

Question 2417) - What is the order of inheritance of the 'Asabat?

A: The closests? 'Asabat are the sons; then their sons; then the father; then the grandfather; then the father's sons i.e. brothers; then the grandfather's sons i.e. paternal uncles; then the sons of the grandfather's father.

If the father's sons are equal in rank, then the full brothers have preference. Sons, sons' sons and brothers share with their respective sisters on the basis of double share for each male and single for each female. The other 'Asabat are exclusively male, without females.

These 'Asabat are by way of lineage. There is also the Mowlal 'Itaqah i.e. the ex-owner who had freed a slave who has now died. These are 'Asabah by way of cause. Next entitled are the closest then the next closest 'Asabat of the ex-owner. The ex-owner is only entitled after the 'Asabat by lineage, but before the Zawil Arham

~ al-Quduri ~