The Application of Islamic Family Law in the Philippines

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There's an interesting article published in the **Journal of Muslim Minority Affairs**, entitled: **The Legal Impediments to the Application of Islamic Family Law in the Philippines**. The abstract of the article reads:

This study examines the legal impediments to the application of Islamic Family Law in the Philippines. It is carried out by critically analyzing the legal effects of the secular principles, the Constitution and other laws of the state towards the enforcement of Islamic family law in the Philippines. This research establishes that the Islamic family law in the Philippines is part and parcel of the Philippine secular laws, the enforcement of which is not a consideration of the religious beliefs of the Filipino Muslims, but rather of their cultural traditions. The religious characteristics of Islamic family law are not implemented in the country. The Shari'ah court in the country is an integral part of the Philippine judicial system, yet deprived of the authority to enforce religious rulings or to administer Islamic religious institutions. A woman or a non-Muslim is not legally disqualified for appointment as judge in the Shari'ah court.

The decision of the Shari'ah court can be appealed to the Supreme Court of the Philippines, whose decision may possibly deviate from the basic teachings of the Shari'ah. Whether such a decision has deviated from the basic teachings of the Shari'ah or not, it will still become part of the Muslim legal system in the country. These are among the legal impediments, restrictions, conflicts and contradictions of enforcing the Islamic family law in a secular polity.

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