

Question 783) - If the master sells his Ummul Walad [slave girl who gave birth to the master's child], or Mudabbar or Mukatab is the transaction valid?

A: All these transactions are void.*

* Selling the Ummul Walad is like selling a free person because Rasulullaah (S.A.W) said, "Her child has set her free."

An aspect of freedom is created in the Mudabbar in the future death of the master. The sale of the general Mudabbar is void, not the sale of the conditional Mudabbar. The general Mudabbar is the one to whom the master said, "You are free after my death." The conditional Mudabbar is the one whom the master says to, "If I die on this journey/of this sickness then you are free."

A Mukatab is also entitled to freedom. If however he is pleased with being sold then it is allowed.

~ al-Quduri ~