

Question 2339) - What is the ruling of Muslim conquering Kuffar, Kuffar conquering Muslims, and some conquering each other?

A: The jurists have written several Masail in this regard:

1. If a group of Kuffar conquer another group of Kuffar, and capture them and take their wealth, they become the owners. If we then conquer them, what we find of that is Halal for us.
2. If the Kuffar capture our wealth and take it to Darul Harb, they become the owners. If they Muslims then recapture it and the previous owners find it before being shared, then they may reclaim it without compensation. If they found it after the booty was divided, they may claim it but must pay the market value.
3. A trader enters Darul Harb and buys that wealth which the Kuffar plundered. He takes it back to Darul Islaam. The previous owner has first right. He may buy it from the trader at the price he paid the Kuffar, or he may leave it.
4. If a camel of Muslims runs wild and the Kuffar take it, they own it.

~ al-Quduri ~