

Question 1311) - A man usurped a slave-girl- He or someone else had intercourse with her whilst she was in his hands. She gave birth as a result and her value dropped. Who is liable for the loss?

A: The usurper is liable. If the baby is worth the lost value then the baby is in settlement of the loss and the usurper has no further liability. If the baby's value does not fully compensate, its value will be deducted from the loss and the usurper liable for the remainder.

~ al-Quduri ~