

## THE EMERGENCE AND MANIFESTATION OF THE MOVARUNNAHR SCHOOL OF FIQH

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### Abstract

It is known that at the end of the 8th century and at the beginning of the 9th century, the Hanafi sect of the Sunnis of Islam began to spread in Movarounnahr. In the cities of Bukhara and Samarkand, the Movarounnahr school of jurisprudence was established based on the teachings of this sect. The jurists of Movarounnahr gained great fame in the Islamic world with their profound knowledge and valuable works.

### Introduction

The influence of the jurists on the ruling circles of the state and the masses of the people was very strong. All the problematic issues in religious and social life were solved by jurists. Due to the fact that jurisprudence covers various branches of individual, family, and community life, the representatives of the Movarounnahr School performed the task of analyzing the traditions and customs of the peoples of this country from the perspective of all Muslims. Through the activities of several generations of jurists from Movarounnahr, the historical and legal traditions of the local peoples were reflected in the Islamic culture. Islamic scholar A. Mominov divides the history of the Movarounnahr school of jurisprudence into three main periods depending on its characteristics:

formative period (VIII–X centuries);

the period of vigorous development (XI–XIII century);

the period of gradual weakening (beginning of XIII century–XIV century).

During the formation of the school of fiqh, research centers based on Hanafiism appeared in some cities in Movarounnahr. It was greatly influenced by the schools of Iraq and Khorasan. The school of Bukhara was founded by Abu Hafs Ahmad ibn Hafs al-Kabir al-Bukhari (767–832). Balkh jurists such as Abu Sulayman al-Juzhani, Ibn Samo'a, and Shaddad ibn Hakim played a great role in the formation of the Samarkand scientific center. During this period, Bukhara jurists focused mainly on practical issues of jurisprudence (furu' al-fiqh), while Samarkandians focused their scientific activities on theology (usul ad-din).

By the XI–XIII centuries, the science of jurisprudence had reached its highest level of development. Dr. Yusuf Ziya Kavakci, a Turkish scholar who conducted scientific research on the jurists of the Karakhanid era, says that during this period, about three hundred jurists emerged, more than twenty sets of fatwas, and more than three hundred and fifty fiqh works were created, and 98 percent of them are related to Hanafi jurisprudence. It is not wrong to say that Movarounnahr was the "fortress" of the Hanafi sect. As Hanafiism spread to the

east, it found a strong base in Khurasan and Mowarounnahr. A group of famous Hanafi jurists also belong to these countries.

Movarounnahr is the stronghold of the Hanafi sect. Mowarounnahr was called the fortress of the Hanafi sect of Sunnism. However, at that time (the 11th century), there were also schools of Malikism, Shafiism, and Hanbalism. What was the reason for the scholars and jurists of Mowarounnahr to believe in this school of prayer and write books in the direction of this school of thought? What is the essence of this sect? What are the advantages of this sect over other sects? It is natural that questions arise. We will answer the above questions without discriminating against other sects.

It is known from the history of Islam that, in the second century of the Hijra, independent sects began to form in Sharia rulings. At first, Abu Hanifa Nu'man ibn Thabit al-Kufi (Imam Azam) was recognized. Then the sect of Malik ibn Anas came into being. And after that, the school of Imam Shafi'i appeared. The sect formed at the end is the sect of Imam Ahmad ibn Hanbal.

These four sects also belong to "Ahl al-Sunnah wal-Jamaa." Since the masters of this school of thought are superior to all mujtahids in knowledge and piety, their schools of thought continue to this day in the Islamic world. The sources of the four madhhabs are the same, i.e., the Qur'an, Hadith, Ijma', and Qiyas. But there are differences regarding ijtiḥad on some issues.

The great scholar Abu Hanifa No'man ibn Thabit al-Kufi (Imam Azam) was born in the 80th year of the Hijra and died in the 150th year. Madhhabs were formed based on the Qur'an, Hadith, ijma', and qiyas, taking into account local conditions and traditions. Other sects of Islam also rely heavily on these sources. But the Hanafi school is distinguished by its moderation and tolerance.

Hanafi is the most widespread sect in the world, accounting for almost half of the world's Muslims. The reason for the widespread spread of the sect in the world is, first of all, its populism, and secondly, it is known from the history of Islam that during the time of Baghdad and the Ottoman Caliphate, this doctrine relied on the rules of the law in solving all issues in the religious, legal, and social spheres. In the reign of Amir Timur and the Baburites, religious issues were handled on the basis of the Hanafi madhhab.

The following examples show that Hanafiism is the largest and most moderate sect of Sunnism. First, Abu Hanifa is the founder of Muslim jurisprudence—the fiqh school. The school of jurisprudence founded by him was later developed by scholars such as Abu Yusuf Ya'qub, Muhammad al-Shaybani, and Burhoniddin al-Marginani. According to experts, this school of jurisprudence was formed after it and had a great influence on the developed schools of Shafi'i, Maliki, and Hanbali. This is one aspect of the matter.

The second, more important aspect of the matter was related to the fact that Hanafism took a more tolerant position towards the various peoples who accepted Islam. Simply put, it has been flexible, in a sense, adaptable to the traditions of non-Arab Muslims that have been formed over the millennia.

Second, Abu Hanifa and his followers developed the principle of istihsan (choosing what is good or better) and managed to apply it widely in life. The convenience and viability of the Istihson principle were due to the fact that, in the process of making a decision on a specific problem, choosing the most useful solution for the society, in simple words, made it possible to choose the most useful path for the society and the country, avoiding two or more interpretations and dogmatic literalism.

Thirdly, Hanafism accepted the use of local customs formed before Islam as its supplementary source. As a result, favorable conditions were created for the adaptation of pure Islamic beliefs to the mentalities of different peoples, and the way for the specific development of Islam in different regions was opened. This quality of Hanafi jurisprudence was especially honored by the indigenous people of Central Asia, including the Turkic peoples, and caused the rapid development of moderate local Islam, distinguished by its tolerance. Due to this tolerance, it spread widely throughout the Balkans, Asia Minor, the North Caucasus, the Black Sea Basin, the Volga River, Central Asia, Afghanistan, the Indian subcontinent, the steppe lands of China, and Indonesia. Its 'adaptability', a healthy understanding of the needs of socio-economic and cultural development, helped it spread over vast geographical areas and establish itself as the dominant religious belief in them.

Fourthly, during the period when the main principles of Hanafi jurisprudence were formed, the governing rules of the first Muslim state were undergoing a unique transformation. That is, during the period of Abbasid rule, religious and secular spheres were separated from each other in the processes of state and society management, and the boundaries between them became clear, and this situation strengthened its flexibility and adaptability to the times.

Finally, and fifthly, although the doors of ijthihad were declared closed in the middle of the ninth century, the nature and flexibility of Hanafiism ensured the continuity of Shariah rulings on various issues of the life of the Muslim community. This important process has practically never stopped. Therefore, he ensured its harmonious development, or, in other words, its moderation, with the changing needs of life.

It should also be mentioned about the Hanafi school that this school calls for Muslims to live in peace with each other, to refrain from violence against non-believers, to show respect for other religions, and to obey religious and government leaders. The concept of sin and reward in this sect is also formed on the basis of universal rules, in which murder, drunkenness, drug addiction, usury, polytheism, and slander are considered serious sins. In our congregational mosques in our country, our respected imam-khatibs follow the Qur'an and the Sunnah (hadith) in this Hanafi madhhab in solving Shariah issues.

It is known that Islam calls people to be kind and considerate to each other and encourages them to respect each other regardless of their religion or nationality. This, in turn, is of great importance in strengthening the unity of society and friendship among its members.

Mature jurists and scholars from our region made a great contribution to ensuring the adaptation of Hanafi jurisprudence to local conditions and its development. Among them: Faqih Abdulaziz ibn Ahmad ibn Nasr ibn Salih al-Halvai (d. 448/449-1057/1058), who was the first to receive the title of "Shams al-aimma" (Sun of the Imams) during the Karakhanid

era; Abu Bakr Muhammad al-Sarakhsi (d. 486/1093-1094); Bakr bin Muhammad bin Ali az-Zaranjari (d. 512/1112); ar-Rig'damuni (414/493-1023/1102); Ibn Moza Mahmud (d. 570/1174) of the family jurists; Nuriddin al-Sabuni al-Bukhari (d. 580/1184); al-Mahbubi (d. 777/1387); al-Saffar (d. 533/1142); Abul Yusr al-Bazdawi (421/493-1031/1100); families of al-Khayzakhazi (died 655/1266); al-Marginani (511/1197) gained a great position in science and social life. As science developed, many great scientists came out. A great dynasty of jurists appeared. The dynasties of jurists, which continued from generation to generation, gained great fame not only in Movarounnahr but also in the entire Islamic world.

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