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The Justification Theory of Hanafyat and it's Effect on the Istisna'a Contract

*Wa'el M. Arabiat**

ABSTRACT

This research yields that the justification performs a theory that we can apply on any contract consists of condition's application, also this research solved the case of why Hanafyat don't apply the justification on Al Istisna'a contract. Its being clear that, the Istisna'a contract is not a must and the contracting is on the good it self not on the work or the benefit, which lead to not activating the justification on the Istisna'a contract. And whom ever says it's a must means after the contract. The research says that, the Istisna'a contract is a must and contracting on the work, is a carnal contract.

Keywords: The Justification Theory, Istisna'a Contract, Hanfyat.

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