Succession: Heirs, Shares, and Computations (Inheritance Math)

Mode: Mixed Bar Exam Format (Problem-Solving + Objective Reasoning + Short Essay)
Coverage: Book III, PD 1083, Arts. 100–149; Qur'an (4:11–12, 176); Classical Fiqh (Al-Fara'id); and related Shari'a principles.

PART I — SHORT PROBLEM QUESTIONS (COMPUTATIONAL)

Question 1.

A Muslim man dies leaving:

- Wife
- Two sons
- One daughter
- Net estate: ₱1,200,000

Compute the share of each heir.

Answer:

- Wife (Art. 112): 1/8 = ₱150,000
- Remaining: ₱1,050,000 to children (residuaries, 2:1 ratio)
  - Each son = 2 shares, daughter = 1 share → Total 5 shares
  - Each son = ₱420,000; daughter = ₱210,000

✅ **Distribution:**
Wife ₱150,000; Son$_1$ ₱420,000; Son$_2$ ₱420,000; Daughter ₱210,000.

Question 2.

A deceased Muslim woman leaves:

- Husband
- One son
- Two daughters

- Estate: ₱600,000

Answer:

- Husband (Art. 111): 1/4 = ₱150,000
- Remaining ₱450,000 → children (residuary, 2:1 ratio)
  - Total 4 shares (son = 2, each daughter = 1)
  - Son ₱225,000; each daughter ₱112,500

✅ **Distribution:** Husband ₱150,000; Son ₱225,000; Daughter₁ ₱112,500; Daughter₂ ₱112,500.

Question 3.

A man dies leaving:

- Wife
- Mother
- Father
- No children
- Estate: ₱480,000

Answer:

- Wife (Art. 112): 1/4 = ₱120,000
- Mother (Art. 114): 1/3 = ₱160,000
- Father (Art. 113): residuary = ₱200,000

✅ **Distribution:** Wife ₱120,000; Mother ₱160,000; Father ₱200,000.

Question 4.

A woman dies leaving:

- Husband
- Mother
- Two full sisters
- Estate: ₱300,000

Answer:

- Husband (Art. 111): 1/2 = ₱150,000
- Mother (Art. 114): 1/6 = ₱50,000

- Two full sisters (Art. 117): jointly 2/3 → but estate insufficient → remainder ₱100,000 → proportionate reduction (ʿawl adjustment).

Total shares before ʿawl: 1/2 + 1/6 + 2/3 = 4/3 → reduce by 3/4 factor.
✅ **Final:**
Husband ₱112,500; Mother ₱37,500; Sisters (jointly) ₱150,000 (₱75,000 each).

Question 5.

A man dies leaving:

- Wife
- Two daughters
- Estate: ₱800,000

Answer:

- Wife (Art. 112): 1/8 = ₱100,000
- Two daughters (Art. 118): jointly 2/3 = ₱533,333
- Residue ₱166,667 → goes to asabah (none); revert (radd) to daughters (as Qur'an 4:11).

✅ **Final:** Daughters jointly ₱700,000 (₱350,000 each); Wife ₱100,000.

PART II — MULTIPLE-CHOICE THEORY

Question 6.

Under PD 1083, the *maximum disposable portion* a testator may give by will (*wasiya*) when he leaves legal heirs is:
A. 1/2   B. 1/3   C. 1/4   D. 2/3

✅ **Answer: B. 1/3** (Art. 106, Book III).

Question 7.

A daughter of the deceased's son (granddaughter) inherits as sharer only when:
A. There is no son
B. There is a father

C. There is a husband
D. There is a mother

✅ **Answer: A. There is no son** (Art. 110(c), PD 1083; Qur'an 4:11).

Question 8.

The father and paternal grandfather may inherit as both **sharer and residuary** when they coexist with:
A. Daughter or son's daughter
B. Mother
C. Full sister
D. Wife

✅ **Answer: A. Daughter or son's daughter** (Art. 113, 115).

Question 9.

If a Muslim dies leaving **no sharers or residuaries**, the estate devolves upon:
A. The Islamic State (Bayt-ul-mal)
B. Distant kindred (dhaw-ul-arham)
C. Spouse only
D. Trustee

✅ **Answer: B. Distant kindred** (Art. 123).

Question 10.

If a deceased leaves both parents and no children, the mother receives:
A. 1/3
B. 1/6
C. 1/2
D. None

✅ **Answer: A. 1/3** (Art. 114, PD 1083; Qur'an 4:11).

PART III — COMPUTATION + DISCUSSION

Question 11.

Compute the inheritance where the deceased leaves:

- Husband
- One daughter
- Father
- Mother
- Estate: ₱900,000

Answer:

- Husband (Art. 111): 1/4 = ₱225,000
- Daughter (Art. 118): 1/2 = ₱450,000
- Father (Art. 113): 1/6 = ₱150,000 + residuary (none left)
- Mother (Art. 114): 1/6 = ₱75,000

✅ **Final:** Husband ₱225,000; Daughter ₱450,000; Father ₱150,000; Mother ₱75,000.

Question 12.

A Muslim woman dies leaving:

- Husband
- One son
- One daughter
- Mother
- Estate: ₱1,200,000

Answer:

- Husband: 1/4 = ₱300,000
- Mother: 1/6 = ₱200,000
- Remainder ₱700,000 → children (2:1 ratio)
  - Total shares = 3
  - Son ₱466,667; Daughter ₱233,333

✅ **Distribution:** Husband ₱300,000; Mother ₱200,000; Son ₱466,667; Daughter ₱233,333.

Question 13.

A man dies leaving:

- Wife
- Father
- One full sister
- Estate: ₱600,000

Answer:

- Wife: 1/4 = ₱150,000
- Father: 1/6 + residuary = ₱450,000
- Full sister: excluded (blocked by father, Art. 113).

✅ **Final:** Wife ₱150,000; Father ₱450,000.

Question 14.

A woman dies leaving:

- Husband
- One uterine brother
- One full sister
- Estate: ₱240,000

Answer:

- Husband: 1/2 = ₱120,000
- Uterine brother: 1/6 = ₱40,000
- Full sister: 1/2 = ₱80,000 → total exceeds 1 → apply ʿawl (reduce proportionally).

✅ **Adjusted shares:** Husband ₱108,000; Uterine brother ₱36,000; Full sister ₱96,000.

Question 15.

A deceased Muslim leaves:

- Wife
- Two daughters
- Father
- Estate: ₱720,000

Answer:

- Wife: 1/8 = ₱90,000

- Daughters: jointly 2/3 = ₱480,000
- Father: 1/6 = ₱120,000 + residuary (remainder ₱30,000) → ₱150,000 total.

✅ **Final:** Wife ₱90,000; Daughters ₱480,000; Father ₱150,000.

KEY TAKEAWAYS

1. **Sharers (Ashab al-furud):** Husband, wife, parents, grandparents, children, siblings (Arts. 110–120).
2. **Residuaries (Asabah):** Sons, father, and male agnates (Arts. 121–122).
3. **Distant Kindred (Dhaw-ul-arham):** Heirs by compassion in absence of sharers/residuaries (Art. 123).
4. **'Awl (Proportionate Reduction):** When total shares exceed unity, reduce proportionally.
5. **Radd (Return):** When shares < unity and no residuary, revert proportionally to sharers (except spouse).
6. **Qur'anic Basis:** Surah al-Nisa (4:11–12, 176).
7. **Shari'a Principle:** "Give the prescribed shares to those entitled, and what remains goes to the nearest male relative." — *Hadith, Sahih al-Bukhari.*

References:

- Presidential Decree No. 1083, Book III (Arts. 100–149)
- Qur'an, Surah al-Nisa 4:11–12, 176
- *Al-Sirajiyyah on the Law of Inheritance* (Hanafi Fiqh)
- *Al-Fiqh al-Islami wa Adillatuhu* by Wahbah al-Zuhayli

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