Question 2338) - The Kuffar have need to enter our lands in safety just as Muslim often enter their lands. Explain the relevant rules.

A: The jurists have explained this as follows:
1. If a Muslim enters Darul Harb with their guarantee of safety for the purpose of trade, he may not violate their wealth or blood. If he deceives them and takes anything of theirs ta Darul Islaam, his ownership thereof is illicit and his must give those goods away in charity.
2. If a Harbi enters Dorul islaam with our guarantee of safety he may not stay a full year. He will be warned, 'If you remain here for a year, Jizyah will become liable upon you." If he does remain for a year, jizyah will be taken from him. He becomes a Zimmi and may not return to Darul Harb.
3. If he does return ta Darul Harb and has left a wadi,ah by a Muslim or Zimmi, or they are indebted to him, his blood has become permissible to shed because of his returning to Darul Harb, and his. wealth in Dorul Islaam is in jeopardy. If he is captured or appears in Darul Islaam and is killed then the debts owing to him is forgiven and his Wadi'ah becomes Fay. If he was killed without appearing in Darul Islaam then his loans and Wadi'ah are for his heirs.

~ al-Quduri ~