## أحكام الصّغار في القضاء الشرعي الأردني

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المشرف: الدكتور سري إسماعيل زيد الكيلاني

قدمت هذه الأطروحة استكمالاً لمتطلبات الحصول على درجة الدكتوراه في القضاء الشرعي

> الجامعة الأردنية كلية الدراسات العليا

نیسان، ۲۰۰۹م

تعتمد كلية الدراسات العليا هذه النسخة من الرسالــة التوقيع التاريخ ٢٥/٠٩/٩٠٠

## قرار لجنة المناقشة نوقشت هذه الرسالة ( احكام الصّغار في القضاء الشرعي الأردني) وأجيزت بتاريخ 2008/12/28

أعضاء لجنة المناقشة

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الأستاذ المشارك في الفقه المقارن

كلية الشريعة الجامعة الأردنية

التوقيع مشرفا ورئيسا مشرفا

عضوأ

الأستاذ الدكتور: محمد حسن ابو يحيى

أستاذ الفقه المقارن كلية الشريعة \_ الجامعة الأردنية

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الأستاذ الدكتور: عبد المجيد محمود الصلاحين

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عضوا ج

الأستاذ الدكتور: جبر محمود الفضيلات

أستاذ الفقه المقارن (عميد كلية الشريعة \_ جامعة الزرقاء الأهلية)

تعتمد كلية الدراسات العليا هذه النسخة من الرسالية التوقيع التاريخ ٢٠٠١م/١٤/م...

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العربي، محمد حمزة، (١٩٧٥) . الحياة الزوجية والحقوق الأرثية، ط١، عمان – الأردن:
                                                                        مكتبة الرسالة.
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# THE UNDERAGE JUDGMENTS IN JORDANIAN LEGITIMATE JUDICIARY

by

### Ahmed Ali Rababa

## Supervised

## Dr. Sari Ismail Al-Kilani

### Abstract

This study searches the underage judgments. An independent chapter has been allotted to each judgment. Moreover, it presents the practical applications in the Jordanian legitimate courts which will complete the theoretical part. Therefore, the study is gluing in the practical reality which needs to meet the theoretical part. Underage judgments need to display all independent studies devote to them. This is because kids are the fruit of life and they will have a futuristic life. Therefore, taking in consideration their judgments and any related issues pertain is indispensable.

This study had come in four chapters as follows:

The preliminary Chapter sheds the light at the concepts of underage, eligibility definition and provides some terminologies pertain. In addition, different stages of underage and their eligibility are elucidated.

The first Chapter introduces the underage judicial judgments in the vital statistics: with regard to their judgments in the matrimony and expenses, as well as their judicial judgments in the divorce, foster relationship and the nursery and what pertains to them, lineage, the custody, and inheritance.

The second Chapter outlines the underage judicial judgments in the confirmation. It also talks about the testimony judgment of underage in the Islamic law and ruled ratifying. In addition, the judgment of underage in

the legitimate law and law in general is explored. The judgment of directing an oath to underage in both Islamic law and law in general is also explained.

The third Chapter talks about the underage judicial judgments in formation sentenced in the legitimate. Furthermore, it outlines the case of having underage to be a side in suing others and taking his rights into consideration.

Finally, the epilogue and the recommendations are provided.