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THE LAW OF SUCCESSION UNDER THE CIVIL CODE  
AND THE MUSLIM CODE OF THE PHILIPPINES:  
A COMPARATIVE STUDY

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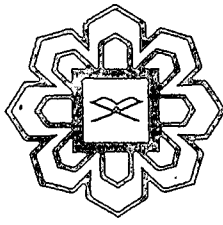
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In the Name of Allah, Most Gracious, Most Merciful.





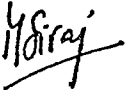
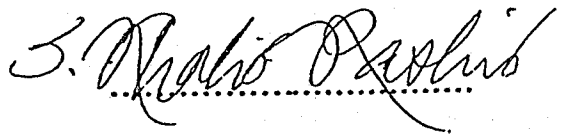
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## ABSTRACT

This thesis entitled "The Law of Succession Under the Civil Code and the Muslim Code of the Philippines: A Comparative Study" explains in detail, compares and contrasts, the law of succession under the Civil Code of the Philippines which is called for short as the Civil Code and the law of succession under the Code of Muslim Personal Laws of the Philippines which is called for short as the Muslim Code.

The law of succession under the Civil Code is considered in detail with the pertinent provisions of the Civil Code, the rulings of the Supreme Court of the Philippines, and the standard treatises in Civil Law.

Similarly, the law of succession under the Muslim Code is considered in detail with the pertinent provisions of the Muslim Code, the Muslim law as found in the Holy Qur'ān, Hadīth, standard treatises on Muslim law, pertinent rulings in the applications of Muslim law, and modern Muslim legislations.

This study explains, compares and contrasts, the law of succession under the Civil Code and the Mus-

lim Code for better understanding and seeks to identify their weaknesses for possible modification or amendment for their growth and development.

Specifically, this thesis is outlined as follows:

Chapter I explains the historical development of the Philippine legal system as a background to the nature of this thesis. It also explains the aims and objectives as well as the scope and outline of the study.

Chapter II explains in detail the general concepts in succession under the Civil Code.

Chapter III explains in detail the general concepts in succession under the Muslim Code.

Chapter IV compares and contrasts succinctly the general concepts in succession both under the Civil Code and the Muslim Code.

Chapter V explains in detail the law of testamentary succession under the Civil Code.

Chapter VI explains in detail the law of testamentary succession under the Muslim Code.

Chapter VII compares and contrasts succinctly the laws of testamentary succession under the Civil Code and the Muslim Code.

Chapter VIII explains in detail the legal succession under the Civil Code.

Chapter IX explains in detail the legal succession under the Muslim Code.

Chapter X compares and contrasts succinctly the legal succession under the Civil Code and the Muslim Code.

Chapter XI explains in detail the provisions common to testate and intestate successions under the Civil Code.

Chapter XII explains in detail the settlement and partition of estate under the Muslim Code.

Chapter XIII explains in detail the miscellaneous provisions under the Muslim Code.

Chapter XIV explains in detail the weaknesses of the law of succession under the Civil Code.

Chapter XV explains in detail the weaknesses of the law of succession under the Muslim Code; and

Chapter XVI. Conclusion. It explains the finding regarding the law of succession both under the Civil Code and the Muslim Code, and the proposed changes thereof for their growth and development.



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DEDICATION

To my dearly beloved wife Bai Moki-in, my loving children Aisha-Aziza, Muhammad Kamal-Hassan, Maruhom-Jalaluddin, Alixander, Potri-Tomanina, Zul-qarnain, and Ahmad-Ibrahim - in all whom I have found love, care and affection - I dedicate this humble work.

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