

عَنْ رَسُولِ اللَّهِ ﷺ

1 () في " سننه " (2045) .
وأخرجه : العقيلي في " الضعفاء الكبير " 4/145 ، والطبراني
في " الأوسط " (8273) ، والبيهقي 6/84 و 7/156 -
157 .

2 () الحديث (7219) .

3 () في " السنن " 4/170 - 171 .
وأخرجه : الطحاوي في " شرح المعاني " 3/95 ، وابن حبان (7219) ، والطبراني في
" الصغير " (752) ، وابن عدي في " الكامل " 3/209 و
212 و 213 ، والحاكم 2/198 ، والبيهقي 7/156 و 10/61 .

4 () في " المستدرک " 2/198 .

5 () في " العلل " ، له 1/205 .

(a) 1. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common agricultural policy and the common fisheries policy.

2. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common transport policy and the common energy policy.

3. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common environmental policy and the common regional policy.

4. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common social policy and the common economic policy.

5. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common foreign and security policy and the common defence policy.

6. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common justice and home affairs policy and the common immigration and asylum policy.

7. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common education and culture policy and the common research and technological development policy.

8. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common industrial policy and the common competition policy.

9. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common trade policy and the common financial and monetary policy.

10. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common development policy and the common external relations policy.

(b) 1. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common agricultural policy and the common fisheries policy.

2. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common transport policy and the common energy policy.

3. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common environmental policy and the common regional policy.

4. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common social policy and the common economic policy.

5. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common foreign and security policy and the common defence policy.

6. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common justice and home affairs policy and the common immigration and asylum policy.

7. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common education and culture policy and the common research and technological development policy.

8. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common industrial policy and the common competition policy.

9. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common trade policy and the common financial and monetary policy.

10. The Commission shall, in accordance with the provisions of the Treaty, ensure the implementation of the common development policy and the common external relations policy.

(١) انظر : التلخيص الحبير 1/673 .
 (٢) سؤالات أبي عبيد الآجري 2/183 (1543) ، وانظر :
 تهذيب الكمال 3/444
 (2847) ، وميزان الاعتدال 4/347 ، وتهذيب التهذيب
 4/380 و 11/136 .
 (٣) أخرجه : الطبراني في " الكبير " (1430) .
 (٤) قال عنه البخاري : « عنده مناكير » ، قال مرة : « حديثه
 مناكير » ، وقال أبو حاتم
 : « ضعيف الحديث ، منكر الحديث ، واهي الحديث » ، وقال
 النسائي : « متروك » ، وقال السعدي : « أحاديث يزيد بن
 ربيعة أباطيل ، أخاف أن تكون موضوعة » .
 انظر : التاريخ الكبير 8/213 ، والجرح والتعديل 9/322 ،
 والضعفاء للعقيلي 4/376 ، والكامل لابن عدي 9/133 ،
 وميزان الاعتدال 4/422 .

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- ١ () أخرجه : ابن عدي في " الكامل " 2/390 ، وأبو نعيم في " أخبار أصفهان " 1/90 - 91 و 251 - 252 .
- ٢ () قال البخاري : « جسر ليس بذاك عندهم » ، وقال : « ليس بقوي » ، وقال ابن معين : « جسر ليس بشيء » ، وقال النسائي : « جسر ضعيف » ، وقال أبو حاتم : « جسر ليس بالقوي كأن رجلاً صالحاً » ، وقال ابن عدي : « لجعفر مناكير وأبيه مضعّف » ، وقال أيضاً : « جسر من الضعفاء وابنه مثله » . =
- = انظر : التاريخ الكبير 2/226 ، والجرح والتعديل 2/472 ، والكامل لابن عدي 2/390 و 421 و 425 ، وميزان الاعتدال 1/398 و 404 .
- ٣ () في الاختلافات كما في " التلخيص الحبير " 1/672 .
- ٤ () 1/81 (126) (200) .
- وأخرجه : الترمذي (2992) ، والنسائي في " الكبرى " (11059) وفي " التفسير " ، له (79) ، والطبراني في " تفسيره " (5130) ، وابن حبان (5069) ، والواحدي في " أسباب النزول " (116) بتحقيقي .
- ٥ () البقرة : 286 .
- ٦ () أخرجه : الطبري في " تفسيره " (5131) ، وأبو عوانة 1/75 - 76 .

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1 () آل عمران : 28 .

(١) انظر : المسائل الفقهية من كتاب الروايتين والوجهين للقاضي أبي يعلى 1/69 - 70 .
 (٢) انظر : المصدر السابق 3/10 .
 (٣) أخرجه : البخاري 1/155 (597) ، ومسلم 2/142 (684) (314) ، والبيهقي 2/218 و 456 من حديث أنس بن مالك مرفوعاً بهذا اللفظ .
 (٤) طه : 14 .
 (٥) انظر : المسائل الفقهية من كتاب الروايتين والوجهين للقاضي أبي يعلى 1/153 .
 (٦) أخرجه : أحمد 3/20 و 92 ، وأبو داود (650) ، وابن خزيمة (1017) ، وابن حبان (2185) ، والحاكم 1/260 ، والبيهقي 2/402 و 431 من حديث أبي سعيد الخدري ، وهو حديث صحيح .
 وروي عن ابن عباس ، وأبي هريرة ، وعبد الله بن مسعود .

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¹ () قال الشيخ أبو إسحاق الشيرازي : « انعقد الإجماع على أنَّ المكره على القتل مأمور باجتنا ب القتل والدفع عن نفسه ، وإِنَّه يأثم إن قتل من أكره على قتله » . فتح الباري 12/390 ، وقال عبد بن حميد : « لا يعذر من أكره على قتل غيره لكونه يؤثر نفسه على نفس غيره » . فتح الباري 12/395 .
² () انظر : تفسير الطبري 1/385 - 386 ، والمبسوط للسرخسي 24/72 - 73 و 88 - 89 .

(١) في قوله تعالى: «وَأَبَى الْعَالِيَةَ» أي: وأبى العلية، وأبى الشَّعْثَاءُ، والرَّيْعُ بن أنس، والصَّحَّاحُ (٣)، وهو رواية عن أحمد، وزُوي عن سُحنون أيضاً. وعلى هذا لو شرب الخمر، أو سرق مكرهاً، حُدَّ.

وعلى الأول لو شرب الخمر مكرهاً، ثم طَلَّقَ أو أعتق، فهل يكون حكمه حكم المختار لشربها أم لا؟ بل يكون طلاقه وعتاقه لغواً؟ فيه لأصحابنا وجهان (٤)، وزُوي عن الحسن فيمن قيل له: اسجد لصنم وإلا قتلناك، قال: إن كان الصنم تجاه القبلة، فليسجد، ويجعل نيته

^١ () النور: 33 .

^٢ () انظر: تفسير الطبري (19749) و(19752) .

^٣ () انظر: تفسير الطبري (5371) و(5374) و(5375) و(5376) .

^٤ () انظر: المغني لابن قدامة 8/256 - 257 .

[illegible]

417

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1 () لقمان : 15 .
 2 () النحل : 106 .
 3 () انظر : المبسوط 24/135 باب الخيار في الإكراه
 4 () انظر : المبسوط 24/105 .

[illegible]