

الموقع الرسمي للشيخ أ.د. أحمد بن محمد الخليل

أصل عظيم ينبغي للفقيه أن يتأمله للكاتب : أ.د. أحمد بن محمد الخليل

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عظيم أصل.. الطريقة وهذه

ينبغي للفقيه أن يتأملها ولا يغفل عن غورها

قال

ابن تيمية عن الأقوال التي لم تعرف عن أحد من السلف

المعلوم من

أن الأعيان الموجودة في زمانهم ومكانهم إذا أمسكوا عن تحريمها وتنجيسها مع الحاجة

إلى بيان ذلك كان تحريمها وتنجيسها ممن بعدهم بمنزلة أن يمسكوا عن بيان أفعال

يحتاج إلى بيان وجوبها لو كان ثابتاً فيجئ من بعدهم فيوجبها. ومتى قام المقتضي

للتحريم أو الوجوب ولم يذكر أو وجوباً ولا تحريماً كان إجماعاً منهم على عدم اعتقاد

الوجوب والتحريم وهو المطلوب. وهذه الطريقة معتمدة في كثير من الأحكام وهي أصل

عظيم ينبغي للفقيه أن يتأملها ولا يغفل عن غورها؛ لكن لا يسلم إلا بعدم ظهور

الخلافاً في الصدر الأول فإن كان فيه خلافاً محقق بطلت هذه الطريقة والحق أحق أن يتبع

الفتاوى (580 /21)

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Normal

Zoom0Zoom

TrackMoves

TrackFormatting

PunctuationKerning

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IgnoreMxedContentfalseIgnoreMxedContent

AlwaysShowPlaceholderTextfalseAlwaysShowPlaceholderText

DoNotPromoteQF

LdThemeOtherEN-USLdThemeOther

LdThemeAsanX-NONELdThemeAsan

LdThemeComplexScriptAR-SALdThemeComplexScript

Compatbity

BreakWrappedTables

SnapToGridInCell

WrapTextWithPunct

UseAsanBreakRules

DontGrowAutofit

SplitPgBreakAndParaMark

DontVertAlignCellWithSp

DontBreakConstrainedForcedTables

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الموقع الرسمي للشيخ أ.د. أحمد بن محمد الخليل

أصل عظيم ينبغي للفقهاء أن يتأمله للكاتب : أ.د. أحمد بن محمد الخليل

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</br>غفل عن هذه القاعدة بعض المعاصرين، فتجدهم يذكرون أقولا في المسألة تخالف المنقول

</br><p>عن السلف ، لا سيما في بعض مسائل المعاملات والزكاة.</p>

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</br>ذكره شيخ الإسلام هنا عن الوجوب، والتحريم، ينطبق على الجواز، أي القول بجواز أمر

</br>المنقول عن السلف منه، وإنما ذكر الوجوب والتحريم؛ لأنه في الأصل يتحدث عن مسائل

</br><p>التحريم والجواز، أما هذا الأصل فهو عام.</p>

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الرابط الاصيل