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“Al-Najash” and Its Contemporary Applications **‘A Comparative Study in Islamic Jurisprudence and Jordanian Law’**

*Adnan Mahmoud Al-Assaf**

ABSTRACT

This paper covers comprehensively the subject of *al-Najash* which is one of the forbidden transactions in Islamic *Shari’ah*. It provides by an analytical way a deep study for all the issues relating to this subject in Islamic Jurisprudence, such as its concept, ruling, causes, and its consequences on the contract. This research embodies also an assessment for the rulings of *al-Najash* according to the Jordanian law. It sheds light on its consequences on the contract according to the Jordanian Civil Law and the punishments which are due on the person who commits this crime according to the Jordanian Penalty law and some other Jordanian laws.

Further, this project devotes a whole chapter to research and deduct the contemporary applications concerning *al-Najash*. It illustrates its applications in the auctions, the field of bids –tenders–, trading in the copyrights and incorporeal rights, trading in estates, and the field of advertising. Moreover, one of the important themes that are studied in this project is the motivations and reasons for committing *al-Najash*. This is in addition to assessing the appropriate solutions for them.

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