

# PD 1083 Recall Deck – 50 Flashcards for Mastery

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Question	Answer
What is the purpose of P.D. 1083?	To codify Muslim personal laws in the Philippines consistent with the Constitution and Islamic jurisprudence.
Who are covered under P.D. 1083?	Primarily Muslims, but it may apply to non-Muslims who voluntarily submit to its jurisdiction.
What law governs when PD 1083 is silent?	The Civil Code and special laws, insofar as they are not inconsistent with Islamic principles.
Define “Muslim” under PD 1083.	A person who professes the religion of Islam.
What are the sources of Muslim law recognized under PD 1083?	The Qur’an, Sunnah, Ijma, and Qiyas.
What are the essential requisites of marriage?	Consent, marriageable age, presence of wali, and two competent witnesses.
What is the minimum marriageable age?	15 for males, puberty for females, with wali consent.
Who acts as wali in marriage?	The father, paternal grandfather, or nearest male relative in the male line.
What are the prohibitions in marriage (impediments)?	Consanguinity, affinity, fosterage, difference in religion (in certain cases), and iddah.
What is the meaning of “Ijab” and “Qabul”?	Offer and acceptance — formal consent to the marriage.
How must a Muslim marriage be solemnized?	In the presence of the contracting parties, wali, and two witnesses, with the recitation of Ijab and Qabul.
What is the legal effect of a void marriage?	It produces no civil effects except for legitimacy of children under good faith (Art. 36).

What are the rights of the wife?	Maintenance (nafaqah), respect, dower (mahr), and just treatment.
What are the rights of the husband?	Respect, obedience within Shari'ah limits, and fidelity of the wife.
What is Mahr (Dower)?	A mandatory gift or sum promised by the husband to the wife upon marriage.
List the types of divorce recognized under PD 1083.	Talaq, Khula, Li'an, Faskh, Ila, and Mubarat.
What is Talaq?	Repudiation by the husband through express pronouncement of divorce.
What is Khula?	Divorce initiated by the wife in exchange for consideration (return of mahr).
What is Li'an?	Divorce through mutual imprecation when a husband accuses his wife of adultery without witnesses.
What is Faskh?	Judicial annulment granted by the court for lawful causes.
What is Ila?	Divorce arising from the husband's oath of abstinence from conjugal relations.
What is Mubarat?	Divorce by mutual consent of husband and wife.
What is Iddah?	Waiting period a woman must observe before remarrying, to ensure no confusion of lineage.
How long is the Iddah after Talaq?	Three menstrual periods, or four months and ten days if widowed.
What is the legal effect of Talaq Bain Kubra?	An irrevocable divorce after three pronouncements; remarriage allowed only after the wife lawfully marries another man and is divorced thereafter.
When is a child presumed legitimate?	When born within a valid marriage or within the prescribed period after its dissolution.
What is the basis for acknowledging a child?	Voluntary recognition (iqrar) by the father or proof through continuous possession of status.

What is Li'an in paternity disputes?	A form of mutual oath to resolve accusations of adultery and deny paternity.
Who may impugn the legitimacy of a child?	Only the husband, under strict conditions and within prescribed periods.
What is the effect of acknowledgment?	It confers rights of inheritance and legitimacy upon the child.
What is the basic principle of Islamic inheritance?	Property is distributed according to fixed shares (Faraid) after debts and bequests.
Who are the primary heirs with fixed shares?	Spouse, parents, children, and siblings depending on circumstance.
What is Awl?	Reduction of shares when total shares exceed the estate.
What is Hajb?	Exclusion of certain heirs due to the presence of nearer ones.
What is Wasiyyah (Will)?	Bequest of up to one-third of the estate to non-heirs.
What are Asabah (residuaries)?	Heirs who take the remainder after fixed shares are given.
Who is entitled to residue when a woman dies leaving a husband and one daughter?	Husband gets $\frac{1}{2}$ , daughter gets $\frac{1}{2}$ ; no residue remains.
What are the order of settlement before distribution?	Funeral expenses → debts → will → inheritance.
Who are excluded from inheritance?	Non-Muslims and those who intentionally kill the decedent.
Can adopted children inherit?	No, but they may receive a wasiyyah (bequest) within the one-third limit.
What courts have jurisdiction over Muslim personal cases?	Shari'a Circuit and District Courts.
What are the qualifications of Shari'a judges?	Filipino Muslim citizens with adequate knowledge of Islamic law and jurisprudence.
What are the functions of the Shari'a District Court?	Handle marriage, divorce, succession, and civil cases under PD 1083.

What cases belong to Shari'a Circuit Courts?	Smaller civil and criminal cases among Muslims not exceeding ₱50,000 (or as updated by law).
How are decisions of Shari'a courts appealed?	To the Supreme Court through the Court of Appeals.
What is the requirement for conversion?	Public declaration of faith (Shahadah) before the Shari'a court or accredited authority.
What is the effect of conversion on marriage?	The non-Muslim spouse may choose to convert; otherwise, the marriage may be dissolved after the iddah.
How is conversion registered?	The declaration must be recorded with the Shari'a court and Civil Registrar.
What is the legal status of acts done prior to conversion?	Civil effects remain valid; only future personal acts are governed by Muslim law.
Can a revert (Muslim returning to Islam) remarry immediately?	Yes, if there are no existing impediments under PD 1083 or prior marriages.