

Question 1760) - The couple has separated. Who is more entitled to the children?

A: The mother is most entitled. If there is no mother, then the mother's mother is more entitled than the father's mother. If there is no maternal grandmother then the paternal grandmother is more entitled than the sisters. If there is no paternal grandmother then the sisters are more entitled than the paternal - and maternal aunts. The sister with both parents in common is most entitled, then a sister with only a mother in common, then a sister with only a father in common. Thereafter the maternal aunts are more entitled than the paternal aunts. Then come the paternal aunts. The maternal and paternal aunts are ranked the same way as sisters in the three relevant categories.

~ al-Quduri ~