Subrogation of Inheritance: Concept and Principles
A Comparative Study of French and Iranian Law

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Abstract
In western Law, especially in French, subrogation has been Established for justifying the survival of debt and contract after the death of one of the parties.

In other word, when one of the parties to a contract dies, the heir becomes successor of the decedent in both properties and debt. So, in addition to the decedent’s property, his debt is transferred to the heir.

Although in Iranian Law the term successor has been used in Civil Law, but there is no a text about its concept and sentences. Legal doctrine influenced by French Civil Law, has accepted it and has analyzed its sentences on this base. But it seems that the principles of this term do not exist in Iranian and Islamic Legal system as it is in the Western Law.

This article attempts to analyze the concept and principles of Subrogation in Iranian and French Law through a comparative study.

Keywords: Subrogation Basis; Continuation of the Deceased Personality; Survival of Deceased’ debt; Iranian and French Law.

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