# حسم الدَّين وتطبيقاته المعاصرة في الفقه الإسلامي

II II

### ترار لجنة المناتشة

نوقشت هذه الرسالة (حسم الدَّين في الفقه الإسلامي وتطبيقاته المعاصرة) و أجيزت بتاريخ: ٢٠/٥/٩م ، الموافق: ١ ١/ربيع الآخر/٢٧ هـ .

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أستاذ مساعد في الفقه وأصوله ( جامعة مؤتة ).

#### الإهداء

إلى سيد الأولين والآخرين ،الذي قال:"من يرد الله به خيراً يفقّهه في الدّين" ،حبيبنا وقائدنا ومعلمنا محمد

إلى روح والدي الطاهرة (يرحمه الله) إلى والدتي العزيزة إخواني وأخواتي أصدقائي الأعزاء إلى طلبة العلم

أهدي هذا الجهد المتواضع

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## الخاتمة:

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## DEBT DEDUCTION AND ITS CONTEMPORARY APPLICATIONS IN ISLAMIC JURISPRUDENCE

## By Husam Mohamad Waheeb Ali Abu Romoh

## Supervisor **Dr. Abbas Ahmad Al baz**

## **ABSTRACT**

This study is concentrated on the debt diction in Islamic Jurisprudence, where, The <u>Debt deduction</u> is defined as the returning back of all or part of the debt assets, from the indebted as deal of leveling out the debt assets.

This process represents important effects, economically and socially in favor of both sides, the creditor and indebted. For the indebted it helps to pay back his debt and release the psychological pressure out of his mined. While for the creditor, it will return back to him his assets and that's leads to continue his carrier in the commercial projects as well as another great reward in day after as a religious measure. This process will lead to increase and growing up of all the economic cycle.

One view of debt deduction, which most of people are dealing with is the speeding up of the target time for paying back, as apart of the deal, by deducting part of debt to encourage indebted side and reward him/her for paying back the creditor assets.

The Islamic Jurist Adjusted the debt deduction according to the original jurisprudence rule which is said as "deduct and speed up" (which is roughly means that sailing part of debt to indebted side or to others) in favor of deducting the total debt. The most important results of this study are:

- 1. The real meaning of the debt deduction as it is well known in banking process these days, considered only in the financial aspects as deduction of the Commercial Papers.
- 2. All the working rules in the no Islamic banks for the debt deduction for the commercial papers are not going out of the usurious interest. For the Jordanian Islamic Bank, they deals with debt deduction for the commercial papers in a way is not defined as good lending manner. This bank is introducing a procedure quit different from the deduction by establish another process called the letter of credit, in this way the lending is became with interest. In fact this process is usurious.