

Negative Mistakes in Civil Law and Islamic Jurisprudence.

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- **Abstract:** The protection of others from harm is the purpose of the legislation that imposes the means to achieve that protection, including the imposition of a general obligation not to inflict harm on others. Therefore, the issue of civil liability is considered one of the most important topics of civil law, whether it is contractual or tortuous, because it establishes a general rule which is not to harm others and if this happens Damages, the one who caused the damage is obligated to compensate the injured or to guarantee the damage as is known in Islamic jurisprudence. And that this responsibility, of both kinds, is based on three pillars: error and damage, and a causal relationship between them. If one of these pillars fails, the liability is negated, and consequently, the obligation to compensate is negated, and the responsible person is absolved before the injured. What we are concerned with in this research is the corner of error, which is a deviation in behavior, the definition of which sparked a long debate among jurists because some of the Jurisprudence built responsibility on the basis of harm, such as Islamic jurisprudence.
- **Keywords:** Civil liability, Islamic jurisprudence, pillars