Abstract

Judgment is an important facility in a country and its necessity comes from the need of the presence of the country, where this presence leads to prevent individuals from obtaining their rights themselves. And the judge is the person who has given the task of applying the country’s law, and has obtained significant change in the perception of the role of the judge in the civil suit, prevented the negative role which was illustrated by the jurisprudence of the traditional arguments, it is simply a misstatement to announce in the last superiority One rival to the other without any effective and influential role in the case, but on the contrary, many of legislation today, the judge granted a positive role in this domain in order to be able to reach a fair urgent consideration by the lawsuit, and if we want to achieve this positive move for judges, this requires that the judge legal powers allowing it to such a move to achieve the tasks entrusted by the achievement.

The judge has to exercise of these powers and positive spirit that does not look to the texts which enables him such power as merely the texts of special bullets in the body of law permits or less important, but must be seen as important means for the realization of Truth and Justice, and it is obliged to use whenever there was a need. As much as the judge ability and extent in applying the roles, his role is becoming more important and positive in the civil suit. And without this move could not achieve the tasks entrusted by the legislature (the organizer) achieved.