Minding their Place*.

[6] Holtzman, Ibn Qayyim, p. 214; and Bosanquet, *Minding their Place*, pp. 33–34.

[7] Ibn al-Qayyim, *Aḥkām*, ed. al-Bakrī and al-ʿĀrūrī, vol. 1, p. 549.

[8] Bosanquet, *Minding their Place*, p. 35.

[9] Al-Ḏahabī, *al-ʿIbar*, ed. Zaġlūl, vol. 4, p. 117; al-Nuʿaymī, *al-Dāris*, ed. Šams al-Dīn, vol. 2, p. 307.

[10] E.g. Krawietz, Ibn Qayyim, p. 27; Freidenreich, Five Questions, p. 110; Hoover; Ibn Qayyim, p. 992.

complete list of an author's works. Indeed, al-Ṣafadī (d. 764/1363) gave nineteen titles,[11] whereas Ibn Rağab (d. 795/1392) listed forty-two.[12] Even modern scholars do not agree on the exact number of Ibn al-Qayyim's books: Holtzman included thirty-four titles,[13] Abū Zayd listed seventy-six,[14] whereas al-Sayyid gave seventy-nine (some of which, he admitted, could actually refer to the same book known under different titles).[15]

[§5] Interestingly, Holtzman did not seem to notice that Ibn Rağab identified the *Aḥkām* by a different title, namely "The Straight Path Regarding the Legal Judgements about the People of Hell" (*al-Ṣirāṭ al-mustaqīm fī aḥkām ahl al-ǧaḥīm*), and added that it comprised two volumes.[16] It is evident, therefore, that these two titles must apply to the same work. Moreover, Ibn al-Qayyim himself called his book by a different title, i.e. "Legal Judgements about non-Muslim Sects" (*Aḥkām ahl al-milal*),[17] which suggests that the book's current title was not the one given to it by its author and that it could have been known under different names. This is an important factor to better determine the book's reception and influence.

[§6] Indeed, Ibn Rağab not only gave a different title to the *Aḥkām*, he did so as well to other books by Ibn al-Qayyim, including the polemical work "Guiding the Confused" (*Hidāyat al-ḥayārā*), which Ibn Rağab called "Answering the Worshipers of the Cross Who Actually Follow the Religion of Satan" (*Ǧawābāt ʿābidī al-ṣulbān wa-anna mā hum ʿalayhi dīn al-Šayṭān*).[18] This proves beyond any doubt that the titles Ibn al-Qayyim gave to his own works were not necessarily the same as those given to them by his contemporaries or by later scholars. Equally relevant is that Bosanquet demonstrated that the *Aḥkām* was quoted in "The Book of Criticism Regarding the Employment of the People of Protected Status" (*Kitāb al-Maḏamma fī stiʿmāl ahl al-ḏimma*) by Ibn al-Naqqāš (d. 763/1362),[19] whereas Šams and al-Sindī, the editors of the Riyadh/Beirut edition, showed that the book was actually known and cited by other late medieval authors, even though these authors did not openly say so.[20] Although we only know of one extant manuscript, this does not mean that other manuscripts did not exist or could be identified in the future. Therefore, the assertion that the *Aḥkām* had no impact on pre-modern Islamic religious scholarship should be mitigated; it is more correct to say that the *Aḥkām* had a limited reception prior to its modern popularity.

Content & Context

[§7] The excerpt is taken from Ibn al-Qayyim's *Aḥkām*, from a chapter devoted to the question of permissibility of permanent truce (*al-hudna al-muṭlaqa*).[21] It is preceded by a very short chapter on the three types of unbelievers,[22] which Ibn al-Qayyim identified as [1] those granted protected status (*ahl ḏimma*), [2] those granted a truce (*ahl hudna*), and [3] those granted safe passage (*ahl amān*). Ibn al-Qayyim argued that the first group (*ahl ḏimma*) have an eternal right to live under Muslim rule, and they should obey what God and his messenger specified to them "because they reside in the land where the laws of God and his messenger are applied" (*iḏ hum*

[11] Al-Ṣafadī, *al-Wāfī*, ed. al-Arnāʾūṭ and Muṣṭafā, vol. 2, p. 196.
[12] Ibn Rağab, *al-Ḏayl*, vol. 5, pp. 174–176.
[13] Holtzman, Ibn Qayyim, pp. 202–203.
[14] Abū Zayd, *Ibn Qayyim*, p. 196.
[15] Al-Sayyid, *Ibn Qayyim*, vol. 1, pp. 227–266.
[16] Ibn Rağab, *al-Ḏayl*, ed. al-ʿUṯaymīn, vol. 5, p. 176.
[17] Ibn al-Qayyim, *Šifāʾ*, ed. al-Ṣamʿānī and al-ʿAğlān, vol. 3, p. 1452.
[18] Ibn Rağab, *al-Ḏayl*, ed. al-ʿUṯaymīn, vol. 5, p. 176.
[19] Bosanquet, *Minding their Place*, p. 176.
[20] Ibn al-Qayyim, *Aḥkām*, ed. Šams and al-Sindī, vol. 1, pp. 36–38.
[21] Ibn al-Qayyim, *Aḥkām*, ed. al-Bakrī and al-ʿĀrūrī, vol. 2, pp. 874–892.
[22] Ibn al-Qayyim, *Aḥkām*, ed. al-Bakrī and al-ʿĀrūrī, vol. 2, pp. 873–874.

muqīmūn fī l-dār allatī yaǧrī fīhā ḥukm Allāh wa-rasūlihi).[23] Those granted a truce (*ahl hudna*), however, are not subject to the same rules, because "they concluded a peace treaty with the Muslims on the condition that they remain in their land … and, therefore, the laws of Islam do not apply to them" (*ṣālaḥū l-muslimīn ʿalā an yakūnū fī dārihim … lā taǧrī ʿalayhim aḥkām al-islām ka-mā taǧrī ʿalā ahl al-ḏimma*), but they must cease fighting the Muslims (*ʿalayhim al-kaff ʿan qitāl al-muslimīn*).[24] Ibn al-Qayyim ended this short section with an interesting statement that reflects his understanding that, for him, the concepts of *ʿahd* (covenant), *ṣulḥ* (reconciliation), and *hudna* (truce) meant the same thing when it came to Islamic law. As for the other category, people granted safe passage (*ahl amān*), it designates those who visit Islamic lands for a temporary stay, such as envoys, merchants, or refugees.[25]

[§8] In the excerpt, Ibn al-Qayyim presented three opinions that, in his view, sum up the juristic discussions in Islamic law at his time. One opinion does not allow for permanent truce: Ibn al-Qayyim attributed this to al-Šāfiʿī (d. 204/820) and some Ḥanbalī jurists, who included Abū Yaʿlā Ibn al-Farrāʾ (d. 458/1066, whom Ibn al-Qayyim called *al-qāḍī* or "judge")[26] and the jurist Ibn Qudāma (d. 620/1223, whom he called *al-šayḫ* or "venerable elder").[27] Another opinion allows it, and among those who do so, Ibn al-Qayyim again named al-Šāfiʿī and some Ḥanbalīs, the most recent being Ibn Ḥamdān (d. 695/1295).[28] Ibn al-Qayyim added in this section a comment about Abū Ḥanīfa (d. 150/767) consenting to permanent truce provided that it is revocable and not binding. The third opinion listed by Ibn al-Qayyim focuses on the precedent of Muḥammad in his dealing with the Jews of Ḫaybar,[29] which some jurists regarded as unique to the Prophet because the condition of the permanent truce was predicated on knowledge revealed to him exclusively and specifically.

[§9] The motives that prompted Ibn al-Qayyim's to write the *Aḥkām* are not known. The book starts with a classical question about the poll tax (*ǧizya*) imposed on the people of protected status. What follows next transcends the question of *ǧizya*, and delves, in a comprehensive way, not only into all aspects relating to the people of protected status and their interactions with the Muslims, but touches as well on issues that involve relations with people outside the sphere of Muslim rule. Here, one can dismiss any direct involvement of Ibn al-Qayyim in Mamlūk diplomacy, for he had no role whatsoever in that. Bori and Holtzman argued that Ibn al-Qayyim had close relations with the Mamlūks, and they largely based it on him authoring a book on

[23] Ibn al-Qayyim, *Aḥkām*, ed. al-Bakrī and al-ʿĀrūrī, vol. 2, p. 874.
[24] Ibn al-Qayyim, *Aḥkām*, ed. al-Bakrī and al-ʿĀrūrī, vol. 2, p. 874.
[25] Interestingly, Ibn al-Qayyim, *Aḥkām*, ed. al-Bakrī and al-ʿĀrūrī, vol. 2, p. 874, said they comprise four categories, but only listed three.
[26] Abū Yaʿlā Muḥammad b. al-Ḥusayn b. al-Farrāʾ (born 380/990) was a notable Ḥanbalī scholar and chief judge of Baghdad. His *al-Muǧarrad fī l-maḏhab* was an influential book on Ḥanbalī jurisprudence, but it is now considered lost.
[27] Muwaffaq al-Dīn ʿAbd Allāh b. Aḥmad b. Qudāma was born near Nablus in 541/1147, and became a renowned Ḥanbalī jurist. He spent his active career in Damascus, and his legal encyclopaedia, *al-Muġnī*, is considered one of the most influential Ḥanbalī legal texts. For his discussion of truce and its limit, see Ibn Qudāma, *al-Muġnī*, ed. al-Zaynī et al., vol. 9, p. 297.
[28] Naǧm al-Dīn Aḥmad b. Ḥamdān al-Ḥarrānī, famously known as Ibn Ḥamdān, was born in Ḥarrān in 603/1206 and became a celebrated Ḥanbalī jurist and judge of Cairo. It is possible that he expressed the opinion Ibn al-Qayyim attributed to him in one of his lost books, probably *al-Riʿāya al-kubrā fī l-fiqh*. In his extant work, *al-Riʿāya al-ṣuġrā fī l-fiqh*, Ibn Ḥamdān approved that a truce can extend beyond ten years, but he rejected the validity of permanent truce. See Ibn Ḥamdān, *al-Riʿāya fī l-fiqh*, ed. al-Šihrī, vol. 1, p. 582.
[29] The battle of Ḫaybar took place in the year 7/628. Muḥammad and his followers attacked this predominantly Jewish oasis, which is located some 150 kilometres to the north of Medina, killed and enslaved some of its inhabitants and confiscated some wealth and property, but allowed the majority of the Jews to stay. They were later expelled by orders of ʿUmar b. al-Ḫaṭṭāb in 21/642. The disagreements in the historical sources regarding what actually transpired there as a result of this battle gave way to conflicting legal debates about the fate of conquered territories. For a detailed discussion of Ḫaybar, see Munt, Khaybar; and Khalil, A Closer Look.

horsemanship, which was a sport prized by the Mamlūks.[30] This observation does not take note of the probability that the book might very well be a critique of the Mamlūks, since Ibn al-Qayyim's point was that the art of horsemanship (like other competitive sports) necessitates not only a mastery of horse riding (in which the Mamlūks excelled), but also an upright character and strong morals (which most of them lacked). Moreover, Ibn al-Qayyim stated very clearly that he composed the book during a period of hardship.[31] Anyway, it might be that Ibn al-Qayyim was offering his personal input regarding public debates in which other jurists in Damascus were involved. In other words, Ibn al-Qayyim could have aspired to influence the debates in an indirect way.

[§10] One of those debates could have revolved around Mamlūk diplomacy with European-Christian rulers, or with the Mongol Ilkhānids in Iran with whom they concluded a truce in 1323 following a long series of wars that started in 1260 with the Mongol attempt to conquer Syria and Egypt. It could also be the case that the debate was triggered by the news of truces rulers in North Africa or Iberia contracted with counterparts in Europe, some of which stipulated durations of twenty, twenty-five or thirty years.[32] In 800/1397, the peace treaty between the Ḥafṣid sultan and Pisa was concluded "in perpetuity" (*ṣulḥ mustamirr ʿalā l-dawām*),[33] but this was long after the time of Ibn al-Qayyim. Yet, one cannot dismiss that such debates could have been triggered by commercial interests on the part of Muslim merchants and authorities who might have thought permanent truce would secure a prosperous trade with non-Muslims not tied to deadlines and renewals.

Contextualization, Analysis & Interpretation

[§11] The excerpt from the *Aḥkām* delineates Ibn al-Qayyim's logic and methodology in addressing the question of truce and its time span. In the sections below, I will briefly summarise the general position of modern scholarship on the issue of truce in Islamic law (§12), then I will discuss and situate Ibn al-Qayyim's treatment of the topic within the broader legal tradition up to his time (§§ 13–16). I will conclude with an exposition about Ibn al-Qayyim's originality and how his views on permanent truce would necessitate a major shift in modern scholarly discussions about war and peace in Islamic legal tradition (§§ 17–22).

[§12] Modern scholarship that addresses the question of war and peace in Islam generally asserts that Islamic law does not allow for a truce to exceed ten years.[34] A few recent studies have demonstrated that there were some exceptions to this in treatises concluded between North African rulers and European-Christian counterparts, as mentioned above. The excerpts from Ibn al-Qayyim show the invalidity of the former, and nuance the latter. In other words, the argument that Islam does not allow for a truce to exceed ten years is ill-informed and reflects, at best, a partial knowledge of Islamic legal sources. Moreover, the notion of permanent truce is predicated on certain conditions that, if they were to change, the truce becomes revocable.

[§13] There are two main topics that Ibn al-Qayyim addressed in the excerpt from the *Aḥkām*. First, there is the question of the legitimacy of permanent truce. Second, there is the issue if permanent truce is binding or revocable. But before analysing his arguments and answers for each question, it is important to examine the way he summed up the scholarly debate up to his time. As we saw above, he grouped the juridical debate into two positions in a terse fashion that does not reflect their complexity nor the evolution of certain legal arguments. In some cases,

[30] Bori and Holtzman, A Scholar, p. 12.
[31] See Ibn al-Qayyim, *al-Furūsiyya*, ed. Salmān p. 84.
[32] For such treaties, see Ouerfelli, Diplomatic Exchanges, pp. 97–112.
[33] See Amari, *I diplomi arabi*, vol. 1, p. 292; and Ouerfelli, Diplomatic Exchanges, p. 112.
[34] See, for example, Majid Khadduri's article on *Ṣulḥ* in the *Encyclopaedia of Islam, Second Edition*, which, to a large extent, is seen as the reference on this topic.

he is wrong in what he claimed. For instance, he said that al-Šāfiʿī expressed two contradictory views, one for and one against the legality of permanent truce. This is actually not true, for if one looks at *al-Muḫtaṣar*, al-Šāfiʿī could not have been more clear or emphatic that a truce without a time limit cannot exceed ten years.[35]

[§14] Similarly, Ibn al-Qayyim pointed out that the Ḥanbalī school, to which he belonged, is divided between those who approve of permanent truce and those who reject it. For instance, he alleged that the great Ḥanbalī jurist Ibn Qudāma was against permanent truce. But this betrays the complexity of what Ibn Qudāma actually said, namely that even though permanent truce is not allowed, a temporary truce set for ten years can be perpetually renewed (like in the case of rent) as long as there is a benefit (*maṣlaḥa*) or need (*ḍarūra*).[36] Ibn al-Qayyim also claimed that his other Ḥanbalī predecessor Ibn Ḥamdān approved of permanent truce. Here too, Ibn Ḥamdān did not. Rather, like Ibn Qudāma, he rejected permanent truce, but approved that a truce can be concluded for a period that exceeds ten years, without giving any specifications.[37]

[§15] Even with respect to Ḥanafī jurists, their arguments are not as simple as Ibn al-Qayyim made them seem. For instance, the great Abū al-Ḥusayn al-Qudūrī (d. 428/1037) argued that "contracting a truce is at the discretion of the Muslim leader (*al-imām*) if he sees a benefit (*maṣlaḥa*) in it," and that its limit can exceed ten years. But he acknowledged that al-Šāfiʿī only allowed it for up to four months if there is no need (*ḥāǧa*) and up to ten years if there is a necessity (*ḍarūra*), but not more than that.[38] Equally, the notable Šāfiʿī jurist Abū Bakr al-Qaffāl (d. 507/1114) admitted that some legal authorities allowed temporary truce (with different time limits) and others endorsed permanent truce, and that some conditioned truce on weakness, whereas others allowed it even if the Muslims had the upper hand. Interestingly, al-Qaffāl did not take a side in the debate, which suggests that the Šāfiʿīs did not feel obliged to follow the views of their school's eponym.[39]

[§16] These examples give us a good idea about the nature of the legal debates on permanent truce before the time of Ibn al-Qayyim, and which he did not seem to be interested in presenting to his readers.[40] Moreover, the views of Ibn Qudāma and Ibn Ḥamdān in particular reveal that jurists were invested in finding novel legal justifications for "permanent" renewal of temporary peace during the Crusader period—in Damascus and elsewhere —beyond the ten-year-limit, reflecting a specific need.

[§17] To return to Ibn al-Qayyim's answers to the two questions, he made his views explicit, arguing that a truce can be concluded either for a specific duration or permanent. What is interesting is the way he rationalized each option in ways that showcase originality and independence from prior juridical debates.[41] Regarding temporary truce, he argued that such a truce can be made binding or revocable, adding that in the latter case, the revocation must be conditional on the revoking party's obligation to notify the other party before the revocation goes into effect. As for permanent truce, Ibn al-Qayyim critiqued those who oppose it for

[35] See al-Muzanī, *al-Muḫtaṣar*, ed. al-Dāġistānī, vol. 2, p. 533. It is not clear if Ibn al-Qayyim misread it, or if he based his remark on someone else misquoting al-Šāfiʿī. It is important to point out that *al-Muḫtaṣar* was compiled by al-Muzanī (d. 264/877), who was a student of al-Šāfiʿī. Also, Ibn al-Qayyim made another subtle critique of al-Šafiʿī in the part preceded by the expression "those who uphold this opinion," for that subsection in the excerpt is an exact summary of what al-Šafiʿī said in *Kitāb al-Umm*, no editor, vol. 4, p. 200, and which Ibn al-Qayyim described as ill-informed.

[36] Ibn Qudāma, *al-Muġnī*, ed. al-Zaynī et al., vol. 9, pp. 296–297.

[37] Ibn Ḥamdān, *al-Riʿāya fī l-fiqh*, ed. al-Šihrī, vol. 1, p. 582.

[38] Al-Qudūrī, *al-Taǧrīd*, ed. Sirāǧ and Muḥammad, vol. 12, p. 6268.

[39] Abū Bakr al-Qaffāl, *Ḥilyat*, ed. Darādka, vol. 7, pp. 718–720.

[40] For a detailed examination of the complexity of Islamic law regarding war and peace and the various juridical opinions and judgements about it, see Mourad, War and Peace.

[41] On the issue of Ibn al-Qayyim's originality, see also Freidenreich, Five Questions, pp. 108–110.

believing, and wrongly so, that allowing it would make it binding forever like the *ḏimma* system, which was instituted by God via direct revelation to the Prophet. Ibn al-Qayyim would have no doubt agreed that it is not in the realm of human agency to establish systems that are permanently binding and irrevocable, but he argued that this is not the case with permanent truce. He contended that such a truce cannot be binding because contracts are concluded on the basis of benefit (*maṣlaḥa*), which might change with time. In other words, Ibn al-Qayyim tied the issue of permanency of truce to benefits, which do not remain the same forever, but rather change according to circumstances. One can also sense the subtle employment of another legal concept, namely uncertainty (*ġarar*)—which plays an important role in legitimizing or delegitimizing commercial contracts[42]—as impacting Ibn al-Qayyim's reflections. Curiously, he indirectly invoked the legal concept of analogy (*qiyās*)—comparing truce contracts to commercial contracts and thus applying their rule to the former—which reflects its important role in Ḥanbalī legal reasoning.

[§18] Nevertheless, it is in the concluding section that we see Ibn al-Qayyim's originality on full display. He articulated the legitimacy of revocable permanent truce on the basis that all of the Prophet's truces with his opponents in Arabia were "permanent and not temporary, revocable and not binding" (*muṭlaqa ġayr muʾaqqata, ǧāʾiza ġayr lāzima*). In another section of the same chapter, he declared that the Qurʾān and Sunna show that "the argument of those who do not permit permanent truce is exceedingly weak" (*fa-qawl man lā yuǧawwiz l-ʿahd al-muṭlaq qawl fī ġāyat al-ḍaʿf*).[43] This is unprecedented in Islamic legal thought, as earlier jurists invariably looked to the Prophet's example as setting the upper limit of truce to a maximum of ten years, as mentioned above. They never actually invoked the example of the Prophet in order to justify permanent truce, for such permanence was only plausible in their opinion based on need (*ḍarūra*) or benefit (*maṣlaḥa*) to the community and to be decided by the leader (*imām*). So, Ibn al-Qayyim made permanent truce the default Prophetic practice that Muslim leaders should imitate, and liberated it from the problem of Prophetic agency as deriving from divine revelation which Muslim leaders do not receive.

[§19] What is surprising, however, is that Ibn al-Qayyim's entire logic revolved around a unique case: the Prophet's experience with the Jews of Ḫaybar. As he argued, the Prophet did not specify a time for the expiration of the truce he concluded with them. Rather, he made it an open peace, revocable when he wished; hence the traditions recording that he told them "We will honour our pledge to you as long as we wish," or we will honour "what God pledged to you." In other words, Ibn al-Qayyim turned a lone case into the default, and ignored the fact that the Prophet indeed made temporary truces, which Ibn al-Qayyim was aware of but chose to ignore, such as the truce of al-Ḥudaybiyya and the other one referenced in Qurʾān 9:4 (where God commanded the Prophet to respect the truce he had with some polytheists until it expired). It cannot be established if there were jurists before Ibn al-Qayyim who came to the same conclusion. What is certain, however, is that he did not show any awareness of earlier opinions or interest in using them to corroborate his own opinion, which strongly suggests that he was rationalizing a new position.

[§20] It is worth emphasizing that Ibn al-Qayyim stated three positions that summed up Sunnī law regarding the issue of truce, and did not bother to provide their rationales. His summary oversimplified the debate in ways that betray the actual discussions we find in the sources he cited. Yet, when he laid out the ground for his own view, we see him broadening the discussion to engage with source material (Qurʾān and Sunna specifically) in order to undermine those

[42] For a discussion of uncertainty in Islamic legal thought, see Kamali, Uncertainty.
[43] Ibn al-Qayyim, *Aḥkām*, ed. al-Bakrī and al-ʿĀrūrī, vol. 2, p. 884.

who disagreed with him. Accordingly, Ibn al-Qayyim was able in a very creative way to furnish a Prophetic basis for his novel opinion on permanent truce.

[§21] A tangential point worth mentioning here is that Ibn al-Qayyim used the expression *walī al-amr* instead of *al-imām* to indicate the Muslim leader. Generally, jurists stressed that certain tasks are the prerogatives of the Muslim leader as sole representative of the Muslim community with legitimacy and agency to oversee such matters. We see this case, for instance, in the opinion Ibn al-Qayyim attributed to Abū Ḥanīfa that the leader (*al-imām*) has the authority to cancel a truce whenever he wishes. The significance is that Ibn al-Qayyim's use of *walī al-amr* signals a change to a more realistic and less nostalgic expression: The *walī al-amr* is the de facto leader (e.g. the Mamlūk sultan or a local governor) who, by Ibn al-Qayyim's time, controlled political power and decided whether to conclude a truce. In contrast, the symbolic leader of all Muslims, e.g. the caliph, lacked actual political and religious authority, as the ʿAbbāsid caliphs had been reinstated in Cairo as puppets in the hand of the Mamlūk sultans.

[§22] In conclusion, Ibn al-Qayyim's discussion of the permissibility of permanent truce—on condition that it is made revocable if circumstances necessitate it—is a very original approach to an old question. This was not the first time that jurists permitted it, as we saw in the case of many jurists, including Ibn al-Qayyim's Ḥanbalī predecessor Ibn Ḥamdān and even Ibn Qudāma to some extent, albeit in an indirect way. Rather, Ibn al-Qayyim's originality lies in the style of argument and justifications he listed, namely that contracting a permanent truce is a Prophetic tradition and it is similar to a commercial contract in that it must be fulfilled as long as it brings some benefits for the Muslims. This, again, raises the question of whether we are looking at a period (8^{th}/13^{th} and 9^{th}/14^{th} centuries) when the issue of permanent truce was pursued for practical needs, and jurists were obliging.

Editions

Ibn Qayyim al-Ǧawziyya, *Aḥkām ahl al-ḏimma*, ed. Muḥammad ʿAzīz Šams and Nabīl Naṣṣār al-Sindī, 2 vols, Riyadh: Dār ʿAṭāʾāt al-ʿIlm, and Beirut: Dār Ibn Ḥazm, 2021.

Ibn Qayyim al-Ǧawziyya, *Aḥkām ahl al-ḏimma*, ed. Yūsuf Aḥmad al-Bakrī and Šākir Tawfīq al-ʿĀrūrī, 3 vols, Dammām: Ramādī li-l-Našr, 1997.

Ibn Qayyim al-Ǧawziyya, *Aḥkām ahl al-ḏimma*, ed. Ṭāha ʿAbd al-Raʾūf Saʿd, 2 vols, Beirut: Dār al-Kutub al-ʿIlmiyya, 1995.

Ibn Qayyim al-Ǧawziyya, *Aḥkām ahl al-ḏimma*, ed. Ṣubḥī al-Ṣāliḥ, 2 vols, Damascus: Maṭbaʿat Ǧāmiʿat Dimašq, 1961 (repr. Beirut: Dār al-ʿIlm li-l-Malāyīn, 1981).

Cited Primary Sources

Abū Bakr al-Qaffāl, *Ḥilyat al-ʿulamāʾ fī maʿrifat maḏāhib al-fuqahāʾ*, ed. Yāsīn Darādka, 8 vols, Amman: Maktabat al-risāla al-ḥadīṯa, 1988.

Amari, Michele (ed.), *I diplomi arabi del Regio archivio fiorentino*, 2 vols, Florence: Le Monnier, 1863.

Al-Ḏahabī, *al-ʿIbār fī ḫabar man ġabar*, ed. Muḥammad Basyūnī Zaġlūl, 4 vols, Beirut: Dār al-kutub al-ʿilmiyya, 1985.

Ibn Ḥamdān, *al-Riʿāya fī l-fiqh*, ed. ʿAlī al-Šihrī, 2 vols, Riyadh: no publisher, 2007.

Ibn Kaṯīr, *al-Bidāya wa-l-nihāya*, ed. ʿAlī Šīrī, 15 vols, Beirut: Dār iḥyāʾ al-turāṯ al-ʿarabī, 1988.

Ibn Mufliḥ al-Ḥafīd, *al-Maqṣad al-aršad fī ḏikr aṣḥāb al-imām Aḥmad*, ed. ʿAbd al-Raḥmān al-ʿUṯaymīn, 3 vols, Riyadh: Maktabat al-Rušd, 1990.

Ibn Qudāma, *al-Muġnī*, ed. Ṭāha al-Zaynī et al., 10 vols, Cairo: Maktabat al-Qāhira, 1968–1969.

Ibn Rağab, *al-Ḏayl ʿalā ṭabaqāt al-Ḥanābila*, ed. ʿAbd al-Raḥmān al-ʿUṯaymīn, 5 vols, Riyadh: Maktabat al-ʿUbaykān, 2005.

Ibn Qayyim al-Ğawziyya, *al-Furūsiyya*, ed. Mašhūr Salmān, Ḥāʾil: Dār al-Andalus, 1993.

Ibn Qayyim al-Ğawziyya, *Šifāʾ al-ʿalīl fī masāʾil al-qaḍāʾ wa-l-qadar wa-l-ḥikma wa-l-taʿlīl*, ed. Aḥmad al-Ṣamʿānī and ʿAlī al-ʿAğlān, 3 vols, Riyadh: Dār al-Ṣumayʿī, 2013.

Ibn Rušd, *Bidāyat al-muğtahid wa-nihāyat al-muqtaṣid*, ed. Muḥammad Ḥallāq, 4 vols, Cairo: Maktabat Ibn Taymiyya, 1994.

Al-Muzanī, *al-Muḫtaṣar min ʿilm al-Šāfiʿī*, ed. ʿAbd Allāh al-Dāġistānī, 3 vols, Riyadh: Dār Madāriğ al-našr, 2019.

Al-Nuʿaymī, *al-Dāris fī tārīkh al-madāris*, ed. Ibrāhīm Šams al-Dīn, 2 vols, Beirut: Dār al-Kutub al-ʿilmiyya, 1990.

Al-Qudūrī, *al-Taǧrīd*, ed. Muḥammad Aḥmad Sirāǧ and ʿAlī Ğumʿa Muḥammad, 12 vols, Cairo: Dār al-Salām, 2006.

Al-Ṣafadī, *al-Wāfī bi-l-wafayāt*, ed. Aḥmad al-Arnāʾūṭ and Turkī Muṣṭafā, 29 vols, Beirut: Dār iḥyāʾ al-turāṯ al-ʿarabī, 2000.

Al-Šāfiʿī, *Kitāb al-Umm*, no editor, 8 vols, Beirut: Dār al-Fikr, 2009.

Cited & Additional Literature

Abū Zayd, Bakr: *Ibn Qayyim al-Ğawziyya. Ḥayātuhu, āṯāruhu, mawāriduhu*, Riyadh: Dār al-ʿĀṣima li-l-našr wa-l-tawzīʿ, 2002.

Badawi, Nesrine: *Islamic Jurisprudence on the Regulation of Armed Conflict. Text and Context*, Leiden: Brill, 2020.

Bauden, Frédéric (ed.): *Culture matérielle et contacts diplomatiques entre l'Occident latin, Byzance et l'Orient islamique (XI^e–XVI^e siècle)*, Leiden: Brill, 2021.

Bori, Caterina; Holtzman, Livnat: A Scholar in the Shadow, in: Caterina Bori and Livnat Holtzman (eds), *A Scholar in the Shadow: Essays in the Legal and Theological Thought of Ibn Qayyim al-Ğawziyyah*, in: *Oriente Moderno* 90/1 (2010), pp. 11–42.

Bosanquet, Antonia: *Minding Their Place: Space and Religious Hierarchy in Ibn al-Qayyim's Aḥkām ahl al-dhimma*, Leiden: Brill, 2020.

Dekkiche, Malika: Making Peace within the Islamic World. Islamic Tradition and the "Letter-Treaty" in Mamluk Diplomacy, in: *Zeitschrift für Historische Forschung* 55 (2018), 127–155.

Freidenreich, David M.: Five Questions about Non-Muslim Meat: Toward a New Appreciation of Ibn Qayyim al-Ğawziyyah's Contribution to Islamic Law, in: Caterina Bori and Livnat Holtzman (eds), *A Scholar in the Shadow: Essays in the Legal and Theological Thought of Ibn Qayyim al-Ğawziyyah*, in: *Oriente Moderno* 90/1 (2010), pp. 89–110.

Frenkel, Yehoshua: Islamic Utopia under the Mamluks. The Social and Legal Ideals of Ibn Qayyim al-Ğawziyyah, in: Caterina Bori and Livnat Holtzman (eds), *A Scholar in the Shadow: Essays in the Legal and Theological Thought of Ibn Qayyim al-Ğawziyyah*, in: *Oriente Moderno* 90/1 (2010), pp. 67–87.

Friedman, Yvonne: Peacemaking. Perceptions and Practices in the Medieval Latin East?, in: Conor Kostick (ed.), *The Crusades and the Near East*, Abingdon: Routledge, 2011, pp. 229–257.

Al-Ḥaddād, Yāsīn K.: *Ibn Qayyim al-Ǧawziyya. Manhaǧuh wa-marwiyyātuh al-tārīḫiyya fī l-sīra al-nabawiyya*, Cairo: Dār al-Faǧr, 2001.

Hirschler, Konrad: Making Peace and Preventing Conflict among Levantine Lordships during the Crusading Period (c. 1100–1300), in: Intisar Rabb and Umut Ozsu (eds), *The Cambridge History of International Law, Vol. 5, Part 2: International Law in Late-Medieval Europe (1000–1492)*, Cambridge: Cambridge University Press, 2026 (forthcoming).

Holt, Peter M., The Treaties of the Early Mamluk Sultans with the Frankish States, in: *Bulletin of the School of Oriental and African Studies* 43 (1980), pp. 67–76, URL: http://www.jstor.org/stable/616127.

Holt, Peter M., *Early Mamluk Diplomacy (1260–1290). Treaties of Baybars and Qalawun with Christian Rulers*. Leiden: Brill, 1995.

Holtzman, Livnat: Ibn Qayyim al-Jawziyya, in: Joseph E. Lowry and Devin Stewart (eds), *Essays in Arabic Literary Biography*, Wiesbaden: Harrassowitz, 2009, pp. 202–223.

Hoover, Jon: Ibn Qayyim al-Jawziyya, in: David Thomas and Alex Mallett (eds), *Christian–Muslim Relations. A Bibliographical History, Vol. 4 (1200–1350)*, Leiden: Brill, 2012, pp. 989–1002, DOI: https://doi.org/10.1163/1877-8054_cmri_COM_25394.

Kamali, Mohammad Hashim: Uncertainty and Risk-Taking (*Gharar*) in Islamic Law, in: *IIUM Law Journal* 7/2 (1999), pp. 199–216.

Khadduri, Majid: Hudna, in: *Encyclopaedia of Islam, Second Edition* 3 (1971), p. 546, DOI: https://doi.org/10.1163/1573-3912_islam_SIM_2932.

Khadduri, Majid: Ṣulḥ, in: *Encyclopaedia of Islam, Second Edition* 9 (1997), p. 845, DOI: https://doi.org/10.1163/1573-3912_islam_SIM_7175.

Khalil, Mohammad Hassan: A Closer Look at al-Ṭabarī's Accounts of the Khaybar Spoils, or the Intersection of Law, Historiography, and Exegesis, in: *Comparative Islamic Studies* 3/1 (2007), pp. 5–21.

Köhler, Michael A.: *Allianzen und Verträge zwischen fränkischen und islamischen Herrschern im Vorderen Orient*, Berlin: De Gruyter, 1991.

Köhler, Michael A.: *Alliances and Treatises between Frankish and Muslim Rulers in the Middle East. Cross Cultural Diplomacy in the Period of the Crusades*, trans. P.M. Holt, rev. and ed. K. Hirschler, Leiden: Brill, 2013.

Krawietz, Brigit: Ibn Qayyim al-Jawziyah. His Life and Works, in: *Mamlūk Studies Review* 10/2 (2006), pp. 19–64, DOI: https://doi.org/10.6082/M13X84RM.

Mourad, Suleiman A.: War and Peace in the Medieval Islamic World. 622–1453, in: Intisar Rabb and Umut Ozsu (eds), *The Cambridge History of International Law, Vol. 5, Part 2. International Law in Late-Medieval Europe (1000–1492)*, Cambridge: Cambridge University Press, 2026 (forthcoming).

Mourad, Suleiman A.: The Concept of Jihad in Medieval Islam. Some Reflections, in: Mehdi Berriah and Abbès Zouache (eds), *The Medieval Jihad. Texts, Theories, and Practices*, Cairo: Institut Français d'Archaéologie Orientale, 2025, pp. 19–37, DOI: https://doi.org/10.4000/14qpr.

Mourad, Suleiman A.: The Concept of Just War in Islam, in: Georges Tamer and Katja Thörner (eds), *The Concept of Just War in Judaism, Christianity and Islam*, Berlin: De Gruyter, 2021, pp. 93–147, DOI: https://doi.org/10.1515/9783110733136-004.

Mourad, Suleiman A.: Crusader–Muslim Relations. The Power of Diplomacy in a Troubling Age, in: Howard Williams et al.(eds), *The Palgrave Handbook of International Political Theory*, vol. 1, London: Palgrave Macmillan, 2023, pp. 125–146.

Munt, Harry: Khaybar, in: *Encyclopedia of Islam Three Online* (2021), DOI: https://doi.org/10.1163/1573-3912_ei3_COM_35513.

Ouerfelli, Mohamed: Négocier à la cour du sultan hafside. Le dernier traité de paix conclu avec la Commune de Pise (800/1397), in: Fédéric Bauden (ed.), *Culture matérielle et contacts diplomatiques entre l'Occident latin, Byzance et l'Orient islamique (XI^e^-XVI^e^ siècle)*, Leiden: Brill, 2021, pp. 447–463, DOI: https://doi.org/10.1163/9789004465381_016.

Ouerfelli, Mohamed: Diplomatic Exchanges between the City of Pisa and the States of the Maghrib (from the 12th to the 14th Century), in: *Mediterranean World* 22 (2015), pp. 97–112.

Al-Sayyid, Ǧamāl b. Muḥammad: *Ibn Qayyim al-Ǧawziyya wa-ǧuhūduhu fī ḫidmat al-sunna al-nabawiyya wa-ʿulūmihā*, 3 vols, Medina: al-Ǧāmiʿa al-islāmiyya, 2004.

Smarandache, Bogdan: *Conceptualizing Frankish–Muslim Partition Truces in the Coastal Plain and Greater Syria*, Berlin: EB Verlag, 2019.

Smarandache, Bogdan: A Reassessment of Frankish Settlement Patterns in the Latin Kingdom of Jerusalem, 493–583 AH/1099–1187 AD, in: Clara A. Almagro, Jessica Tearney-Pearce, and Luke Yarbrough (eds), *Minorities in Contact in the Medieval Mediterranean*, Turnhout: Brepols, 2020, pp. 285–335.

Al-Turkī, ʿAbd Allāh: *al-Maḏhab al-ḥanbalī. Dirāsa fī tārīḫihi wa-simātihi*, 2 vols, Beirut: Muʾassasat al-Risāla, 2002.[44]

Wilson, James: 1116–1126: Ibn al-ʿAdīm on Christian-Muslim Crop Sharing (*munāṣafa*) Treatises, in: *Transmediterranean History* 5/1 (2023), DOI: https://doi.org/10.18148/tmh/2023.5.1.69.

Wilson, James: The Ransom of High-Ranking Captives, Tributary Relationships and the Practice of Diplomacy in Northern Syria 442–522/1050–1128, in: *Journal of the Royal Asiatic Society* 32/3 (2022), pp. 635–669, DOI: https://doi.org/10.1017/S135618632100064X.

[44] The section about Ibn Qayyim in al-Turkī's book is found in vol. 2, pp. 354–372.