

Abstract

"Conditional Incident" A Study of the Condition concept in Jordanian Civil Law

A Comparative Study

Student preparation:

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This study dealt with the subject of the police incident, the Jordanian civil law and the comparative law (the Egyptian civil law, and the Iraqi civil law). The study showed that the police incident is a future obligation upon which the existence of the judgment depends or disappears when it is realized, as it is a future event that is not realized and the validity of this incident is required. Doing the condition is non-existent, neither real nor impossible.

Therefore, the problem of the study was based on the fact that the Jordanian legislator ignored the division of the condition as did the comparative legislation that divided the condition, whether affected by Islamic jurisprudence such as the Iraqi civil law or affected by Latin and German laws such as the Egyptian civil law, so the research problem was represented in a key pivotal question indicating "what is the concept of the conditional incident, What is the concept of condition, in civil law, and comparative law?".

In order to achieve this, the analytical and descriptive approach was used, and the comparative legal approach to achieve the goal of this study, through which the researcher reached a set of results, the most important of which was the failure of the Jordanian legislator to address some legal

provisions governing the police incident, whether the abrogating condition or the standing condition as the comparative laws did The study also presented a set of recommendations, the most important of which was the necessity to include an explicit legal text that divides the condition into a standing condition and a derogatory condition because it is said that this division should not contradict the reality of the necessity of its division, which does not contradict the principles of Islamic jurisprudence, the source of Jordanian civil legislation.

Keywords: conditional incident, abusive condition, standing condition.