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**The moral right of the author and what it is adapted  
and acontrols to protect the Islamic jurisprudenece**

**Khaled ali bani ahmad  
Mohammad adnan al-qatawneh**

**Abstract**

The aim of this study is to explain the views of jurists regarding the moral right of the author, in terms of it is definition and adapt it and protect it restriction in the Islamic jurisprudence through using the inductive approach.

The main findings of the researchers are: that the moral right of the author is the "authority that is recognized by Shari a of the author on his work", and that the right is amoral right of the whole society to benefit from authorship of the author, and contracts that fall on the workbook cousideration or without consideration which does not include the moral right. Islamic law is in consistent with man-made statutes in the need to protect the moral right of the author, and it developed a strong basis for the protection of all rights.

**Keywords:** Right, literary, author, sharia, protection.

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﴿ وَمَا خَلَقْتُ الْجِنَّ ﴾ :

وَالْإِنْسَ إِلَّا لِيَعْبُدُونِ ﴿ (56: )

﴿ وَإِذْ قَالَ رَبُّكَ لِلْمَلَائِكَةِ إِنِّي جَاعِلٌ فِي الْأَرْضِ خَلِيفَةً قَالُوا أَتَجْعَلُ فِيهَا مَنْ يُفْسِدُ فِيهَا وَيَسْفِكُ الدِّمَاءَ وَنَحْنُ نُسَبِّحُ

بِحَمْدِكَ وَتَقَدِّسُ لَكَ قَالَ إِنِّي أَعْلَمُ مَا لَا تَعْلَمُونَ ﴿ (30: )

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الفرع الأول: التكييف الفقهي للحق الأدبي للمؤلف  
: التكييف القانوني للحق الأدبي للمؤلف

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﴿ وَلَا تَقْفُ مَا لَيْسَ لَكَ بِهِ ﴾ :

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عَلِمَ إِنَّ السَّمْعَ وَالْبَصَرَ وَالْفُؤَادَ كُلُّ أُولَئِكَ كَانَ عَنْهُ مَسْئُولًا ﴿36﴾ ) :

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: ﴿ وَكَانَ مِنْ عِنْدِ غَيْرِ اللَّهِ لَوَجَدُوا فِيهِ اخْتِلَافًا كَثِيرًا ﴾ { 82 :

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﴿الآ﴾:

تَحْسِبَنَّ الَّذِينَ يَفْرَحُونَ بِمَا أَتَوْا وَيَحْسَبُونَ أَنَّ يُحْمَدُوا بِمَا لَمْ يَفْعَلُوا فَلَا تَحْسِبْنَهُمْ بِمَقَانِرٍ مِنَ الْعَذَابِ وَلَهُمْ عَذَابٌ أَلِيمٌ ﴿﴾ (

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:188

"(80)

﴿فَبِمَا نَقْضِهِمْ مِيثَاقَهُمْ لَعَنَّاهُمْ وَجَعَلْنَا قُلُوبَهُمْ قَاسِيَةً يُحَرِّفُونَ الْكَلِمَ عَن مَّوَاضِعِهَا وَسُوءًا حَطًّا مِمَّا ذُكِّرُوا

بِهِ وَلَا تَرَالُ تَطَّلِعُ عَلَى خِائِنَةٍ مِنْهُمْ إِلَّا قَلِيلًا مِنْهُمْ فَاعْفُ عَنْهُمْ وَاصْفَحْ إِنَّ اللَّهَ يُحِبُّ الْمُحْسِنِينَ ﴿﴾ ( 13:

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