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The Speculation Contract Commitment in the Islamic Jurisprudence and The Jordanian Civil Legislation

*Imad Ziadat**

ABSTRACT

Commercial and economical speculations became widely spread during this age as a result of the easiness and spreading of different means of communication. This has lead to a quick moving of funds which caused different dangers and risks. In order to avoid these risks, some capitalists tend to impose conditions and fetters on the speculators to organize the whole process.

The aim of this research is to clarify the legitimacy of this commitment in the Islamic Jurisprudence and the Jordanian Civil Legislation through investigating previous Jurisprudence studies, comparing them and discussing its evidence in order to have the best belief. The next step is to compare it with the Jordanian Civil Legislation.

Finally, the researcher concluded that the commitment of speculation is legally and legitimately correct. However, some Jurisprudence creeds were more enlarged then other creeds regarding the commitment of speculation. The best belief is the enlargement of commitment to protect people's funds. Then, the researcher presented some of this commitment examples such as the commitment of the goods or the time and place of commerce. Also, the researcher presented the effects of the commitment regarding the contract genuine state, profit due time, and the guarantee if there is a violation for the commitment.

Keywords: Speculation; Commitment; Civil Legislation.

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