

Question 1307) - When you defined Ghasb you stipulated that it must be of "respectable wealth with monetary value which can be transferred..." What is the relevance of these conditions?

A: The relevance can be seen from the following examples:

1. A Muslim destroyed wine/pigs belonging to another Muslim. He will bear no liability because these are not respectable items and have no monetary value by a Muslim. If however a Muslim destroys a Zimmi's wine/pig he is liable because they have monetary value to the Zimmis. 2. Usurpation is not found in land according to Imaam Abu Hanifa RAH. and Imaam Abu Yusuf RAH. because land cannot be transferred and moved. Thus if the land is destroyed *, the usurper is not liable according to them, but is according to Imaam Muhammed RAH.

* For example, a flood sweeps away the soil and trees.

~ al-Quduri ~