

**O‘ZBEKISTON RESPUBLIKASI FANLAR AKADEMIYASI  
SHARQSHUNOSLIK INSTITUTI HUZURIDAGI ILMIY DARAJALAR  
BERUVCHI DSc.02/30.12.2019.Tar.44.01 RAQAMLI ILMIY KENGASH**

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**O‘ZBEKISTON RESPUBLIKASI FANLAR AKADEMIYASI  
ABU RAYHON BERUNIY NOMIDAGI SHARQSHUNOSLIK INSTITUTI**

**KARIYEV ADIL AXMADJANOVICH**

**FARG‘ONA FIQH MAKTABI OLIMLARINING ISLOM ILMLARI  
RIVOJIDAGI O‘RNI (IX-XIII ASRLAR)**

**07.00.03 – Jahon tarixi  
07.00.08 – Tarixshunoslik, manbashunoslik va  
tarixiy tadqiqot usullari**

**TARIX FANLARI DOKTORI (DSc) DISSERTATSIYASI  
AVTOREFERATI**

**TOSHKENT – 2024**

**Tarix fanlari bo‘yicha fan doktori (DSc) dissertatsiyasi avtoreferati  
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**Оглавление автореферата диссертации доктора исторических наук (DSc)**

**Contents of the abstract dissertation of the Doctor of historical sciences (DSc)**

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**TARIX FANLARI DOKTORI (DSc) DISSERTATSIYASI  
AVTOREFERATI**

**TOSHKENT – 2024**

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## KIRISH (fan doktori (DSc) dissertatsiyasi annotatsiyasi)

**Dissertatsiya mavzusining dolzarbligi va zarurati.** Jahon tarixshunosligida islom dinining vujudga kelishi va shu asosda tarkib topgan islom sivilizatsiyasini tadqiq etish muhim yo‘nalishlardan bo‘lib kelmoqda. Keyingi paytda integratsiyalashuv jarayonining chuqurlashuvi sharoitida bu mavzuni o‘rganishga qiziqish yanada ortib, musulmon mamlakatlari siyosiy, ma‘naviy va madaniy rivoji tarixida mintaqaviy fiqh maktablarining o‘rni va o‘ziga xos jihatlari, jumladan islom dunyosining turli mamlakatlardagi siyosiy, iqtisodiy va ma‘naviy jarayonlarga ta‘siri masalasini tadqiq qilishning ahamiyat oshib bormoqda. Shu nuqtai nazardan insoniyat taraqqiyoti va islom madaniyatini rivojida muhim o‘rin tutgan mintaqaviy ilmiy maktablar tarixi va faoliyatini ilmiy konseptual o‘rganish muhimdir.

Dunyodagi ilmiy-tadqiqot markazlari va etakchi universitetlarida hanafiy ta‘limoti, IX-XIII asrlarda hanafiy fiqhining xususiyatlari, mintaqaviy maktablar, islom ilmlari sohasida faoliyat yuritgan allomalar va ularning ilmiy merosi, hanafiy fiqhiga doir manbalarni hamda ularning ijtimoiy-tarixiy, huquqiy va matnshunoslik jihatlari ochib berishga qaratilgan izlanishlar olib borilmoqda. Jumladan, musulmon sharqida ilk islom davridan boshlab shakllangan dastlabki mazhab, madrasa va mintaqaviy maktablar tarixi va ahamiyatiga bagishlangan tadqiqotlar amalga oshirildi. Farg‘ona fiqh maktabi tarixi bo‘yicha maxsus tadqiqotlar olib borilmagan, lekin mazkur hududdan etishib chiqqan allomalarning asarlari tadqiqiga bagishlangan ishlar amalga oshirilmoqda. Shuningdek bugungi kunda mamlakatimiz hududida o‘rta asrlarda shakllangan va umumjahon islom sivilizatsiyasi taraqqiyotiga xizmat qilgan mintaqaviy fiqh maktablari alohida o‘rin tutishini ta‘kidlash zarur. Shu bois mahalliy ilmiy markazlar, jumladan Farg‘ona fiqh maktabi tarixini tadqiq qilish va uning mintaqada madaniy yuksalish va islom ilmlari rivojida o‘rnini aniqlash mavjud tadqiqotlar salmogini ortishiga xizmat qiladi.

Yangilanayotgan O‘zbekistonda mintaqalar tarixi, jumladan IX-XII asrlarda O‘rta Osiyoda vujudga kelgan musulmon renessansi davrida ajdodlarimiz tomonidan yaratilgan ilmiy merosni o‘rganish, ular yaratgan ilmiy maktablar an‘analarini davom ettirish bugun yangi uchinchi renesans bo‘lag‘asida turgan xalqimiz uchun kunning dolzarb vazifalari sirasiga kiradi. Zero, “O‘zbekistonning jahon ilm-fani va madaniyati rivojiga ulkan hissa qo‘shgan mamlakat sifatidagi xalqaro obro-u-tiborini yanada mustahkamlash, boy yozma me‘rosini saqlash, o‘rganish va keng targ‘ib qilish ishlarini yangi sifat bosqichiga ko‘tarish”<sup>1</sup> nihoyatda muhim. Mamlakatimiz hududida o‘rta asrlarda shakllangan va nafaqat mintaqamiz balki butun musulmon dunyosida islom ilmlari, jumladan fiqh ilmining rivojida salmoqli o‘rin tutgan Farg‘ona fiqh maktabi va uning o‘ziga xos xususiyatlarini ilk bor tadqiq qilinishi, Farg‘ona fiqh maktabi tushunchasining tarix

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<sup>1</sup> Mirziyoyev Sh. “Qadimiy yozma manbalarni saqlash, tadqiq va targ‘ib qilish tizimini yanada takomillashtirish chora-tadbirlari to‘g‘risida”gi PQ-2995-sonli qaror. 2017 yil 24 may.

ilmiga olib kirilishi O‘zbekistonning haqqoniy tarixini yoritish, jahon sivilizatsiyasiga qo‘shgan hissasini asoslash bilan birga, xalqimiz ma’naviyatini yuksaltirish va o‘zligini anglashida alohida ahamiyat kasb e’tadi.

O‘zbekiston Respublikasi Prezidentining 2017 yil 14 fevraldagi PQ-2774-sonli “Imom Termiziy xalqaro ilmiy-tadqiqot markazini tashkil etish chora-tadbirlari to‘g‘risida”gi, 2017 yil 27 martdagi PQ-2855-sonli “O‘zbekiston Respublikasi Vazirlar Mahkamasi huzurida Imom Buxoriy xalqaro ilmiy-tadqiqot markazini tashkil etish chora-tadbirlari to‘g‘risida”gi, 2017 yil 24 maydagi PQ-2995-sonli “Qadimiy yozma manbalarni saqlash, tadqiq va targ‘ib qilish tizimini yanada takomillashtirish chora-tadbirlari to‘g‘risidagi”, 2017 yil 23 iyundagi PQ-3080-sonli “O‘zbekiston Respublikasi Vazirlar Mahkamasi huzurida O‘zbekistondagi Islom madaniyati markazini tashkil etish chora-tadbirlari to‘g‘risida”gi qarorlari, 2018 yil 16 apreldagi PF-5416-sonli “Diniy-ma’rifiy soha faoliyatini tubdan takomillashtirish chora-tadbirlari to‘g‘risida”gi farmoyishlari, 2022 yil 22 dekabrda Oliy Majlisga Murojaatnomalari hamda mavzuga oid boshqa normativ-huquqiy hujjatlarda belgilangan vazifalar ajdodlardan qolgan ma’naviy merosni o‘rganishga chuqur e’tibor qaratilganini anglatadi va mazkur tadqiqot ham bu vazifalarni amalga oshirishga muayyan darajada xizmat qiladi.

**Tadqiqotning respublika fan va texnologiyalari rivojlanishining ustuvor yo‘nalishlariga bog‘liqligi.** Dissertatsiya respublika fan va texnologiyalar rivojlanishining I. “Demokratik va huquqiy jamiyatni ma’naviy-axloqiy va madaniy rivojlantirish, innovatsion iqtisodiyotni shakllantirish” ustuvor yo‘nalishiga muvofiq bajarilgan.

**Dissertatsiya mavzusi bo‘yicha xorijiy ilmiy-tadqiqotlar sharhi.**

Jahonda Farg‘ona fiqh maktabi tarixi bo‘yicha maxsus tadqiqotlar olib borilmagan. Lekin mavzu bilan bilvosita bogliq IX-XIII asrlarda hanafiy fiqhining xususiyatlari, mintaqaviy maktablar, islom ilmlari sohasida faoliyat yuritgan allomalar va ularning ilmiy merosi, hanafiy fiqhiga oid manbalarning ijtimoiy-tarixiy, huquqiy va matnshunoslik jihatlarini o‘rganishga bag‘ishlangan ilmiy izlanishlar jahonning yetakchi ilmiy markazlari va oliy ta’lim muassasalarida, jumladan Heidelberg University, Freiburg University, Center of Islamic Studies in Freiburg (Germaniya), Cambridg University, University of Oxford Islomshunoslik instituti (Buyuk Britaniya), Toronto universitetining Yaqin va O‘rta Sharq sivilizatsiyalari departamenti (Kanada), Vashington universitetining Yaqin Sharq tillari va adabiyoti departamenti (Sietl), Prinston universitetining Yaqin Sharq tadqiqotlari departamenti, Columbia University, Cornal University, Illinois University (AQSh), Academy of Notaries Institute Hispano-Arab Culture, University of Granada (Ispaniya), International Society of Arabic Papyrology in Leiden-Holland (Gollandiya), Jerusalem University (Isroil), Cairo University (Misr), Suleymanie Library (Turkiya), Povolje Qozon federal universiteti (Rossiya), O‘XIA, O‘zbekiston islom sivilizatsiyasi markazi, Imom Buxoriy xalqaro ilmiy-tadqiqot markazida, O‘zbekiston Respublikasi Fanlar akademiyasi Abu Rayhon Beruniy nomidagi Sharqshunoslik institutida (O‘zbekiston) olib borilmoqda. Hanafiy fiqhiga oid tadqiqotlar orasida Farg‘ona fiqh maktabi

vakillari ilmiy merosiga oidlari ham bor.

Mazkur tadqiqotlar natijasida quyidagi ilmiy natijalar olingan: IX-XIII asrlarda Movarounnahr mintaqasida hanafiy fiqhiga oid tadqiqotlar sifatida maktab vakillarining ilmiy merosiga bag'ishlangan ishlar amalga oshirilgan (University of Wales, Lampeter,). Mintaqa allomalari asarlariga bitilgan sharhlar tahlil qilingan (Umm al-Qura University of Saudi Arabia), ularning hanafiy fiqhi rivojiga qo'shgan hissalar va bu jarayondagi tutgan o'rinlari ochib berilgan (Maktaba Muhammad ibn al-Hasan ash-Shayboniy. Timirkara, Pokiston), hanafiy fiqhida huquqiy masalalarning tahlili bobida faqihlarning yondoshuvlari, Qur'oni Karim matniga tayanishdagi xususiyatlari tadqiq qilingan (State University of New York, USA), islom shariatida nazariya, amaliyot va an'analarning manbalari tahlil qilingan (St Antonys Colleg, University of Oxford), hanafiy fiqhiga oid asarlarni g'arb tillariga tarjima qilishning g'oya va maqsadlari ochib berilgan (Legal Histories of the British Empire: Laws, Engagements and Legacies. London: Routledge), islom huquqida mazhab tushunchasi, hamda hanafiy mazhabi doirasidagi ixtiloflarning sabablari ko'rsatib berilgan (Harvard University), hanafiy fiqhiga oid mo'tabar manbalar tadqiqi va nashri amalga oshirilgan (Bristol: Amal Press, 2009; London: Mu'assasat al-Furqān lil-Turāth al-Islāmī, 2016; Cairo: Dār al-Ḥadīth,).

Jahonda hozirgi kunda o'rta asrlarda musulmon dunyosida yaratilgan hanafiy fiqhining turli jihatlari, jumladan shakllanish tarixi, hanafiy fiqhida inson huquqlari himoyasining sharqona talqini, demokratik tamoyillarning manbaviy asoslari, o'rta asrlarda yashab ijod etgan faqihlarning ilmiy merosini tarixiy - huquqiy, ijtimoiy-siyosiy, ma'rifiy-huquqiy ildizlarini ochib berish, Movarounnahr mintaqasi ulamolari qalamiga mansub bo'lgan asarlarning qiyosiy o'rganish, manbalar tanqidiy matnini yaratish kabi ustuvor yo'nalishlarda ilmiy izlanishlar olib borilmoqda.

**Muammoning o'rganilganlik darajasi.** Farg'ona fiqh maktabi va bu maktab vakillarining islom ilmlari rivojidadagi o'rni masalasi alohida tadqiqot mavzusi sifatida o'rganilmagan. Ammo Movarounnahr fiqhi doirasida Farg'ona mintaqasidan yetishib chiqqan allomalar ilmiy merosi muayyan darajada ilmiy tadqiqotlarga jalb qilingan.

Birinchi navbatda bio-bibliografik janrda asar yozgan mualliflar IX-XIII asrlarda Movarounnahr mintaqasida yashab ijod qilgan hanafiy mazhabi islom ilmlari ulamolari tarjimai holi va ilmiy merosi haqida umumiy ma'lumotlar berganlar. Jumladan, Abdulqodir al-Qurashiy (696/1297-774/1373)<sup>2</sup>, Ibn Qutlubug'a (801/1399-878/1474)<sup>3</sup> Mahmud ibn Sulaymon al-Kafaviy (vaf.990/1582)<sup>4</sup>, Hoji Xalifa (1017/1609-1067/1657)<sup>5</sup>, Abdulhay al-Laknaviy

2 ابو محمد عبد القادر ابن ابو الوفاء محمد ابن محمد المصري. الجواهر المضبوطة في طبقات الحنفية. مجلد ٢ - ١٩١٣ - حيدرآباد

3 ابن قطلبغا القاسم ابن عبد الله الصدني. تاج التراجم في طبقات الحنفية. لبيزغ - ١٩١٣

4 محمود ابن سليمان الكفوي. كتائب اعلام الاخيار من فقهاء مذهب النعمان المختار. ص. - ٣٧٩.

O'zR FA ShI qo'lyozmasi, inv. № 2929.

5 Haji Khalifa. Lexicon bibliographicum et encyclopedicum a Mustafa bin Abdallah Katib Jalabi. - London, 1858. V-VI. - R. 479-495.

(1263/1848-1303/1886)<sup>6</sup>, kabi mualliflarning asarlarida bu masalalar o‘rin olgan.

Zamonaviy tadqiqotchilardan professor A.Q.Mo‘minov ishlarida Mahmud ibn Sulaymon al-Kafaviyning “Kataib a’lom” asari asosida Movarounnahrda fiqh ilmining shakllanishi va bu jarayonda mahalliy maktablar va undagi mintaqa ulamolarining faoliyatiga e’tibor qaratgan<sup>7</sup>.

O‘zbekistonda mintaqadan yetishib chiqqan allomalar hayoti va ilmiy merosi bo‘yicha izlanishlar olib borilgan. Jumladan, A.X. Saidov, M. Nuritdinov, I. Abdullayev, M. Hasaniy, A.Sh. Juzjoniy, S. Isoqov, O‘.A. Sulstonov kabi olimlar Farg‘ona mintaqasining eng yirik namoyandalari Burhonuddin al-Marg‘inoniy shaxsiyati va ilmiy merosiga murojaat qilganlar<sup>8</sup>.

Bundan tashqari, Burhonuddin al-Marg‘inoniy qalamiga mansub “Hidoya” asarining V.N. Grodekov tomonidan 1893 yilda Toshkentda nashr qilingan ingliz tilidan rus tiliga tarjimasini prof. A.X. Saidov qayta nashr ettirdi<sup>9</sup>. Professor A.X. Saidov va M.Nuritdinovlar rahbarligida “Hidoya” asari birinchi jildining arab tilidan o‘zbek tiliga tarjima qilinishi ta’minlandi.<sup>10</sup>

Musulmon sharqida islom dinida dastlab fiqhiy madrasa va maktablar, keyinchalik fiqhiy mazhablarning vujudga kelishi nazariyasi va amaliyoti masalalari qator olimlar tomonidan tadqiq qilingan. Manno’ al-Qatton (1925-1999), Hasan Ibrohim Hasan, Shams ad-Din az-Zahabiy (672/1274-748/1348), Jaloluddin Abdurrahmon as-Suyutiy (849/1445-911/1505), Muhammad al-Xudriy (1876-1958), Vali ad-din Muhammad Solih al-Farfur (vaf.2020), Bint al-Mufti Mujib ar-Rahmon ad-Dayraviylarning tadqiqotlari shular jumlasidan<sup>11</sup>.

G‘arb mutaxassislari tomonidan olib borilgan tadqiqotlarning bir guruhi ham asosan Farg‘ona vodiysidan yetishib chiqqan allomalarning ilmiy merosini o‘rganishga bag‘ishlangan. Jumladan, Uels Universiteti tadqiqotchisi Ahmad

6 ابو الحسنات محمد عبد الحي اللكنوي. الفوائد البهية في تراجم الحنفية. قازان - ۱۹۰۳

7 Муминов А.К. Катаиб а’лам ал-ахйар” ал-Кафави (ум. в 990/1582) как источник по истории ислама в Мавераннахре (III/IX-VII/XIV вв.). Автореф. дис... канд. ист. наук. – Л., 1991. – 14 с.; O‘sha muallif. Ханафитский мазхаб в истории Центральной Азии/ под редакцией С.М. Прозорова. – Алматы: Казак энциклопедиясы, 2015. – 400 с.

8 Saidov A.X. Burhonuddin al-Marg‘inoniy. ”Hidoya”- muhim huquqiy yodgorlik // O‘zbekiston ovozi. – 1994. – 3may; O‘sha muallif. Burhonuddin al-Marg‘inoniy buyuk huquqshunos. – T.: Adolat, 1997. – B. 45; Saidov A.X., Juzjoniy A.Sh. Sharq va inson huquqlari. – T.: Ijtimoiy fikr, – 1998. – 215 b.; Saidov A.X., Nuritdinov M. Fiqh ilmining sardori. // Ishonch. – 2000. 9 sentabr; Abdullayev I. Burhonuddin Marg‘inoniy // Namangan haqiqati. – 2000. 3 may; O‘ktam Eshonbobo. “Hidoya”ning sohibi. – Farg‘ona., 2000. – 25 b.; Abdulkhalkim Shar‘iy Juzjoniy. Marg‘inoniy va uning izdoshlari. – T., 2000. – 54 b.; Ishoqov S. Burhoniddin Marg‘inoniy va fiqh ilmi.– T.: Adolat, 2000. – 136 b.; Mahmud Hasaniy. Al-Marg‘inoniyning “Hidoya” asari va unga yozilgan sharhlar. –T.:A. Qodiriy nomidagi xalq merosi n-ti. 2000. – 45 b.; Sulstonov O‘. A. Burhoniddin Marg‘inoniy nasabi va avlodlari taqdiri. / Imom Buxoriy saboqlari. №2/ 2021. – B. 53 – 55.

9 Grodekov V.N. “Hidoya”ning rus tiliga tarjimasini Charlz Gameltonning ingliz tilidagi tarjimasidan amalga oshirgan. Qarang: Hamilton C. The Hedaya: Commentary on the Islamic Laws. Lahore: Premier Book House. (Original 1791 edition translated by order of the Governor-General and Council of Bengal, for the East India Company, printed by T. Bensley.)

<sup>10</sup>Burhonuddin al-Marg‘inoniy. Hidoya. Mas’ul muharrirlar huquq. f. d. Saidov A. X., falsaf. f. d. Nuriddinov M. – T.: Adolat, 2000. – 848 b.

<sup>11</sup> Shams ad-Din az-Zahabiy. Tarix al-Islam va ziyaluhu. Bayrut. Dar al-Kutub al-Arabiyy. 1990.; تأريخ محمد الخضرى. تاريخ الإسلام في بيروت- ۱۹۹۵; Hasan Ibrohim Hasan. At-Tarix al-Islamiy as-Siyasiy ad-Diniy as-Saqafiy al-Ijtimaiy. Dar al-Jil. – Bayrut, 1996. Ij.; ولي الدين محمد الفرور. المذهب في اصول المذهب علي المنتخب. - دمشق. ۱۹۹۹ تاريخ التشريع الاسلامى. Dar al-Jil. – Bayrut, 1996. Ij.; Jaloluddin Abdurrahmon as-Suyutiy. Tarix al-Xulafa. Bayrut. Dar ibn Hazm. 2002.; Bint al-Mufti Mujib ar-Rahmon ad-Dayraviy. Al-Hodi ila Riyod al-Fiqh va-l-Fuqaho. – Timrkara. Pokiston. 2014. – B. 253.

A'bbos tomonidan taqdim etilgan doktorlik dissertatsiyasi Husomuddin al-Axsikatiyning "Muntaxab al-Husomiy" asari qo'lyozmalari tadqiqi va matni nashriga bag'ishlangan<sup>12</sup>. Buyuk Britaniyaning Salford Universitetining (University of Salford) "Ijtimoiy-gumanitar va tillar" kafedrasida Xolid U'mar as-Salim taqdim etgan doktorlik dissertatsiyasi Burhonuddin al-Marg'inoniyning "al-Hidaya" asari va uning tarjimalariga<sup>13</sup>, Meron Yakovning maqolasi Burhonuddin al-Marg'inoniyning o'ziga xos uslubini yoritishga, Suhayl Hanifning Buyuk Britaniya Oksford universiteti Sent Antoni kollejida taqdim qilingan ilmiy ishi Burhonuddin al-Marg'inoniyning "al-Hidaya" asari tadqiqiga bag'ishlangan<sup>14</sup>.

Yana bir turkum tadqiqotlarda ilk islom tarixida huquqiy masalalarni yechish uslublarining shakllanishi (M. Bedir), mazhablarning paydo bo'lishi (V.Xallaq), shakllanishi va taraqqiyoti (H.Suhayl), mintaqaviy va shaxsiy yondoshuvlarning turli mazhab-maktablarning faoliyatiga ta'siri (J.Burak, V. Xallaq) masalalari o'rganilgan<sup>15</sup>.

Biroq mazkur tadqiqotlarda mamlakatimiz hududida shakllangan va o'z faoliyati bilan fiqh ilmi rivojiga hissa qo'shgan mintaqaviy maktablar, ularning shakllanish jarayonlari, o'ziga xos xususiyatlari, musulmon dunyosida fiqh ilmi rivojiga ko'rsatgan ta'siri masalalarini o'rganish maqsad qilinmagan. Shuning uchun ham o'rta asrlarda o'z o'rniga va o'ziga xos xususiyatiga ega bo'lgan, islom ilmlari, jumladan fiqh ilmi rivojiga katta hissa qo'shgan Farg'ona fiqh maktabi tarixini tadqiq qilish alohida ilmiy-amaliy ahamiyatga ega hisoblanadi.

**Dissertatsiya mavzusining dissertatsiya bajarilgan ilmiy-tadqiqot muassasasining ilmiy-tadqiqot ishlari bilan bog'liqligi.** Dissertatsiya O'zR FA Sharqshunoslik institutining "Markaziy Osiyo olimlarining islom ilmlariga oid yozma merosi tarjima va tadqiqi" ilmiy mavzusi doirasida bajarilgan.

**Tadqiqotning maqsadi** IX-XIII asrlarda islom ilmlari sohasida yaratilgan ilmiy meros asosida Farg'ona vodiysida shakllangan ilmiy markazning o'ziga xos jihatlari, maktab vakillarining islom ilmlari rivojiga qo'shgan hissalarini, manbalari

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<sup>12</sup> Al-Muntakhab fi Usul al-Madhhab Also known as (al-Muntakhab al-Husami) by Muhammad bin U'mar, Husam al-Din al-Akhsikathi (d/644H/1247 AD) analytic study end edition Ahmad MN Abbas. Submitted to the University of Wales in Fulfilment of the Requirements of the Degree of Doctor of Philosophy. – University of Wales, Lampeter, 2001.

<sup>13</sup>The translation of financial terms between English and Arabic, with particular reference to Islamic banking. Khalid Omar al-Saleem. School of Humanities, Languages and Social Sciences University of Salford, Salford, UK Ph.D. Thesis. Submitted in Partial Fulfilment of the Requirements of the Degree of Doctor of Philosophy. May 2013.

<sup>14</sup> Meron, Ya'akov. "Marghīnānī, His Method and His Legacy". Islamic Law and Society, 9.3 (2002): 410-16; Theory of Early Classical Hanafism: Authority, Rationality and Tradition in the Hidayah of Burhan ad-Din Ali Abi Bakr al-Marginani (d.593/1197). Sohail Hanif St. Antonys College University of Oxford, UK. Thesis. Submitted for the Degree of Doctor of Philosophy in Oriental Studies. Michaelmas. 2017.

<sup>15</sup>"Considerations on the Function and Character of Sunnī Legal Theory". Journal of the American Oriental Society, 104.4 (1984): 679-89.; "From Fatwās to Furū': Growth and Change in Islamic Substantive Law". Islamic Law and Society, 1.1 (1994): 29-65.; Melchert, Christopher. The Formation of the Sunni Schools of Law, 9th-10th Centuries C.E. Leiden: Brill, 1997.; Bedir, Murteza. "The Early Development of Ḥanafī Uṣūl al-Fiqh". PhD diss., University of Manchester, 1999.; "From Regional to Personal Schools of Law? A Reevaluation". Islamic Law and Society, 8.1 (2001): 1-26.; Hallaq, Wael B. Authority, Continuity, and Change in Islamic Law. Cambridge: Cambridge University Press, 2004.; Hanif, Sohail. "Sixth-Century Ḥanafī Fatāwā Literature and the Consolidation of School Identity". MSt diss., University of Oxford, 2013.; Burak, G. "Madhhab." In The [Oxford] Encyclopedia of Islam and Law. Oxford Islamic Studies Online. Jun 19, 2022. <http://www.oxfordislamicstudies.com/article/opr/t349/e0094>.

va xususiyatlarini ochib berishdan iborat.

**Tadqiqotning vazifalari:**

Musulmon dunyosida mintaqaviy fiqh maktablari shakllanishi tarixini tadqiq qilish va umumiy xulosalar berish;

Farg‘ona fiqh maktabining shakllanishida tarixiy madaniy shart sharoitlarning ahamiyati, bu omillar vositasida erishilgan natijalarni yoritib berish;

Farg‘ona vodiysida o‘rta asrlardagi ilmiy muhitning hududlar bo‘yicha o‘ziga hos jihatlarini tadqiq qilish;

maktab vakillari ilmiy merosining islom ilmlari sohalari bo‘yicha ilmlar rivojiga qo‘shgan hissalarini asoslab berish;

IX-XIII asrlarda Farg‘ona fiqh maktabi vakillari yozma merosini tasnif va tadqiq qilish;

maktab vakillarining hanafiy fiqhi rivojiga ta’siri hamda musulmon dunyosida hanafiy mazhabi nufuzini ortishidagi o‘rnini ochib berish;

Farg‘ona vodiysida asrlar davomida hanafiy mazhabining barqaror ustuvor bo‘lganligining asos va omillarini tadqiq etish va asoslab berish.

**Tadqiqotning ob’ekti** musulmon dunyosida mintaqaviy fiqh maktablarining shakllanish tarixi va faoliyati hisoblanadi.

**Tadqiqotning predmetini** Farg‘ona fiqh maktabining shakllanishi va mintaq tarixi va islom ilmlari rivojidadagi o‘rni tashkil qiladi.

**Tadqiqotning usullari.** IX-XIII asrlarda Farg‘ona vodiysi mintaqasida fiqh maktabi shakllanishi va taraqqiyotining sabab va omillarini o‘rganishda mikrotarix (*microhistory*), prosopografik (*prosopography*), qiyosiy tahlil (*somparative analysis*) va statistik tahlil (*statistical analysis*) kabi usullardan foydalanilgan.

**Tadqiqotning ilmiy yangiligi** quyidagilardan iborat:

Fiqhiy manbalarni o‘rganishda hanafiy ta’limoti asosida yondoshilishi va ularning boshqa fiqhiy mazhablar talqinidan farqli jihatlaridan amaliyotda foydalanish, Farg‘ona fiqh maktabining asrlar davomida hanafiy fiqhidan og‘ishmay, sobitqadam qolganligi va hanafiy mazhabining ustuvor g‘oyalarini boshqa musulmon davlatlarida ham mustahkamlanishidagi xizmatlari dalillangan;

Farg‘ona fiqh maktabi olimlarining fiqh ilmi sohasidagi xizmatlari natijasi o‘laroq mintaqada turli oqim va guruhlar ta’siriga o‘rin qolmaganida, hanafiy ta’limotining ahli sunna va-l-jamoaning boshqa mazxablaridan ham ustuvor insonparvarlik g‘oyalarini himoya qilishda maktab allomalarining o‘rni isbotlab berilgan;

o‘rta asrlarda shakllangan va islom ilmlari rivojiga ulkan hissa qo‘shgan Farg‘ona fiqh maktabi shakllanishiga islom ilmlarining turli yo‘nalishlarida faoliyat yuritgan 60 dan ortiq allomalar va ularning 50 dan ortiq asarlari asos bo‘lganligi aniqlangan;

o‘rta asrlarda Farg‘ona fiqh maktabidan yetishib chiqqan faqihlar, ularning ilmiy merosi xususiyatlari, mintaqada shakllangan fiqhiy qarashlarning soha rivojidadagi ta’siri, maktab vakillarining hanafiy ta’limotining mustahkamlanishidagi o‘rnini tadqiqi natijasida Farg‘ona fiqh maktabi tushunchasi ilk bor tarix ilmiga kiritilgan;

Farg‘ona fiqh maktabi doirasida yozilgan asarlarda fiqhiy masalalarda hanafiy mazhabi qoidalarini ahli sunnaning boshqa mazhablari (masalan molikiy va shofe‘iy mazhablari) bilan qiyoslash uslubi ishlab chiqilingani, buning natijasida musulmonlar jamiyati manfaatlarini ifoda etuvchi hanafiy mazhabi tamoyillari ustuvorligini ta‘minlashga erishilganligi isbotlangan.

**Tadqiqotning amaliy natijalari quyidagilardan iborat:** Fiqhiy masalalarni asoslashda hanafiy ta‘limoti negizida yondoshilishi, ularni boshqa fiqhiy mazhablardan ustivorligini isbotlanishi natijasida mintaqada hanafiy mazhabinig yagona mazyab bulib qolishiga erishilgani ochib berilgan;

Maktab olimlari ilmiy merosining mintaqada turli oqim va guruhlar ta‘siriga o‘rin qoldirmaganlikdagi roli, hanafiy ta‘limotining insonparvarlik g‘oyalarini himoya qilishda hattoki bugangi kunda ham asosiy manbalar bo‘lib qolayotgani isbotlangan;

O‘rta asrlarda Fargona fiqh maktabi doirasida islom ilmlarining turli yo‘nalishlarida faoliyat yuritgan 60 dan ortiq allomalarning nomlari va ularning 50 dan ortiq asarlari aniqlangan;

O‘rta asrlarda mintaqadagi rivojlangan ilmiy – madaniy muhit, bu erdan etishib chiqqan faqihlar, ularning ilmiy salohiyati va ilmiy qarashlarning soha rivojiga ta‘siri, hamda hanafiy mazhabining mustahkamlanishidagi o‘rnini natijasida Farg‘ona fiqh maktabi shakllangani va o‘ziga xos o‘ringa ega bo‘lgani asoslangan;

Farg‘ona fiqh maktabi olimlari tomonidan hanafiy ta‘limotida qabul qilingan qoidalarni ahli sunna mazhablari, jumladan molikiy va shofeiy mazhablari mezomlari bilan qiyosiy o‘rganish uslubi ishlab chiqilib, amaliyotga tatbiq qilingani dalillangan;

Maktab vakillarining musulmon arab, hamda Osiyodagi musulmon mamlakatlarida hanafiy ta‘limoti rivojaga qoshgan amaliy (masalan, A‘louddin al-Kosoniyning Shomda) hamda ilmiy (masalan, Burhonuddin al-Marginoniy asarlarining Pokistonda) xizmatlari aniqlangan.

**Tadqiqot natijalarining ishonchliligi** Farg‘ona fiqh maktabining shakllanishi va bu maktab vakillarining islom ilmlari rivojidagi o‘rni mavzusi mamlakatimizda va xorijiy davlatlar qo‘lyozmalar xazinalarida saqlanayotgan yozma manbalar asosida tadqiq etilgani, obyektivlik tamoyili asosida sharq va g‘arb manbashunoslik maktablarida shakllantirilgan usullardan foydalanilganligi, xulosalar chiqarishda nodir qo‘lyozma manbalar matniga tayanilgani, hamda ilmiy ish xulosalari va tavsiyalari amaliyotda sinovdan o‘tganligi bilan asoslanadi.

**Tadqiqot natijalarining ilmiy va amaliy ahamiyati.** Tadqiqot natijalarining ilmiy ahamiyati O‘rta Osiyoda islom ilmlari rivojida muhim o‘rin tutgan mahalliy maktablar tarixiga metodologik yondashuvlar hamda mintaqa diniy ma‘naviy rivojida mahalliy markazlarning o‘rni masalasida nazariy xulosalarni mukammallashtirishda foydalanish imkoniyati bilan izohlanadi.

Dissertatsiya natijalarining amaliy ahamiyati O‘zbekistonda davlatchilik tarixida mintaqaviy maktablarning roli, maktab vakillari ilmiy merosini milliy tafakkur va ma‘naviyatni yuksaltirishga bag‘ishlangan maqsadli davlat dasturlarini

bajarilishini takomillashtirishga xizmat qilishi bilan asoslanadi.

**Tadqiqot natijalarining joriy qilinishi.** Farg‘ona fiqh maktabi tarixini tadqiqi bo‘yicha ishlab chiqilgan ilmiy xulosa va takliflar asosida:

Fiqhiy manbalarni o‘rganishda hanafiy ta’limoti asosida yondoshilishi va ularning boshqa fiqhiy mazhablar talqinidan farqli jihatlari hamda ulardan amaliyotda foydalanish, Farg‘ona fiqh maktabining asrlar davomida hanafiy fiqhidan og‘ishmay, sobitqadam qolganligi va hanafiy mazhabining ustuvor g‘oyalarini boshqa musulmon davlatlarida ham mustahkamlanishidagi xizmatlarini dalillanganiga oid ilmiy xulosalar Imom Buxoriy xalqaro ilmiy-tadqiqot markazining (buyurtma asosida tayyorlangan) “O‘rta asr sharq allomalari va mutafakkirlarining tarixiy-falsafiy merosi” nomli kitobini tayyorlashda foydalanilgan (Imom Buxoriy xalqaro ilmiy-tadqiqot markazining 2023 yil 16 martdagi 02/120-son dalolatnomasi). Natijada mutaxassislar va kitobxonlarning allomalarimiz hayot va faoliyati, ilmiy merosi va hanafiy mazhabining mamlakatimiz ijtimoiy hayotidagi tutgan o‘rni haqida yangi ma’lumotlar olishlariga xizmat qilgan.

Mamlakatimiz hududida o‘rta asrlarda shakllangan va samarali faoliyat yuritib islom ilmlari rivojiga ulkan hissa qo‘shgan hududiy maktablar tarixi islomshunoslik ilmida mutlaqo o‘rganilmagan sohalardan biridir. Mazkur dissertatsiya bu yo‘nalishdagi dastlabki yirik tadqiqot bo‘lib, olim unda Farg‘ona fiqh maktabi tushunchasini ilk bor tarix ilmiga olib kirishga muvaffaq bo‘ldi. Tadqiqotning Farg‘ona fiqh maktabi olimlarining fiqh ilmi sohasidagi xizmatlari natijasi o‘laroq mintaqa asrlar davomida hanafiy mazhabidan og‘ishmay kelishi, Farg‘ona mintaqasida turli oqim va guruhlar ta’siriga o‘rin qolmaganida ularning hissasi, hanafiy ta’limotining ahli sunna va-l-jamoaning boshqa mazhablaridan ham ustuvor insonparvarlik g‘oyalarini himoya qilishdagi sobit qadamligi, hamda hanafiy mazhabi nufuzining boshqa musulmon mamlakatlarida oshib borishida maktab allomalarining o‘rni isbotlab berilgani, meros masalasini hanafiy mazhabi doirasida hal qilish me’yorlari va o‘rta asr qo‘lyozma manbalari bilan ishlashning metodologik xususiyatlari haqidagi ilmiy asoslangan xulosalaridan O‘zbekiston xalqaro islom akademiyasi “Islom tarixi va manbashunosligi” kafedresi, hamda akademiya huzuridagi Malaka oshirish markazi va uning mintaqaviy filiallarida davlat va jamoat tashkilotlari uchun tashkil etilgan malaka oshirish kurslari o‘quv dasturlarini ishlab chiqishda foydalanildi. (O‘zbekiston Respublikasi Vazirlar mahkamasi huzuridagi Din ishlari bo‘yicha qo‘mitaning 2023 yil 28 noyabrdagi 02-02/584-son dalolatnomasi). Natijada qo‘lga kiritilgan ilmiy yangiliklar mahalliy maktablar vakillarining mintaqada hanafiy mazhabi ustuvorligini ta’minlashdagi xizmatlarini asl manbalar asosida yoritish va ularning rasmiy internet saytlarida foydalanish, hamda tadqiqotning ilmiy xulosa, taklif va tavsiyalaridan diniy – ma’rifiy ta’lim muassasalari uchun uslubiy tavsiyalar ishlab chiqishda keng foydalanish imkonini bergan.

O‘rta asrlarda Farg‘ona fiqh maktabidan yetishib chiqqan faqihlar, ularning ilmiy merosi xususiyatlariga oid ma’lumotlar, mintaqada shakllangan fiqhiy qarashlarning soha rivojidadagi ta’siri, maktab vakillarining islom dunyosida hanafiy

mazhabining mustahkamlanishidagi o‘rni xususidagi ilmiy xulosalaridan Imom Termiziy xalqaro ilmiy tadqiqot markazida o‘rta asr manbalaridan “Chor kitob”, “al-Fiqh al-akbar”, “Sunani Termiziy sharhi” kabi asarlarni nashrga tayyorlashda, hamda “Ixtilofli masalalarning yechimlari” (Soxta salafiylarga raddiyalar) kitobini yaratishda foydalanilgan. (Imom Termiziy xalqaro ilmiy-tadqiqot markazining 2023 yil 16 oktyabrdagi 01-07/197 – son dalolatnomasi). Natijada tadqiqotda ilgari surilgan ilmiy xulosa, taklif va tavsiyalarda xalqaro ilmiy tadqiqot markazi faoliyati konsepsiyasini shakllantirishda tayanilgan, hamda kelgusida fiqhiy maktablar tarixiga oid tadqiqotlar, ilmiy to‘plam va kitoblarni boyitishda qo‘shimcha manba sifatida foydalanish ko‘zda tutilgan.

Farg‘ona fiqh maktabi tarixi, fiqh ilmining amaliy va nazariy, fatvo yo‘nalishlarida faoliyat yuritgan Burhonuddin al-Marg‘inoniy, Faxruddin Qozixon, Xusomuddin al-Axsikatiy kabi allomalar ilmiy merosi, islom ilmlari rivojiga qo‘shgan hissasi, mintaqaviy maktabning vujudga kelishidagi o‘rni, maktabning o‘ziga xos jihatlari borasidagi ilmiy xulosalardan “O‘zbekiston-24” telekanalining “Islom sivilizatsiyasi markazi: shonli tarixdan buyuk kelajak sari”, “O‘zbekiston tarixi” telekanalining “Aslida qanday”, “Mavzu” dasturi ssenariylarini tayyorlashda foydalanilgan. (O‘zbekiston Milliy teleradiokompaniyasining 2023 yil 28 noyabr 06-28-1780 son ma‘lumotnomasi). Mazkur ko‘rsatuvlar xalqimizni mamlakatimiz hududida faoliyat yuritgan ilmiy maktab faoliyati, maktab vakillari bo‘lgan ajdodlarimiz ilmiy salohiyati va ularning musulmon dunyosida islom ilmlari rivojida tutgan o‘rinlari haqidagi yangi ma‘lumotlardan xabardor bo‘lish, tarixiy bilimlarini oshirish va ajdodlar bilan faxrlanish va ularga munosib avlod bo‘lish tuyg‘usini shakllanishiga xizmat qilgan.

O‘rta asrlarda Farg‘ona vodiysida shakllangan Farg‘ona fiqh maktabi tarixi, maktab vakillarining ilmiy merosi va ularning islom ilmlari rivojidagi o‘rni masalasiga bag‘ishlangan dissertatsiya ishi doirasida ishlab chiqilgan xulosalar, ilmiy-amaliy taklif va tavsiyalar Respublika Ma‘naviyat va ma‘rifat markazining 2022-2023-yillarda o‘tkazilgan targ‘ibot faoliyatida tatbiq etilgan. Jumladan, Respublika Ma‘naviyat va ma‘rifat markazining 2023-yil uchun chora tadbirlar dasturining VI yo‘nalishida belgilangan “Millatlararo totuvlik va dinlararo bag‘rikenglik bo‘yicha targ‘ibot-tashviqot tadbirlari, aholi o‘rtasida radikalizm illatini oldini olish” 29-bandi, “Jaholatga qarshi ma‘rifat bilan kurashgan mutafakkirlar” shiori mavzusida uchrashuvlar o‘tkazishda dissertatsiya materiallaridan foydalanilgan. (Respublika manaviyat va ma‘rifat markazining 2023 yil 29 noyabr № 02-22/1323-son dalolatnomasi). Natijada dissertatsiyada ilgari surilgan takliflar, tavsiya va xulosalar IX-XIII asrlarda Farg‘ona fiqh maktabi vakillari ilmiy merosi ahamiyatini ochib berishga xizmat qilgan.

Kariyev Adil Axmadjanovichning “Farg‘ona fiqh maktabi olimlarining islom ilmlari rivojidagi o‘rni (IX-XIII asrlar)” mavzusidagi dissertatsiyasi Farg‘ona vodiysi, jumladan hozirgi Namangan viloyatining o‘rta asrlardagi tarixi, Axsikentdan yetishib chiqqan olimlarning hayoti va ilmiy merosini tadqiqiga bag‘ishlangan. Dissertatsiyada keltirilgan ma‘lumotlar ziyorat va tarixiy turizmning rivojlantirishda muhim rol o‘ynaydi. Shu sababdan tadqiqot

natijalaridan Axsikent xalqaro ilmiy tadqiqot jamoat birlashmasi olimlari tomonidan chop etilgan “Buyuklarga beshik bo’lgan Axsikent yoxud Farg’ona allomalari” kitobini tayyorlashda, Farg’ona vodiysidagi qadimgi savdo yo’llari, aholi maskanlari, qo’rg’on va qal’alarning bugungi o’rnini, tarixiy turizm yo’li va maskanlarining turkiycha nomlari va mazmunlarini aniqlash va tarixiy turizm uchun xaritalar yaratishda foydalanilgan. (O‘zbekiston Respublikasi Namangan shahar “AXSIKENT” xalqaro ilmiy-tadqiqot jamoat birlashmasining 2024 yil 02 may 103 son ma'lumotnomasi). Olingan ilmiy natijalar yoshlar ta’lim tarbiyasida ajdodlarimiz boy ilmiy merosidan keng foydalanish, hamda ularni turli yot g’oyalar ta’siriga berilishini oldini olishda, shu bilan birga viloyatda ziyorat, tarixiy va ilmiy turizmning rivojlanishida muhim ahamiyat kasb etgan.

**Tadqiqot natijalarining aprobatsiyasi.** Tadqiqotning asosiy natijalari 15 ta ilmiy-amaliy anjumanda, jumladan, 7 ta xorijda o‘tkazilgan anjumanlarda va 8 mamlakatimizda bo‘lib o‘tgan xalqaro va Respublika konferensiyalarida aprobatsiyadan o‘tgan.

**Tadqiqot natijalarining e’lon qilinishi.** Dissertatsiya mavzusi bo‘yicha jami 41 ta ilmiy ish chop etilgan. Shulardan 3 ta monografiya, 1 ta manbalar nashri, 1 ta o‘quv qo‘llanma, 2 ta risola. O‘zbekiston Respublikasi Oliy attestatsiya komissiyasining doktorlik dissertatsiyalari asosiy natijalarini chop etish tavsiya etilgan nashrlarda 20 ta maqola, jumladan, 15 tasi respublika va 5 tasi xorijiy jurnallarda e’lon qilingan.

**Dissertatsiyaning tuzilishi va hajmi.** Dissertatsiya kirish, to‘rtta bob, xulosa, foydalanilgan adabiyotlar ro‘yxati va ilovalardan iborat. Dissertatsiyaning umumiy hajmi 275 betni tashkil etadi.

## DISSERTATSIYANING ASOSIY MAZMUNI

**Kirish** qismida tanlangan mavzuning dolzarbligi va zarurati asoslanib, tadqiqotning maqsadi, vazifalari, o‘rganish obyekti va predmeti aniqlangan. Tadqiqotning respublika fan va texnologiyalari rivojlanishining ustuvor yo‘nalishlariga mosligi ko‘rsatilgan, tadqiqotning ilmiy yangiligi va amaliy natijalari, olingan natijalarning ishonchliligi, ularning nazariy va amaliy ahamiyati, amaliyotga joriy etilishi, ishning aprobatsiyasi, e’lon qilinganligi, dissertatsiyaning tuzilishi to‘g‘risidagi ma’lumotlar keltirilgan. Shuningdek dissertatsiya mavzusi bo‘yicha xorijiy ilmiy ishlar sharhi keltirilgan.

Dissertatsiyaning «**Mintaqaviy maktablarning vujudga kelish jarayoni**» deb nomlangan birinchi bobi Arabiston yarim orolida ilk o‘rta asrlarda islom dinini vujudga kelishiga sabab bo‘lgan ma’naviy, ijtimoiy, siyosiy iqtisodiy vaziyat, ilk islom davrida musulmon jamiyatidagi huquqiy me’yoriy tamoyillarning shakllanishi, rivojlanish bosqichlari va bu jarayonda vujudga kelgan mahalliy va mintaqaviy mazhab va maktablarning tarixiy ildizlari tahliliga bag‘ishlangan.

Islom dini vujudga kelishi arafasida Arabiston yarim oroli Vizantiya va Sosoniylar imperiyasi hukmronligi ostida edi. Har ikki tomon bu hududdan o‘tadigan savdo yo‘llari ustidan nazorat o‘rnatishni maqsad qilgandi. Shu sababdan siyosiy vaziyat Yaman mintaqasini qo‘lga kiritish va karvon yo‘llarida o‘z

hukmronligini o‘rnatish uchun Vizantiya va Sosoniylar o‘rtasidagi raqobat bilan bog‘liq holda edi. Yaman sosoniylar hukmronligi ostidaligi davrida (xij.av.51/572-xij. 6/628) Fors ko‘rfazi orqali Hindistonga boradigan savdo yo‘li tez rivojlanib, Hijoz orqali o‘tgan karvon yo‘li inqirozga uchradi. Bu barcha arab qabilalari hayotiga jiddiy ta‘sir ko‘rsatib, Arabistonda ijtimoiy-iqtisodiy tanglikni yuzaga keltirdi. Savdodan tushib turgan daromadning kamayib ketishi natijasida quraysh zodagonlari o‘rtasida sudxo‘rlik avj oldi. Makka va boshqa shaharlarda sinfiy qarama-qarshiliklar keskinlashdi.

Ijtimoiy vaziyat esa aholining o‘ziga xos urf odatlari, insonlar turli tabaqalarga bo‘linganligi, ular o‘rtasida teng huquqlik tushunchasi ham, amaliyoti ham yo‘qligi bilan xarakterlanardi. Ma‘naviy-axloqiy muhit esa mintaqada g‘ayri insoniy odatlar (oilada qiz farzandning dunyoga kelishini falokat deb bilish, beva ayolni moddiy huquq va manfaatlari tushunchasi yo‘qligi, ayrim davrlarda hatto ayolga erkakdan qolgan meros mulk sifatida qaralishi)da, hamda, oila va nikoh munosabatlarida (yaqin qarindoshlarning o‘zaro nikoh munosabatlariga kirishlari, opa-singilni bir nikohda jamlash, vafot etgan kishining farzandlari otasidan beva qolgan ayolga uylanishlari) namoyon bo‘lardi.

Diniy e‘tiqod masalasida ham vaziyat murakkab bo‘lib, turli toifalar (Makkada vasaniylar<sup>16</sup>, Yasribda yahudiylar, Najd va Najronda masihiylar) mavjud edi. Makka Arabiston yarim orolining diniy markazi hisoblanib, arablar turli tomonlardan bu yerga Ibrohim payg‘ambar bino qilgan “Bayt al-haram”ga haj ibodatini ado etish uchun kelardilar. Ka‘ba ibodatxonasi undagi qoratosh va uch yuzdan ortiqroq qabila xudolari tufayli bu atrofda yashaydigan ko‘p qabilalar uchun ham diniy markaz bo‘lib hisoblangan. Bundan tashqari Makkada olovga sig‘inuvchi otashparastlar, yulduzlarga ibodat qiluvchi sobi‘iylar, Ibrohim alayhissalomning dini kabi yakka xudoga sig‘inishni ixtiyor qilgan toifalar (haniflar) ham istiqomat qilar edi. Islom dini mana shunday siyosiy, ijtimoiy, diniy-ma‘naviy vaziyatda zohir bo‘ldi. So‘ng mintaqada islom dini yoyilib, aholi turmush tarziga aylanishi natijasida bu ta‘limot talablarini tartibga soluvchi ilm sohalari shakllanishi zaruratini keltirib chiqardi.

Islom ta‘limotining asosiy g‘oya va maqsadlari mohiyatini belgilab berish, hamda islom dini talablarini hayotga tatbiq qilish vositalarini ishlab chiqish zarurati islom ilmlari shakllanishiga sabab bo‘ldi. Bu ilmlar dinning asosiy manbalari Qur‘oni Karim va Payg‘ambar alayhissalomning sunnatlariga asoslandi. Islom ilmlari sirasida fiqh ilmi yetakchi o‘rin tutdi. Islom ilmlarining deyarli barchasiga asoslanadigan fiqh ilmi shakllanishi bir nechta bosqichlardan o‘tdi. Ilmiy adabiyotlarda bu bosqichlarni davriylashtirishning ikki uslubi ustuvor<sup>17</sup>. Birinchi uslubda shariatning vujudga kelish bosqichlari islomiy fikrning shakllanishi va taraqqiyoti tarixi bilan bog‘liq holda davrlarga ajratiladi va birinchi shariat davri<sup>18</sup>, ikkinchi shariat davri<sup>19</sup>, uchinchi shariat davri<sup>20</sup>, to‘rtinchi shariat

<sup>16</sup> Vasaniy (arab) - but-sanamlarga sig‘inuvchilar.

<sup>17</sup> مناع القطان. التشريع الاسلامي. بيروت. ١٩٨٩. ص- ٢٥-٢٦

<sup>18</sup> Muhammad (s.a.v.) arab qabilalarini islomga da‘vat etgan, islomiy qonunlarni e‘lon qilgan va “Xulafo ar-Roshidin”lar davlatni boshqargan bosqich.

<sup>19</sup> Fiqh va kalom ilmiga asos solingan bosqich.

davri<sup>21</sup> va beshinchi shariat davri<sup>22</sup> deb nomlanadi<sup>23</sup>.

Ikkinchi uslubda shariatning paydo bo'lishi, fiqh ilmining vujudga kelishi va taraqqiyoti musulmonlar jamiyatidagi siyosiy-ijtimoiy o'zgarishlar asosida davrlarga bo'linadi. Shariatning vujudga kelishi davri (xij.av.12/610-10/632) – Muhammad (s.a.v.) ning payg'ambarlik davrlari, birinchi fiqh davri (10/632-40/661) -“Xulafo ar-Roshidin”lar davlatni boshqargan davr, ikkinchi fiqh davri (40/661-132/750) – kichik sahobalar va tobe'inlar hayot bo'lgan davr, uchinchi fiqh davri (142/760-369/980) – hijratning ikkinchi asri birinchi yarmidan to'rtinchi asri o'rtasigacha, to'rtinchi fiqh davri (369/980-658/1260) – hijratning to'rtinchi asri ikkinchi yarmidan A'bbosiylar sulolasi barham topgunga qadar bo'lgan davr, beshinchi fiqh davri (XIII asrdan-hozirgacha) – A'bbosiylar xalifaligi tugatilgandan hozirgi kungacha bo'lgan davr<sup>24</sup> deb nomlanadi. Xronologik nuqtai nazardan har ikki uslubda davrlar bir-biriga deyarli muvofiq kelsa-da, jiddiy farqli tomonlari bor. Birinchidan, dastlabki uslubda Payg'ambar (s.a.v) va “Xulafo ar-Roshidinlar” davri bir davr sifatida belgilangani holda, ikkinchi uslubda bular alohida davrlarga ajratilgan. Ikkinchidan, birinchi uslubda hamma bosqichlar “عهد التشريع” (shariat davri), deb nomlanadi. Ikkinchi uslubda faqat birinchi davr “عهد التشريع” deb atalib, keyingi davrlar-“الدور الفقهي” (fiqh davri) deb nomlangan<sup>25</sup>. Bizning fikrimizcha, Muhammad (s.a.v.) davrlari bilan “Xulafo ar-Roshidinlar” davrini alohida ajratish va dastlabki davrga nisbatangina “ahd at-tashri” atamasini qo'llash o'rinli<sup>26</sup>. Chunki Islom dini an'anasida Payg'ambar (s.a.v)dan keyin ilohiy qonunlar nozil bo'lishi to'xtagan. Shuning uchun uni “shariat davri”, deb atab bo'lmaydi. Bu davrda mavjud shar'iy hukmlarni hayotga tatbiq etish davri - “fiqh davri” boshlangan. Shu bois “shariat davri” va “fiqh davri” mohiyatan bir-biridan farq qiladi.

“Shariat davri” deb nomlangan bosqichda fiqhning faqat ikkita manbasi - Qur'oni karim va Payg'ambar alayhissalomning sunnatlari bo'lgan edi. Shu bois fiqh ilmining asosi poydevori u kishi tomonidan yaratildi va uning istiqboldagi rivoji ana shu poydevor ustiga qurildi.

Fiqh ilmi shakllanishining “birinchi fiqh davri” deb nomlanuvchi ikkinchi bosqichi (10/632-40/661)da jamiyatdagi ichki siyosiy, ijtimoiy-ma'naviy vaziyat uning rivojlanishi va barqarorligini ta'minlash uchun davlatchilik va qonunchilik tizimini takomillashtirish zaruratini (musulmonlarni Abu Bakr as-Siddiqqa davlat rahbari sifatida bay'at<sup>27</sup> qilishlari) keltirib chiqardi. “Xulafoi roshidin”lar davrida musulmon jamiyatida vujudga kelayotgan barcha savollarga Qur'oni Karim va sunnatdan to'g'ridan to'g'ri javob topish mumkin emasligi ayon bo'la boshladi.

<sup>20</sup> Fiqh ilmi rivoji va mazhablar vujudga kelib, sunnatni va fiqhni yozma holga keltirish bosqichi.

<sup>21</sup> Ijtihod davri tugagan va fiqhning mavjud mazhablar doirasida rivojlangan davri yoki taqlid bosqichi.

<sup>22</sup> Fiqh ilmining uyg'onishi va islohotlar bosqichi.

<sup>23</sup> مناع القطان. التشريع الاسلامي. بيروت. 1989. ص-32

<sup>24</sup> O'sha asar. – B. 25-26.

<sup>25</sup> محمد الخضري. تأريخ التشريع الاسلامي-بيروت-1995. ص-5

<sup>26</sup> O'sha asar. – B. 30.

<sup>27</sup> “Bay'at” (arab) - lug'aviy ma'nosi oldi-sotdi qilish. Shariat istilohida esa, musulmonlarning Rasululloh sollallohu alayhi vasallamga itoat haqida bergan ahdnomalarini ifoda qiladi. Bu ahdnoma ahd beruvchining Payg'ambar alayhissalomga itoati evaziga savobni sotib olish ma'nosi borligidan «bay'at» deb ataladi. Keyinchalik xalifalarga ham bay'at qilish odatga aylangan.

Natijada ikki asosiy manbada javobi bo‘lmagan savollarga sahobalar fikri asosida hukm chiqarish uslubi ijmo<sup>28</sup> instituti shakllandi. Ijmo vositasida ham yechimi topilmagan masalalarga uni sahobalarning ijtihodlari yordamida mavjud fatvolar bilan qiyoslab javob topish yo‘li qiyos<sup>29</sup> usuli joriy qilindi. U keyinchalik fiqh ilmining to‘rtinchi asosiy manbasi (asli)ga aylandi. Birinchi fiqh davri fiqhning asosiy manbalari shakllanganligi bilan xarakterlandi.

Fiqh ilmi rivoji davrlari orasida uchinchi bosqichning alohida o‘rni bor. Sababi, fiqh ilmi tarixida alohida o‘rin tutgan sahoba va tobe’inlar shu davrda faoliyat yuritgan<sup>30</sup>. Ikkinchi fiqh davrida islom dunyosining xavorijlar, shiy’alar va ahli sunnat jamoalariga bo‘linib ketishi. bu ilmning shakllanishi va rivojlanishi jarayoniga o‘z ta’sirini ko‘rsatdi (har uch jamoa doirasida fiqh ilmining bir-biridan farqli, ko‘p hollarda bir-biriga zid ko‘rsatmalar ishlab chiqildi, murakkab siyosiy vaziyatda ko‘plab ustoz ulamolar, jumladan sahobalar Madinadan ko‘chib ketishga majbur bo‘ldilar, yolg‘on va to‘qima hadislar ko‘payib, to‘g‘ri hadislarni saralab, tekshirish zarurati tug‘ildi). Demak, fiqh ilmi shakllanishining uchinchi davrida fatvo chiqarish uslublariga ko‘ra ahl al-hadis va ahl ar-ra’y toifalariga ajraganlari, fiqh ilmining qonun qoidalarini ishlab chiqish, tartibga solib yozma shaklga keltirish jarayoni davom etganligi kuzatiladi.

Fiqh ilmi shakllanishining to‘rtinchi davri uchinchi fiqh davri (taxminan 142/760–369/980) musulmon dunyosining turli mintaqalarida qurilgan yangi shaharlar (Andalusiya Qurtuba (Kordoba), Afrikada al-Qayruvan, Misrda al-Fustat (bu shaharning eng katta masjidida ijtihod va istinbot bobida o‘chmas iz qoldirgan islom ilmlari ulamolari davralari faoliyat olib borgan) hamda avvaldan ilm markazlari bo‘lib kelgan (Dimashq, Basra, Kufa) shaharlardagi taraqqiyotning yangi darajalarga ko‘tardi. Qur’oni Karimning bilimdonlari (Madinada<sup>31</sup>, Makkada<sup>32</sup> va boshqa shaharlarda faoliyat yuritgan hofizi Qur’onlar)ning xizmati tufayli qiroat ilmining vujudga kelishi, sunnatni qog‘ozga tushirilishi (Molik ibn Anasning “Muvatto” asari)<sup>33</sup> keyinchalik “Musnad” janridagi asarlar<sup>34</sup> va sahih hadislar to‘plamlari yaratilishi orqali hadis ilmini paydo bo‘lishi fiqh ilmi rivojiga yangi turtki berdi. Bu bosqichidagi sahoba va tobe’inlarning faoliyati mazhablar vujudga kelishining boshlang‘ich davri edi.

Dastlabki mazhablar musulmon jamiyatida yuzaga kelgan savollarga javob berish, shariat mezonlari doirasida umr kechirishni ta’minlash zaruratidan vujudga

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<sup>28</sup> Ijmo (arab) - yakdillik, diniy masalalarda yakdillik bilan qabul qilingan qaror. Istilohda Qur’oni Karim va hadis sharifda aniq javobi bo‘lmagan huquqiy masala yuzasidan yagona fikrga kelgan holda hukm chiqarish. Fiqh ilmining uchinchi manbasi.

<sup>29</sup> Qiyos (arab) – o‘lchash, taqqoslash. Istilohda fiqhning avvalgi manbalarda hukmi kelmagan masalani mazkur manbalarda hukmi bor shunga o‘xshash narsaga qiyoslab hukm chiqarish. Fiqh ilmining to‘rtinchi manbasi.

<sup>30</sup> ۲۳۵-۵۶ ص. 1989 - بيروت - التشريع الاسلامي- بيروت

<sup>31</sup> Nofe’ ibn Abdurrahmon Abi Na’im al-Laysiy al-Madiny (46/689-139/785). Imom, Qur’on ilmi bilimdoni, o‘nta mashhur qorilardan biri. Duosi mustajob insonlardan bo‘lgan. 139/785 yilda Madinada vafot etgan.

<sup>32</sup> A’bdulloh ibn Kasir ibn Amr ibn A’bdulloh ibn Zadan ibn Feyruz ibn Harmuz al-Makkiy. (23/665-93/737). O‘nta mashhur qorilardan biri. A’bdulloh ibn az-Zubayr va U’mar ibn Abdulaziz va boshqalardan hadis rivoyat qilgan.

<sup>33</sup> Dastlab bitilgan sunnatga oid kitoblarda hadislar bilan sahoba va tobe’inlarning aytgan gaplari ham aralastirib yuborilgan edi

<sup>34</sup> Musnad asarlarda har bir sahobadan rivoyat qilingan hadislar alohida-alohida tartib bilan keltirilgan. Bu janrdagi asarlardan bizning davrimizgacha Ahmad ibn Hanbalning “Musnad”i yetib kelgan.

kelgan. Natijada ilmiy salohiyati va shaxsiyati muayyan talablarga javob bergan faqihlarning (duo - Ali ibn Abu Tolib<sup>35</sup> va Ibn A'bbos voqealari<sup>36</sup>, ijoza - sahobalarga qozilik, fatvo chiqarish va ta'lim berish vazifasining yuklatilishi<sup>37</sup>, guvohlik - Payg'ambar alayhissalom bir qator sahobalar haqida guvohlik berganlari<sup>38</sup>) o'z ijtihod uslubiga asoslangan yo'nalishlari, ya'ni mazhablari (jumladan, U'mar ibn al-Xattob mazhabi, Ali ibn Abu Tolib mazhabi, Abu Hurayra mazhabi, Oysha binti Abu Bakr mazhabi, Zayd ibn Sobit mazhabi, Ibn A'bbos, Ibn U'mar, Ibn Mas'ud mazhabi va h.z.) shakllandi<sup>39</sup>. Ilk islom davrida bunday mazhablarning soni bir necha yuztani tashkil qilgan. Keyinchalik eng kuchli fiqhiy mazhablar negizida mintaqaviy maktablar shakllangan.

O'rta asrlarda fiqhiy maktablar atamasi bu ilmning istiqbollari belgilab beradigan, ilmiy va amaliy faoliyat olib boradigan olimlar jamlangan makon ma'nosini anglatgan. Fiqh maktabning mohiyati - musulmon jamiyatida paydo bo'ladigan huquqiy muammolarga asl manbalarga tayangan holda yechim topish, huquqiy me'yorlarni ishlab chiqib, ularni sharhlab, asoslab berishdan iborat bo'lgan. Dastlab bu vazifa faqih sahobalar yordamida hal qilingan bo'lsa, tobe'inlar davrida ular asos solgan mintaqaviy maktablar vakolati doirasiga o'tdi. O'z navbatida fiqhiy maktabning shakllanishi uchun zarur shartlar belgilandi. Bunday shartlardan biri shu hududda yashab faoliyat yuritadigan mujtahidlarning mavjud bo'lishi talabi edi. Shuning uchun ham dastlabki fiqhiy maktablar bunday mujtahidlari bo'lgan Hijozda (Madina maktabi, bu maktabni fiqhiy maktablar onasi deb ham ataladi. Maktab Zayd ibn Sobitning<sup>40</sup> fiqhiy uslubiga asoslangan. U ilmni Madinada Payg'ambar alayhissalomning o'zlaridan olgan. Abu Bakr as-Siddiq va U'mar ibn al-Xattob xalifalik davrida Qur'oni Karimni jamlashda asosiy o'rin tutgan. U'smon ibn Affon davrida Madina mushafiga qori etib tayinlangan. Madina ahliga va bu yerga fatvo so'rab kelganlarga fatvo bergan.

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<sup>35</sup> Rivoyat qilinishicha Payg'ambar alayhissalom Ali ibn Abu Tolibni Yamanga yuborishlarini aytganlar. Ali "Yo Rasululloh man bir yosh bola bo'lsam. Katta yoshdagi odamlar orasiga mani yuborasizmi? Ularni orasida qozilik qilishga mani ilmim bo'lmasa" deganlar. Shunda Payg'ambar alayhissalom: "Yo'lga chiqaver Alloh azza va jalla o'zi qalbingni to'g'ri yo'lga yo'naltirib, so'zlaringni o'tkir qilib qo'yadi"-deb tinchlantirganlar. Hazrati Ali "Xudo haqqi shundan keyin hech narsadan hayiqmadim"- deganlari zikr qilinadi.

<sup>36</sup> Payg'ambar alayhissalom Ibn A'bbosni ham "Allohim uni dinda faqih qilib, Qur'on ta'vilini bildirib qo'yg'in" deb duo qilganlari zikr qilinadi. Chindan ham Ibn A'bbos eng bilimdon faqih va mufassir deb e'tirof etiladigan sahoba sifatida tarihdan qolgan.

<sup>37</sup> Ijoza an'anasi islom ilmlarini o'zlashtirish so'ngra shu ilm sohasida ta'lim berishga ruxsat etish ma'nosida bugungi kunimizda ham amal qiladi. Bu uslub aslida Payg'ambar alayhissalom tomonlaridan joriy qilingan.

<sup>38</sup> Anasdan rivoyat qilingan hadisda Payg'ambar alayhissalom: "Ummatimning orasida ummatimga eng mehribon Abu Bakr, dinga muhabbatda eng ashaddiyi U'mar, eng hayolisi U'smon, halol-haromni eng yaxshi biluvchisi Muoz ibn Jabal, Alloh azza va jallaning kitobini eng ko'p o'quvchisi Ubay, meros ilmini eng yaxshi biluvchisi Zayd ibn Sobit, har bir ummatning eng ishonchli kishisi bo'ladi bu ummatning eng ishonchlisi Abu Ubayda ibn al-Jarroh" - deganlari aytilgan.

<sup>39</sup> Bu mazhablarni islom dunyosida alohida ilmiy-huquqiy institutlarga aylanib, asrlar davomida faoliyat yuritib kelayotgan umume'tirof etilgan to'rtta ahli sunna mazhabi va to'rtta ahli shi'a mazhabi bilan aralashtrimaslik kerak. Chunki o'z davrida mazhab so'zi u yoki bu sahobaning fiqhiy masalada yechim topish uslubi va yo'nalishini anglatgan.

<sup>40</sup> Zayd ibn Sobit al-Xazrajy an-Najjoriy al-Madaniy al-Ansoriy (hij.av.7/615-44/665) mashhur sahoba. Rasululloh sollallohu alayhi va sallamning xos kotiblaridan biri bo'lgan. U Payg'ambar alayhissalomning tavsiyalari bilan ibroniy va suryoniy tilini o'rgangan va Muhammad alayhissalomning shaxsiy tarjimonlari bo'lgan. Qur'oni Karimni hammasini yodlab, Rasululloh (s.a.v.)dan o'tkazib chiqqan edi. Sahobalar orasida faroiz - meros huquqining eng bilimdoni hisoblangan. Hazrati U'smon davrida xazinabon va qozilik qilgan.

Maktabning shakllanishi va faoliyatida Oisha, Abu Hurayra, tobe'inlardan Sa'id ibn Musayyab al-Maxzumiy<sup>41</sup>, Urva ibn az-Zubayr ibn Avvom al-Asadiy<sup>42</sup>, Muhammad ibn Muslim ibn Shihob az-Zuhriylar<sup>43</sup> katta hissa qo'shganlar<sup>44</sup>), Makkada (Makka maktabi A'bdulloh ibn A'bbos yo'nalishiga asoslangan. A'bdulloh ibn A'bbos nafaqat ilmni Payg'ambar alayhissalomning o'zlaridan olgan, balki u zotdan ilmda peshqadam bo'lishlik duosini ham olgan<sup>45</sup>. U'mar ibn al-Xattob qiyin masalalarni yechishda uning fikrini<sup>46</sup> muhojir, ansor, ahli Badrlardan<sup>47</sup> ham ustun qo'ygan), Iroqda (Kufa fiqh maktabi - A'bdulloh ibn Mas'udning fiqhiy uslubiga asoslangan. Maktabning nufuzi va maqomini bu yerga xalifa U'smon davrida ko'chib o'tgan ko'plab sahobalarning xizmatlari belgilaydi. Qator iroqlik faqihlar ilmni ulardan oldilar. Alqama ibn Qays an-Naxa'iy<sup>48</sup>, al-Asvad ibn Yazid an-Naxa'iy<sup>49</sup>, Abu Maysara Amr ibn Sharahil al-Hamadoniy<sup>50</sup>, Masruq ibn al-Ajda' al-Hamadoniy, Ubayda as-Salmoniy<sup>51</sup>, Shurayh ibn al-Horis

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<sup>41</sup> Sa'id ibn Musayyab al-Maxzumiy (14/636-94/713)-madinalik tobe'in. Faqih, muhaddis. Madina ahlining olimi, tobe'inlarning sayyidi nomiga muyassar bo'lgan. Madinalik tobe'inlardan bo'lgan yetti faqihlarning biri. Hadis roviysi. Zayd ibn Sobitning shogirdi U kuchli diyonatli, haqgo'y inson bo'lgan. Qatoda: "Sa'id ibn Musayyabdan ko'ra ilmliroq biror kishini ko'rmadim" degani rivoyat qilinadi.

<sup>42</sup> Urva ibn az-Zubayr ibn Avvom al-Asadiy (23/644-94/713) - tobe'in, faqih, muhaddis, madinalik yetti tobe'in faqihlarning biri. Xolasi Oyshadan ko'plab hadis rivoyat qilgan. Hadislarni qog'ozga tushirishda g'ayrat qilganlardan biri. Islom tarixini yozgan dastlabki musulmon muarrixlardan.

<sup>43</sup> Muhammad ibn Muslim ibn A'bdulloh ibn Shihob az-Zuhriy (58/678-124/742) taniqli hadisshunos olim, hadislarning ishonchli roviysi. Tobe'inlardan bo'lgan. Hadislarni ilk bor kitob holiga keltirgan.

<sup>44</sup> Sahobalar davrida fiqh ilmi sohasidagi faoliyat hali maxsus maktablar sifatida ta'riflanmagan. Chunki sahobalarning har birlari o'zlari alohida maktab darajasidagi ilm sohiblari edi.

<sup>45</sup> Va yana: "Rasululloh (s.a.v.) mening haqimga Allohdan hikmat berishini so'rab ikki marta ketma-ket duo qildilar" (at-Termiziy rivoyati); "Nabiy (s.a.v.) xaloga kirdilar. Men u zotga tahorat suvi qo'yib qo'ydim. U zot chiqqanlarida: "Buni kim qo'ydi?" deb so'radilar. "Ibn A'bbos", dedim. "Ey Alloh! Uni faqih qilgin!" dedilar u zot". (Muslim rivoyat qilgan). A'bdulloh ibn A'bbos Payg'ambar (s.a.v.) unga qilgan duolari mustajob bo'lgan zotdir. U eng ko'p hadis rivoyat qilgan sahobalarning beshinchisi bo'lgan.

<sup>46</sup> Imom al-Buxoriy A'bdulloh ibn A'bbos (r.a.)dan quyidagi rivoyatni keltirgan: "U'mar meni Badr shayxlari qatoriga qo'shar, ayrimlariga bu yoqmas edi. Bir kuni o'shalar unga "Nima uchun bolamiz tengini bizga qo'shasan?!" dedilar. U esa: "U o'zingiz bilgan odam!" dedi. U meni ularga qo'shar ekan, bu ishni mening kimligimni ularga bildirib qo'yish uchun qilganini bilib turardim. Keyin U'mar: "Alloh taoloning "Iza jaa'a nasrullohi val fathu" degan oyatiga nima deysizlar?" dedi. Ulardan ba'zilari: "Qachon bizga nusrat yoki fath bersa, Allohga hamd va istig'for aytishga amr qilindik-deymiz", dedilar. Ba'zilari esa, sukut saqlab, biror narsa, demadilar. Shunda u menga: "Sen ham shundoq deysanmi, ey Ibn A'bbos?!" dedi. Men: "Yo'q", dedim. U: "Nima deysan?" dedi. Men: "Bu-Rasululloh (s.a.v.)ning ajallaridir. Alloh buni u zotga bildirdi. "Agar Allohning nusрати va fath kelsa" o'sha ajalning alomatidir. Alloh taolo: "Bas, Robbingni poklab yod et va Unga istig'for ayt. Albatta, U tavbalarni ko'plab qabul qiluvchidir", dedi", dedim. Shunda U'mar: "Allohga qasamki, men ham bu borada faqat sen aytgan narsanigina bilaman, xolos", dedi.

<sup>47</sup> Ahli Badr (arab) – Badr ahli, mushriklar bilan 2/624 yilda birinchi yirik jangda ishtirok etgan musudmonlar.

<sup>48</sup> Alqama ibn Qays an-Naxa'iy - Alqama ibn Qays ibn A'bdulloh ibn Molik ibn Alqama an-Naxa'iy (vaf. 61/681) qori, faqih. Payg'ambar alayhissalomga hamzamon bo'lgan, lekin u zot bilan uchrashmagan. U'mar ibn al-Xattob, U'smon ibn Affon, A'li ibn Abu Tolib, Abu ad-Dardo, Salmon al-Forsiy kabi va boshqa ko'plab sahobalardan hadis rivoyat qilgan.

<sup>49</sup> Al-Asvad ibn Yazid an-Naxa'iy – Abu Amr al-Asvad ibn Yazid an-Naxa'iy (vaf. 75/695) Kufalik tobe'in. Asli yamanlik, johiliyat davrida tug'ilgan bo'lsa ham, Muhammad alayhissalom bilan uchrashmagan. U zot haqlarida ustozu Mu'oz ibn Jabaldan eshitgan. Payg'ambar alayhissalom hadislari roviylaridan biri. U hadislarni Bilol ibn Raboh, Oysha, A'bdulloh ibn Mas'ud kabi va boshqa ko'plab sahobalardan rivoyat qilgan. Hofiz Qur'on bo'lib A'bdulloh ibn Mas'uddan ta'lim olgan. Kufada vafot etgan.

<sup>50</sup> Abu Maysara Amr ibn Shurahbil al-Hamadoniy – Abu Maysara Amr ibn Shurahbil al-Hamadoniy al-Kufiy (vaf. 63/683) birinchi tabaqa tobe'inlardan bo'lgan muhaddis. U'mar ibn al-Xattob, A'li ibn Abu Tolib, A'bdulloh ibn Mas'ud kabi va boshqa ko'plab sahobalardan hadis rivoyat qilgan.

<sup>51</sup> U'bayda as-Salmoniy – U'bayda ibn Amr as-Salmoniy al-Murodiy al-Kufiy. Kufalik faqih tobe'inlardan. Makka fath qilingan yili Yamanda islomga kirgan. Hadis va fiqh ilmlari bilimdoni. Ilmni Ali ibn Abu Tolib, A'bdulloh ibn Mas'ud va boshqalardan olgan.

al-Kindiy<sup>52</sup>, Ibrohim an-Naxa'iy<sup>53</sup> kabi tobe'inlar faoliyat yuritgan), Basrada (Basra fiqh maktabini Abu Muso al-Ash'ariy<sup>54</sup> boshliq ustozlar yaratganlar. Bu ishda Anas ibn Molik Ibn Nazr al-Ansoriy<sup>55</sup>, tobe'inlar al-Hasan al-Basriy<sup>56</sup>, Muhammad ibn Sirrin, Abu-l-Oliya Rufi' ibn Mehron ar-Riyohiy<sup>57</sup>, Hasan ibn Abu-l-Hasan Yasar<sup>58</sup>, Abu Sha'so Jobir ibn Zayd<sup>59</sup>, Qatoda ibn Di'oma as-Sadusiylar samarali xizmat qilganlar) va Shomda (Shom maktabi shakllanishida Muoz ibn Jabal, Uboda va Abu Dardolar faoliyati asos bo'lgan. Shom maktabidan Abu Idris al-Xavloniy, Makhul ibn Abu Muslim ad-Dimashqiy, U'mar ibn Abdulaziz, Rajo ibn Hayva al-Kindiy kabi ilm sohiblari yetishib chiqdilar. Ularning eng kattasi Abdurrahman Avzo'iy edi. U kishi Baalbakda tug'ilib, Dimashq va Bayrutda yashagan. Shom ahli Avzo'iyini «Imom ahli Shom» deb ataganlar) shakllandi.

**“Farg‘ona fiqh maktabining shakllanishi”** deb nomlangan ikkinchi bobda mintaqada fiqh maktabi shakllanishiga turtki bo'lgan asosiy omillar va ularning xususiyatlari o'rganilgan. Farg‘ona vodiysida qadim zamonlardan shaharlar barpo etilgan bo'lib ularning o'rta asrlardagi taraqqiyot darajasi, ilm-fan va madaniyat

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<sup>52</sup> Shurayh ibn al-Horis al-Kindiy – Shurayh ibn al-Horis ibn Qays ibn al-Jahm al-Kindiy (hij.av.33/590-70/697) asli yamanlik bo'lgan tobe'in. Adolatli qozi sifatida tarixda qolgan. Adab va she'riyat bilimdoni bo'lgan. Ilk islom davri faqih qozilaridan. Xalifa U'mar ibn al-Xattob uni 639 yili Kufaga qozi qilib tayinlagan va u bu vazifani xalifa Abdulmalik ibn Marvon davrigacha oltmish yil davomida bajargan. Payg'ambar alayhissalomni o'zlaridan, U'mar ibn al-Xattob, A'li ibn Abu Tolib, Zayd ibn Sobit va boshqalarlan hadis rivoyat qilgan. Qozi Shurayh Payg'ambar alayhissalom ijazatlari bilan katta oilasini Madinaga olib kelgan sahobiy degan rivoyatlar ham bor.

<sup>53</sup> Ibrohim an-Naxa'iy – Ibrohim ibn Zayd an-Naxa'iy (47/668-96/715) katta tobe'in. Faqih va hofiz Qur'on. Hadis roviylaridan. Al-Asvad ibn Yazid an-Naxa'iy, Masruq ibn al-Ajda' va Alqama ibn Qays an-Naxa'iy va boshqalardan hadis rivoyat qilgan.

<sup>54</sup> Abu Muso al-Ash'ariy – Abu Muso A'bdulloh ibn Qays al-Ash'ariy (hij. av. 20/602-40/661) – sahoba. Asli Yamanlik bo'lib, Makkaga islomdan avval ko'chib kelgan. Payg'ambar alayhissalom u kishini Zubayd va Adanga voliy qilib yuborganlar. Keyinchalik xalifa U'mar Basraga, U'smon Kufaga voliy qilib tayinlaganlar. Xalifa Ali Siffinda u kishini o'z tomonlaridan hakam qilib tanlaganlar. Payg'ambar alayhissalomdan 163ta hadis rivoyat qilgan.

<sup>55</sup> Anas ibn Molik – Anas ibn Molik Ibn Nazr al-Ansoriy (xij.av.10/612-94/713) – sahoba. U sahobiya Ummu Sulaym binti Milhonning farzandi bo'ladi. O'n yoshlik bola chog'ida onasi Payg'ambar alayhissalomni xizmatlariga olib kelib topshirgan va duo qilishlarini so'ragan. Payg'ambar alayhissalom uni mulki, avlodi, umri ziyoda bo'lishini, gunohlari mag'firat bo'lishini so'rab duo qilganlar. Anas ibn Molik o'n yil Payg'ambar alayhissalomni xizmatlarida bo'lgan. Ilmni bevosita Rasululloh (s.a.v.)dan olgan. U hammasi bo'lib 2286ta hadis rivoyat qilgan. Bu borada Abu Hurayra va Ibn U'marlardan keyingi o'rinda turadi. Hayotining oxirida Basraga ko'chib o'tib Basra fiqh maktabini shakllanishida xizmat qilgan.

<sup>56</sup> Al-Hasan al-Basriy – Abu Sa'id al-Hasan ibn Yasar al-Basriy (21/642-109/728) – tobe'in. O'n olti yoshida Basraga kelib ilmni o'sha yerda istiqomat qilayotgan sahobalardan olgan. Rivoyat qilishlaricha uning onasi Xayra mu'minlar onasi Umm Salamani xizmatchilari bo'lgan. Bir kuni go'dak al-Hasan yig'lab qolganda Umm Salama onamiz chaqaloqni tinchlantirish uchun emizgan ekanlar. Al-Hasan al-Basriyga berilgan ilm va hikmat ana shu emizishlikning barakotidan deb aytiladi. Basraning eng mashhur allomalaridan. Umrining oxirigacha Basra muftiysi bo'lgan.

<sup>57</sup> Abu-l-Oliya Rufi' – Abu-l-Oliya Rufi' ibn Mehron ar-Riyohiy (vaf.90/709 yoki 93/712) – tobe'in. Johiliyat davrini ko'rgan. Islomga Payg'ambar alayhissalomning vafotlaridan keyin kirgan. Abu Bakr as-Siddiqning huzurlarida bo'lgan. U'mar ibn al-Xattobning orqalarida namoz o'qigan. Qur'on ilmida olim bo'lgan. Abu Bakr ibn Dovud uni sahobalardan keyin Qur'onning eng bilimdoni deb atagan. Hadislarni Ubay ibn Ka'b, Anas ibn Molik va boshqalardan rivoyat qilgan.

<sup>58</sup> Hasan ibn Abu-l-Hasan Yasar – Hasan ibn Abu-l-Hasan Yasar al-Basriy (vaf. 114/733) – tobe'in. Kalom, tafsir, hadis va fiqh ilmlari bilimdoni, voiz inson bo'lgan.

<sup>59</sup> Abu Sha'so Jobir ibn Zayd – Abu Sha'so Jobir ibn Zayd al-Yahmadiy al-Azdiy (21/642-93/712 yoki 103/722) – tobe'in. Hadis, fiqh va tafsir ilmlari bilimdoni. A'bdulloh ibn A'bhosning xos shogirdlaridan. Mu'minlar onasi Oyshadan hadis rivoyat qilgan. Ilmga chanqoq inson bo'lgan. Haj mavsumida sahoba va ulamolalar bilan uchrashib ulardan ilm olishga intilgan. Ibodiyarga aloqadorligini da'vo qilganlarga qat'iy rad javobini aytgan.

rivojiga xizmat qilgan<sup>60</sup>. Oʻrta asrlarda Fargʻona vodiysida qirqdan ortiq katta-kichik shaharlar boʻlgan<sup>61</sup> (Abdulkarim as-Samʻoniy, toʻqqizta shahar, yettita qishloq va bitta mahallani zikr qilgan) jumladan, Axsikat<sup>62</sup>, Koson, Margʻilon, Quva (manbalarda Axsikentdan ham kattaroq, ozoda va obodroq shahar, moʻgʻullar vayron qilganligi sababli kichik bir qishloqqa aylanib qolgani aytiladi<sup>63</sup>), Oʻsh, Oʻzgand, Xaylam, Qoʻqon, Xoʻjand (xalifa Yazid ibn Abdulmalik davrida fath qilingan<sup>64</sup>). U Iskandar Zulqarnayn davrida yoki hatto undan ham oldinroq mavjud boʻlgan antik Esxata shahri oʻrnida barpo etilgan degan fikrlar ham bor<sup>65</sup>) kabi shaharlar, Andukon (ilk oʻrta asrlarda qishloq hisoblangan boʻlsa, XII asrning ikkinchi yarmida moʻgʻul xonlaridan Xaydu va Duva davrida shaharga aylanib, toʻ XVIII asrgacha Fargʻonaning poytaxt shahri boʻlgan<sup>66</sup>), Gazak, Gʻandab (Gʻazaq<sup>67</sup>, Gʻandab qishloqlari<sup>68</sup> “Kitab al-ansob”da Margʻilonning mahallalaridan deyiladi<sup>69</sup>) Zarkan, Yaduxkat, Navqad, Lomish kabi qishloqlarni zikr etgan<sup>70</sup>). Bu joylarda ilm fan rivoji uchun shart sharoit boʻlganligi u yerlardan yetishib chiqqan olimlar (Abu-l-Aʼbbos Ahmad ibn Kasir al-Fargʻoniy<sup>71</sup>, Ahmad ibn Saʼduddin Oʻzgandiy Namangoniy (vaf.X asr)<sup>72</sup>, Abu-l-Vafa Muhammad ibn Muhammad al-Axsikatiy (vaf. 520/1126), Zu-l-Fazoil Ahmad ibn Muhammad al-Axsikatiy (465/1073-528/1134), Asiruddin al-Axsikatiy (501/1108-594/1198)<sup>73</sup>, Sayfiy Fargʻoniy nomi bilan mashhur Sayfuddin

<sup>60</sup> Qarang: ۱۹۶۳ حیدرآباد. مجلدہ - كتاب الانساب السمعاني. Hudud al-Alam. (The regions of the world) a presian geography/ Translated and explained by V. Minorsky, second edition. – London, 1970, 482p; Yoqut al-Hamaviy. Muʼjam al-buldon. 8 jild. – Qohira, 1906; Abu Ishak al-Farisi al-Istakhri regnorum/Ed. M.J.de Goeje, Lugduni Batavorum apud E.J. Brill, 1967. Bibliotheca geographorum arabicorum. I. – 348 p.

<sup>61</sup> Qarang: Shamsaddin Abu Abdullah Muhammad ibn Ahmad al-Moqaddasi. Descriptio imperii Moslemici /Ed. M.J. de Goeje, Lugduni Batavorum apud E.J. Brill, 1967. Bibliotheca geographorum arabicorum. III. – 498 p.

<sup>62</sup> Axsikat “... IX asrda Fargʻona deb nomlangan. At-Tabari tomonidan zikr qilingan Fargʻona shahri ham, koʻrinishidan, Axsikatga toʻgʻri keladi”. Qarang: Анарбаев А. Ахсикет – столица древней Ферганы. – Ташкент. Изд-во «Тафаккур», 2013. – С. 24.; Qozoqov T. Axsikentning muxtasar tarixi. – Toshkent. “Fan ziyosi” nashriyoti, 2024. – B. 11.

<sup>63</sup> Ахраров И. А. Археологические раскопки в шахристане городища Кува // История материальной культуры Узбекистана. Вып.10. – Т., 1973, – С. 58-65.

<sup>64</sup> Abu Saʼd Abdulkarim ibn Muhammad as-Samʻoniy. Kitab al-ansob. IV-jild. – B. 128.

<sup>65</sup> Негматов Н.Н. Об исследованиях Согдийско-таджикской археологической комплексной экспедиции в 1975 г. // Археологические работы в Таджикистане. Вып.15. – Душанбе, 1980. – С. 265-280.

<sup>66</sup> Бартольд В.В. Туркестан в эпоху монгольского нашествия // Соч.в 9 т. Т.1. – М., 1963. – С. 214-216.

<sup>67</sup> Yoqut al-Hamaviy. Muʼjam al-buldon. OʻzR FA Sharqshunoslik instituti qoʻlyozmalar xazinasi. Inv.№ 2109, 288b; Abu Saʼd Abdulkarim ibn Muhammad Samʻoniy. Kitab al-ansob. IV-jild. – Bayrut. – 280 b.

<sup>68</sup> Yoqut al-Hamaviy. Oʻsha asar. – B. 340.

<sup>69</sup> Abu Saʼd Abdulkarim ibn Muhammad Samʻoniy. Oʻsha asar. – B. 312.

<sup>70</sup> Qarang: Камалиддинов Ш. “Китоб ал-ансаб” Абу Саʼда Аʼбдалкарима ибн Мухаммада ас-Самʼани как источник по истории и истории культуры Средней Азии. – Т., 1993.– 350 с.

<sup>71</sup> U astronom, matematik va geograf sifatida tarixda qolgan buyuk alloma. Uning mashhur “Az-Zij al-Maʼmun al-Mumtahana” (Al-Maʼmunning tekshirilgan astronomik jadvallari) asari astronomiyaga oid arab tilidagi dastlabki asarlardan boʻlib, oʻrta asrlarda Ovroʻpaga tarqalgan. XII asrda ikki marta lotin tiliga, XIII asrda boshqa gʻarb tillariga tarjima qilingan. Qarang: Abdullayev I. Markaziy Osiyoda islom madaniyati. – Т., 2005. – B.110.; Boʻriev O. Al-Fargʻoniy va uning ilmiy merosi. – Т.: Oʻzbekiston, 1998. – 96 b.

<sup>72</sup> Olimning “Tazkirai Bugʻroxon” nomli asari qoʻlyozma nusxalari bizgacha yetib kelgan va OʻzR FA Sharqshunoslik instituti fondida saqlanadi. Asar fors tilida yozilgan va keyinchalik Niyoz Qoshgʻariy tomonidan oʻzbek tiliga tarjima qilingan. Qarang: Abdullayev I. Oʻsha asar. – B. 120.

<sup>73</sup> Bu olimlar Axsikentda tugʻilib, shu yerda dastlabki taʼlim olgan va soʻng turli mamlakatlarda tahsil koʻrib, tarix, adabiyot va sheʼriyat ilmlari bilimdoni sifatida shuhrat qozongan va samarali ijod qilganlar. Qarang: Abdullayev I. Oʻsha asar. – B. 184.

Muhammad Farg‘oniy (XIII asr)<sup>74</sup>, Abu Toyiyb Tohir ibn Muhammad ibn Ja‘far ibn al-Xayr al-Maxzumiyy al-Xuqandiy (vaf. 500/1107)<sup>75</sup>, Abu Imron Muso ibn A‘bdulloh al-Muaddib al-Xo‘jandiy (vaf.559/1067)<sup>76</sup>, Abu Hafs U‘mar ibn Muhammad ibn Tohir al-Andukoniy as-Sufiy (479/1087-544/1150)<sup>77</sup> va boshqalar hamda arxeologik manbalardagi ma‘lumotlar asosida tasdiqlandi<sup>78</sup>. Tadqiqotda o‘rta asrlarda mintaqaviy maktabning shakllanishida yetakchi o‘rin tutgan allomalar yetishib chiqqan hududlarga alohida e‘tibor qaratildi. Jumladan, Axsikat (Ibrohim ibn Yusuf ibn Ahmad ibn Hamd ibn Abu-l-Fadl ibn A‘bdulloh al-Axsikatiy (faqih, muhaddis, adib)<sup>79</sup>, Abu-l-Vafa Muhammad ibn Muhammad al-Axsikatiy (vaf. 520/1126 - shoir, tarixchi, tilshunos)<sup>80</sup>, Zu-l-fazoil Ahmad ibn Muhammad al-Axsikatiy (465/1073-528/1134 - adib, shoir, tarixnavis), Asiruddin al-Axsikatiy (501/1108-594/1198 - qomusiy olim)<sup>81</sup>, al-Husayn ibn Abu A‘li al-Axsikatiy al-Farg‘oniy (vaf.XI- faqih, muhaddis), Abu Rashod Ahmad ibn Muhammad ibn al-Qosim al-Axsikatiy (459/1067-534/1140 - faqih, tilshunos, adib, tarixchi)<sup>82</sup>, Xusomuddin al-Axsikatiy (vaf.644/1247- faqih), Koson (Abu Bakr ibn Mas‘ud ibn Ahmad Alouddin al-Kosoniy (vaf.587/1191-faqih), Muhammad ibn al-Hasan Burhonuddin al-Kosoniy (vaf.XII asr – faqih)<sup>83</sup>, Muhammad ibn Ya‘qub ibn Abi Tolib al-Kosoniy (480/1088-555/1160 - hofizi Qur‘on, mutakallim<sup>84</sup>), Marg‘ilon va Farg‘ona (Abdulaziz ibn Abdurrazzoq al-Marg‘inoniy (vaf.477/1085), Zahiruddin al-Kabir Ali ibn Abdulaziz ibn Abdurrazzoq al-Marg‘inoniy (vaf. 506/1113), Abu-l-Mahosin Zahiruddin al-Hasan ibn Ali ibn Abdulaziz al-Marg‘inoniy, Muhammad Abu-l-Fath Jaloluddin al-

<sup>74</sup> Olim mo‘g‘ullar istilosi davrida o‘z yurtidan chiqib ketib, 660/1262-682/1284 yillarda Tabrizda yashagan. Umrining oxirida Rumning Oqsaroy shahriga ko‘chib borib, o‘sha yerda vafot etgan. Shoirning 10500 misra hajmidagi devoni saqlanib qolgan. Bundan tashqari, uning Sa‘diy Sheroziy bilan bo‘lgan yozishmalaridan to‘rtta maktub ham bizgacha yetib kelgan. Sayfudin Farg‘oniyning yuqorida zikr qilingan devonining 711/1312 yilda ko‘chirilgan bir nusxasi Istanbul universiteti kutubxonasida, 749/1349 yilda ko‘chirilgan nusxasi Vohid Poshsho kutubxonasida va 903/1498 yilda ko‘chirilgan yana bir nusxasi Ravon Kashku kutubxonasida saqlanmoqda. Qarang: Abdullayev I. O‘sha asar. – B.186.

<sup>75</sup> Adib va fozil inson bo‘lgan. Qo‘qonda tug‘ilib Samarqandda yashagan va Chokardiza qabristoniga dafn qilingan. Qarang: Abdullayev I. O‘sha asar. – B.195.

<sup>76</sup> Xo‘jandda yashab ijod qilgan. Hikmatli so‘zlar, rivoyatlar va yozib qoldirilgan hikoyatlar muallifi. Ustozlaridan Abu Nazr Muhammad ibn al-Hakam al-Bazzoz as-Samarqandiyning nomi zikr qilinadi. Qarang: Bobojonov A. O‘sha asar. – B.165-167

<sup>77</sup> Olim Andijonda tug‘ilib keyinchalik Farg‘onada yashagan. Manbalarda u solih shayx, faqih deb zikr qilingan. Buxoroda va Marvda tahsil olgan. Qarang: Abdullayev I. Markaziy Osiyoda islom madaniyati. – B.192.

<sup>78</sup> O‘rta asrlarga oid qabrtoshlardagi ma‘lumotlar ham bu hududda “...taniqli olimlar, faqihlar taniqli shayx va imomlar” yashaganligidan guvohlik beradi. Qarang: Настич В.Н. Мусульманская эпиграфика Ферганы и Семиречья: Памятники арабского письма XI-XVII вв. На территории Кыргызстана / Отв.ред. Б.М.Бабаджанов/ Институт востоковедения РАН. – СПб.: Изд-во РГПУ им. А.И. Герцена. 2019. – С. 160.

<sup>79</sup> Najmuddin U‘mar ibn Muhammad ibn Ahmad an-Nasafiy. Al-Qand fi zikri ulamoi Samarqand. – Tehron, 1999. (arab tilida). – B. 62.

<sup>80</sup> Haji Khalifa. Lexicon bibliographicum et encyclopedicum a Mustafa bin Abdallah Katib Jalabi, instruxit Gustavus Fluegel. – London:1858. V.II. – P.160.

<sup>81</sup> Abdullayev I. Markaziy Osiyoda islom madaniyati. – T., 2005. – B. 118.

<sup>82</sup> Bobojonov A. Yoqut al-Hamaviyning “Mu‘jam al-Buldon” asarida Farg‘ona va farg‘onalik olimlar // Marg‘ilon shahrining jahon sivilizatsiyasi tarixidagi o‘rni. Xalqaro ilmiy konferensiya materiallari. – Toshkent-Marg‘ilon, 2007. – B.166.

<sup>83</sup> ابو الحسنات محمد عبد الحي اللكنوي. الفوائد البهية في تراجم الحنفية. -قازان- ۱۹۰۳ ص- ۱۹۸

<sup>84</sup> Najmuddin U‘mar ibn Muhammad ibn Ahmad an-Nasafiy. Al-Qand fi zikri ulamoi Samarqand. – Tehron, 1999. (arab tilida). – B. 584.

Fargʻoniy al-Margʻinoniy<sup>85</sup>, Abu-l-Hasan Nasr ibn al-Hasan al-Margʻinoniy, Abduljalil ibn Aʼbdulloh ibn Ali ibn Soyn al-Margʻinoniy (580/1185-631/1234) Muhammad ibn Abu Bakr ibn Yusuf Imom Ruknuddin al-Fargʻoniy (vaf. 594/1198), Muhammad ibn Muhammad ibn Muhammad al-Margʻinoniy (vaf. 726/1326)<sup>86</sup>, Abu Solih Abdulaziz ibn Abbod al-Fargʻoniy (vaf.269/883-muhaddis), Abu Saʼid Musʼada ibn Bakr ibn Soson al-Fargʻoniy (vaf.341/953-muhaddis), Abu-l-Aʼbbos Hojib ibn Molik ibn Arkin al-Fargʻoniy ad-Darir ad-Dimashqiy (vaf. 296/909-muhaddis), Rahma ibn Rohib al-Fargʻoniy (muhaddis)<sup>87</sup>, Bilol ibn Masʼud al-Fargʻoniy (muhaddis)<sup>88</sup>, Abu-l-Aʼbbos Xolid ibn Muhammad al-Fargʻoniy (muhaddis)<sup>89</sup>, al-imom Uʼmar ibn al-Husayn ibn al-Hasan an-Nuqqadiy al-Fargʻoniy (muhaddis)<sup>90</sup>, Abu al-Muzaffar al-Mushtab ibn Muhammad ibn Usoma ibn Zayd ibn an-Nuʼmon ibn Muhammad ibn Sufyon al-Fargʻoniy (414/1024-486/1093– faqih, muhaddis), Abu Bakr Muhammad ibn Hamavayh ibn Hadid ibn Harun ibn Idris ibn Aʼbdulloh al-Fargʻoniy (muhaddis), Abu Jaʼfar Muhammad ibn Aʼbdulloh al-Fargʻoniy as-Sufiy (muhaddis) va boshqalar.), Oʻzgand (Ali ibn Sulaymon ibn Dovud al-Hotibiy Abu-l-Hasan al-Oʻzgandiy (XI asr-faqih, muhaddis), Shams al-aimma Mahmud ibn Abdulaziz al-Oʻzgandiy (XI asr-faqih, muhaddis), Shamsulislom Mahmud ibn Abdulaziz ibn Abdurrazzoq al-Oʻzgandiy (muhaddis), Abu Muhammad Abdurrahmon ibn Aʼbdulloh ibn Ishoq ibn Ahmad al-Oʻzgandiy (vaf.513/1120-muhaddis)<sup>91</sup>, Hasan ibn Mansur ibn Mahmud Faxruddin Qozixon al-Oʻzgandiy al-Fargʻoniy (vaf.593/1197) va boshqalar), Oʻsh (Masʼud ibn Mansur ibn Mursal al-Oʻshiy (vaf.518/1125 – faqih)<sup>92</sup>, Muhammad ibn Ahmad ibn Xolid Abu Aʼbdulloh al-Oʻshiy (vaf. 612/1216 - faqih)<sup>93</sup>, Abu-l-Hasan Ali ibn al-Hasan al-Hofiz Imron ibn Muso al-Oʻshiy (faqih), Muhammad ibn Sulaymon Abu Aʼbdulloh al-Oʻshiy(faqih) va boshqalar), hamda Iyloq<sup>94</sup> (al-Xatib Abu Aʼbdulloh Muhammad ibn Dovud ibn Ahmad ibn Rizvon al-Iyloqiy (vaf. 538/1144-faqih, muhaddis), Lomish<sup>95</sup>( Abu Ali al-Husayn ibn Ali ibn Abul Qosim al-Lomishiy al-Fargʻoniy (440/1049-522/1128 - faqih)), Kubo (Ibrohim ibn Ali ibn al-Husayn Abu Ishoq al-Quboiy as-Sufiy (394/1004-474/1082 - tasavvuf shayxlaridan), Abu-l-Makorim Rizqulloh ibn Muhammad ibn Abu-l-Hasan ibn Uʼmar al-Quboiy (XII asr - adib)<sup>96</sup> kabi ilmiy markazlar xususiyatlari, ustuvor yoʻnalishlar, maktab rivojiga qoʻshgan hissalarini ochib berilib, xulosalar qilindi.

<sup>85</sup> Yoqut al-Hamaviy. Muʼjam al-buldon. 5 jild, – Qohira, 1906, (arab tilida). – B. 233.

<sup>86</sup> Oʻsha asar. – B. 235

<sup>87</sup> Najmuddin Uʼmar ibn Muhammad ibn Ahmad an-Nasafiy. Al-Qand fi zikri ulamoi Samarqand. – Tehron, 1999. – B.170.

<sup>88</sup> Oʻsha asar. – B. 107.

<sup>89</sup> Oʻsha asar. – B. 132.

<sup>90</sup> Oʻsha asar. – B. 487.

<sup>91</sup> Najmuddin Uʼmar ibn Muhammad ibn Ahmad an-Nasafiy . Oʻsha asar. – B.372.

<sup>92</sup> Abu Saʼd Abdulkarim ibn Muhammad Samʼoniy. Oʻsha asar. – B. 229.

<sup>93</sup> Yoqut al-Hamaviy. Muʼjam al-buldon. 5 jild, – Qohira, 1906, (arab tilida). – B. 375.

<sup>94</sup> Bobojonov A. Yoqut al-Hamaviyning “Muʼjam al-Buldon” asarida Fargʻona va fargʻonalik olimlar. // Margʻilon shahrining jahon tsivilizatstyasi tarixidagi oʻrni. Xalqaro ilmiy konferensiya materiallari. – Toshkent-Margʻilon. 2007. – B.162.

<sup>95</sup> Bobojonov A. Oʻsha asar. – B. 165.

<sup>96</sup> Bobojonov A. Oʻsha asar. – B. 167.

Dissertatsiyada maktab vakillarining hududlar bo'yicha taqsimoti (klassifikatsiya) bilan bir qatorda ilm sohalariga mansublik jihatidan taqsimotiga ham o'rin ajratildi. Bundan maqsad maktab vakillarining islom ilmlari yo'nalishlari bo'yicha xizmatlari darajasi va ahamiyatini tadqiq qilish edi. Natijada hadis va fiqh ilmi yo'nalishlari bo'yicha faoliyat yuritgan allomalar aniqlanib, ularning mintaqada mazkur yo'nalishlar rivojida hissalari bo'yicha xulosalar chiqarildi. Ma'lumki Farg'ona vodiysi an'anaviy hadis markazlari sirasiga kirmaydi. Shunga qaramay manbalarda bu yerdan yetishib chiqqan allomalar faoliyatida hadisshunoslikka oid izlanishlar bo'lganligi haqida ma'lumotlar aniqlandi (Abu Abdurrahmon al-Qosim ibn Muhammad ibn A'bdulloh al-Farg'oniy (vaf. 261/875), Abu A'bdulloh Nuh ibn Nasr al-Axsikatiy (XI asr), A'bdulloh ibn Qoid ibn Aqil ibn al-Husayn ibn Ahmad ibn Ali ibn Ahmad al-Axsikatiy (461/1069-514/1121), Nuh ibn Nasr ibn Muhammad ibn Ahmad ibn Amr ibn al-Fadl ibn al-A'bbos ibn al-Horis al-Farg'oniy al-Axsikatiy (vaf. XI asr), Abu-l-Javd Ato ibn Ahmad ibn as-Sodiq al-Xolidiy al-Kosoniy, Abu Nasr Ahmad ibn Sulaymon ibn Nasr ibn Hotim ibn Ali ibn al-Hasan al-Kosoniy, Abu-l-Muzaffar Bahrom ibn Hamza ibn al-Muborak al-Hajjaj al-Marg'inoniy, Shayxulimom Abu-l-aimma Abdulaziz ibn Abdurrazzoq ibn Abu Nasr ibn Ja'far ibn Sulayman ibn Matkan al-Marg'inoniy (406/1016-476/1084), Mus'ada ibn Asfa' ibn Mus'ada ibn al-Mubarak ibn Zayd ibn Ahmad al-Farg'oniy al-Quboviy). Tadqiqotga jalb qilingan allomalar soni o'ndan ortiq, hadis ilmidagi darajalari ham turlicha. Ularning faoliyati haqidagi ma'lumotlar birinchi marta ilmiy muomalaga kiritildi. Maktab vakillarining hadis ilmida tutgan o'rnini o'rganish mintaq fiqh maktabi rivojida islom ilmlarining o'rni masalasiga aniqlik kiritish jihatidan ahamiyatlidir.

Farg'ona mintaqasi avvalo fiqh ilmi rivojida yetakchi o'rin tutgan allomalarni yetishtirgan makon sifatida musulmon dunyosida ma'lum va mashhur. Zero bu allomalar nafaqat Movarounnahr, balki butun islom olamida fiqh ilmi taraqqiyotiga ulkan hissa qo'shgan zotlar (Abdulaziz ibn Abdurrazzoq al-Marg'inoniy (vaf. 477/1085y.)<sup>97</sup>, shayx imom Zahiruddin al-Kabir Ali ibn Abdulaziz ibn Abdurrazzoq al-Marg'inoniy (vaf.506/1113), Abu-l-Mahosin Zahiruddin al-Hasan ibn Ali ibn Abdulaziz al-Marg'inoniy (vaf.XI asr), A'bdulloh ibn Ali ibn So'in ibn Abduljalil ibn al-Xalil ibn Abu Bakr al-Farg'oniy (550/1156-609/1213)<sup>98</sup>, Abu Muhammad U'mar ibn Ahmad ibn Abu al-Hasan ibn al-Hasan al-G'andabiy al-Marg'inoniy (484/1092-556/1161), Zahiruddin Ziyod ibn Ilyos Abu-l-Maoli<sup>99</sup>, Shayxulislom Nasruddin Muhammad ibn Sulaymon Abu A'bdulloh al-O'shiy<sup>100</sup>, Ziyuddin ibn Soid As'ad ibn Ishoq al-Marg'inoniy (vaf.593/1197)<sup>101</sup>, Muhammad ibn Ahmad ibn A'bdulloh al-Xatibiy al-Jodakiy<sup>102</sup>) bo'lib, jami yigirma nafar

<sup>97</sup> Mahmud ibn Sulaymon al-Kafaviy. Kataib a'lom al-axyor min mazhab an-Nu'mon al-muxtor. – Bayrut, 2019. – B. 378

<sup>98</sup> O'sha asar. – B. 294.

<sup>99</sup> Bint al-Mufti Mujib ar-Rahmon ad-Dayraviy. Al-Hodi ila Riyod al-Fiqh va-l-Fuqaho. Timrkara. – Pokiston. 2014. – B. 253.

<sup>100</sup> 386-ص 2- مجلد – القاهرة – كتاب الانتساب. ابو سعد عبد الكريم ابن محمد ابن منصور التميمي السمعاني.

<sup>101</sup> Bint al-Mufti Mujib ar-Rahmon ad-Dayraviy. Al-Hodi ila Riyod al-Fiqh va-l-Fuqaho. – B. 252.

<sup>102</sup> O'sha asar. – B. 254.

faqihlar haqidagi ma'lumotlar tahlil qilingan<sup>103</sup>.

Uchinchi bob **“Farg‘ona fiqh maktabi olimlari asarlarining manbashunoslik tahlili”** deb nomlanib unda islom ilmlariga oid asarlarning manbashunoslik tadqiqi amalga oshirilgan.

Maktab vakillari va ularning “furu’ al-fiqh” sohasida yaratgan asarlari (Alouddin al-Kosoniy – “Badoye’ as-sanoye” (“Nodir sana’lar”), Muhammad ibn Ya’qub ibn Abi Tolib al-Kosoniy (480/1088-555/1160) - “al-Amoliy” (“Imlo qilinganlar”), Zahiruddin al-Kabir ibn Abdulaziz al-Marg‘inoniy - “Kitob al-aqdiya” (Qozilik haqidagi kitob), Faxruddin Qozixon al-O‘zgandiy al-Farg‘oniy - “al-Vaqiat” (“Dalillar”), “al-Amoliy” (“Imlo qilinganlar”) “al-Muhadara” (“Ma’ruzalar”), Sirojuddin al-O‘shiy - “Javohir al-ahkom” (“Shar’iy hukmlarning javohirlari”), “Muxtalif ar-rivoya” (“Turli rivoyatlar”), “Bad’al-amoli” (“Imloning boshlanishi”), Burhonuddin al-Marg‘inoniy - “Majmu‘ muxtarat an-navazil” (“Tanlangan fatvolar to‘plami”) va boshqalar jami o‘ndan ortiq muallif va yigirmadan ortiq asarlar) o‘rganildi. Fiqh ilmiga oid asarlarning manbashunoslik tahlili sohaga mansub mashhur asarlar (“al-Hidoya”, “Majmu‘ muxtarat an-navazil” (“Tanlangan fatvolar to‘plami”), “Kitab at-tajnis va-l-mazid” (“Saralash va ziyoda qilish kitobi”), “Bidayat al-mubtadi” (“Boshlovchilar uchun dastlabki ta’lim”) misolida tadqiq qilindi.

Natijada Burhonuddin al-Marg‘inoniy asarlarining manbashunoslik tahlili tarkibiy tuzilish, boshqa asarlardan farqli jihatlari (masalan, “Muxtorot an-navozil” (“Tanlangan fatvolar”) alohida nomlangan kitoblarga, kitoblar bob va fasllarga bo‘lingan, “Tajnis va-l-mazid” (“Saralash va ziyoda qilish”)da ta’lif etishda foydalanilgan manbalarni matn tarkibida muayyan harflar bilan ifodalash uslubi qo‘llanilgan. Masalan (ﻯ) harfi Abu Lays as-Samarqandiyning “an-Navozil” (“Nozil qilinganlar”) asarini, (ﻉ) harfi “Uyun al-masail” (“Masalalrning chashmasi”) asarini anglatadi, unda muallifning boshqa fiqhiy asarlarida uchramaydigan “Kitab jam’ al-masail” (“Masalalarni to‘plash kitobi”), “Kitab al-mavaris” (“Meroslar haqidagi kitob”) va “Kitab al-xiyal va-l-maxarij” (“Xiylalar va vaziyatdan chiqish kitobi”) kabi mavzular o‘rin olgan va h.z.), mavzulari (mavzular ketma-ketligi, asar tarkibidagi foiz hisobidagi ulushi (masalan, ibodat masalasidagi “Tahorat”, “Namoz”, “Zakot” “Ro‘za” va “Haj” mavzulari asarning 25 foizini tashkil qiladi), asar strukturasi uning mazmun mohiyatini ochib berishdagi ahamiyati (52 mavzudagi kitoblarning 29 tasi bob va fasllarga bo‘linmagan), mavzularni asoslashda shariat manbalaridan foydalanilganligi darajasi (fiqhiy hukmlar Qur’oni Karim, sunnat, ijmo va qiyosga, so‘ng sahobalarning so‘zlari, keyin hanafiy mazhabi<sup>104</sup> va Movarounnahrlik

<sup>103</sup> Maktabning Sirojuddin al-O‘shiy, Faxruddin Qozixon, Burhonuddin al-Marg‘inoniy, Xusomuddin al-Axsikatiy, Alouddin al-Kosoniy kabi yirik vakillarining fiqh ilmi va mintaqa fiqh maktabi rivojida xizmatlari tahliliga dissertatsiyada alohida bob ajratilgan.

<sup>104</sup> Abu Hanifa No‘mon ibn Sobit al-Ko‘fiy (79/699-149/767)) ulug‘ imom, faqih, muhaddis, hanafiylik mazhabi asoschisi. “Al-Fiqh al-akbar” (“Katta fiqh”), “al-Musnad” (“Tayanch”) kabi bir necha asarlari bor; Abu Yusuf Ya‘qub ibn Ibrohim ibn Habib ibn Xunays ibn Sa‘d ibn Habta al-Ansoriy (112/731-181/798) islom tarixida ilk “qozi al-quzot” bo‘lgani bilan tanilgan. U 17 yil Abu Hanifadan ta’lim olgan. 165/782 yildan boshlab o‘n olti yil qozilik davrida, hanafiylik mazhabining tarqalishiga ulkan hissa qo‘shgan; Abu A‘bdulloh Muhammad ibn al-Hasan ibn al-Farqad ash-Shayboniy (131/749-189/805) asli Damashqqa qarashli Harsata qishlog‘idan bo‘lmish Shaybon

allomalarning fikrlari va asarlariga asoslangani), qo‘lyozma nusxalarning geografiyasi (“al-Hidoya”ning eng qadimiy Istanbul nusxasi 613/1217 yilda ko‘chirilgan, Toshkent nusxasi 678/1280 yilda ko‘chirilgan<sup>105</sup>, shuningdek Hindiston (inv. № 3007/1), Istanbul (inv. № 8662), Peshavar (inv. № 6185), Qashg‘ar (inv. № 11302)da hamda Buxoro (inv. №№ 3173, 8447 va h.k.), Samarqand (inv. №№ 8930, 12516, 7921 va h.k.), Nasaf (inv. № 6040, 7817), Xorazm (inv. № 4987), Andijon (inv. № 4047), Xo‘jand (inv. № 10828), Toshkent (inv. №9522)da ko‘chirilgan nusxalar.), asarlarning sharh, hoshiya va ta’liqlari (“al-Hidoya”ga asrlar davomida 60 dan ortiq sharh, hoshiya va ta’liqlar bitilgan, jumladan Hamiduddin Ali ibn Muhammad az-Zarir al-Buxoriy (vaf. 667/1269)ning “al-Favaid” (“Foydalar”), Imom Husomuddin ibn Ali as-Sig‘anaqiy (vaf. 709/1310) ning “an-Nihaya” (“Tugal”), shayx imom Qavomuddin Muhammad ibn Muhammad al-Buxoriy al-Kokiyning “Mi‘raj ad-diraya fi sharh al-Hidaya” (“Hidoyaning sharhida bilimlar narvoni”), shayx U‘mar ibn Sadr ash-Shari‘a al-aval Ubaydulloh al-Mahbubiy al-Hanafiyning “Nihayat al-kifaya fi dirayat al-Hidaya” (“Hidoyani bilishga kifoya qiluvchi tugal ilm”) nomli sharhlari), nashrlari (Hindistonda<sup>106</sup>, Turkiyada<sup>107</sup> va Saudiya Arabistonida<sup>108</sup>, O‘zR FA Sharqshunoslik institutida<sup>109</sup> va h.z.) aniqlandi va tahlil qilindi.

Tadqiqot natijasida Alouddin al-Kosoniyning “Badoye’ as-sanoye” (“Nodir sana’tlar”) asari qo‘lyozma nusxalari mamlakatimiz hududida saqlanib qolmaganligi ma’lum bo‘ldi. Shu bois asarning manbashunoslik tahlili 852/1449 yili Yahyo ibn Muhammad al-Buxoriy tomonidan ko‘chirilgan qo‘lyozmasi asosida amalga oshirildi. Unda qo‘lyozmaning alohida xususiyatlari, muallif tarjimai holiga aloqador ma’lumotlar, asarning strukturasi (fiqhiy masala bo‘yicha boshqa mazhab vakillarining fikrlarini keltirib, so‘ng hanafiy mazhabi qoidalarini keltirishga o‘tish uslubi (لنا) yangi mavzuga kirishni ko‘rsatuvchi belgi qo‘yish va h.z.) kabi, hamda qo‘lyozma nusxalari va ularning saqlanish joylari (Turkiya, (Ko‘prulu, Hofiz Ahmad Posho fondi 32HA81, 31 HA82, 32 HA83 va 32 HA84, Manisa al-Xalq kutubxonasi 45 Hk 478/2, Atif Afandi fondi 34 Atf 748 va 34 Atf 749, Fazlulloh Afandi fondi 34 Fe 676), Irlandiya (Chester Bitti kutubxonasi inv. № 3638/I, 3638/II), Qatarda (“Dar al-kutub al-qatariya” kutubxonasi inv №747), Quvayt (“Ma’had al-maxtutot al-arabiya” kutubxonasi inv№ 1809/I,II) Germaniya (Berlin Davlat kutubxonasi inv. №

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qabilasiga mansub. Imom Muhammad yuzlab asar yozib qoldirgan degan gap bo‘lsa-da, biroq, uning o‘ndan ortiq asarlarining nomi ma’lum, xolos. Ular “Zohir ar-Rivoya” kitoblari hamda “Zohir ar-Rivoya” bo‘lmagan kitoblarga bo‘linadi; Zufar ibn al-Huzayl ibn Qays al-Anbariy at-Tamimiy (109/728-158/775) Abu Hanifadan 20 yil ta’lim olgan. Uni asar yozgani haqida ma’lumot yo‘q, lekin fiqhiy manbalarda uning fiqhiy qarashlari va fatvolari ko‘plab zikr etiladi.

<sup>105</sup> Bu mamlakatimizda saqlanadigan eng qadimiy nusxa hisoblanadi

<sup>106</sup> Burhonuddin al-Marg‘inoniy. Muxtorot an-navozil. Nashrga tayyorlovchi Xolid Sayfulloh ar-Rahmoniy. “Ifo” nashriyoti. –Nyu Delhi, Hindiston. 2013. – 543 b.

<sup>107</sup> Burhonuddin al-Marg‘inoniy. Muxtorot an-navozil. Tanqidiy matn. Nashrga tayyorlovchi Ahmad G‘yunash. – Konya, Turkiya. 2010. – 536b.: Burhonuddin al-Marg‘inoniy. Muxtorot an-navozil. Nashrga tayyorlovchi Ahmad G‘yunash. “Irshod” nashriyoti. –Istanbul, Turkiya. 2016. – 567 b.

<sup>108</sup>Burhonuddin al-Marg‘inoniy. Muxtorot an-navozil. Nashrga tayyorlovchi Amina Salohiddin as-Sag‘ir. “Al-Muqtabis” nashriyoti. – Makka, Saudiya Arabistoni. 2013. – 643 b.

<sup>109</sup> Burhonuddin al-Marg‘inoniy. Muxtorot an-navozil. Arab tilidan o‘zbek tiliga ilmiy-izohli tarjima. Tarjima mualliflari O.Qoriyev, H. Aminov, M.Ismoilov, B. Abdullayev, O‘. Palvanov. Mas’ul muharrir O. Qoriyev. – T., “Fan”, 2019. – 605 b.

447-449) Angliyada (Britaniya muzeyi kutubxonasi inv. № 5512 Or), Tunis (Zaytuniya universteti kutubxonasi inv.№ 68/IV), Falastin (“Maktabat al-xolidiya” kutubxonasi inv. № 13/III), Misr (“Hudayviya” kutubxonasi inv. № 12/II, “Dar al-kutub al-misriya” inv № 405/I, “Maktabat al-azhariya” inv № 44133), Suriya (“az-Zohiriya” kutubxonasi inv. №№ 231,2576), Saudiya Arabistoni (“Markaz al-Malik Faysal li-l-buhus va-d-dirosat al-islamiya” kutubxonasi inv. №№ 11731-1173 b, 16739-16735b, 260/II b,) Hindiston (“Maktabat al-osifiya” kutubxonasi inv. № 1074/II, 344, “Maktabat Rambur” kutubxonasi inv. №№ 171/I, 59, 419/II, 728-732), AQShda (“Barniston” kutubxonasi inv. № 2563, 2807) aniqlandi, nashr<sup>110</sup> va tarjimalari<sup>111</sup> haqidagi ma’lumot tahlil qilindi.

Hanafiy mazhabida “usul al-fiqh” sohasiga oid ellikka yaqin asar hamda yuzdan ortiq sharh va izoh bitilgan<sup>112</sup>. Ular qator adabiyotlarda zikr etiladi<sup>113</sup>. Dissertatsiyada sohaga oid asarlar va ularning mualliflari (Abu Mansur al-Moturidiy (vaf. 322/944) “Ma’xaz ash-sharoyi” (“Sharia’t manbalari”)<sup>114</sup>, Abulhasan Ubaydulloh ibn al-Husayn al-Karxiy (258/873-340/952) “Usul al-Karxiy”<sup>115</sup>, Abu Bakr al-Jassos (305/918-369/980) “al-Fusul fi-l-usul” (“Fiqh asoslarini qo’llanishi”)<sup>116</sup>, Abu Zayd ad-Dabusiy (367/978-430/1039) “al-Anvor fi usul al-fiqh”<sup>117</sup> (“Fiqh asoslariga oid nurlar”), Abdulkarim ibn Muso al-Bazdaviy (399/1009-481/1089) “Usul al-Bazdaviy” (“Bazdaviyning fiqh asoslari kitobi”)<sup>118</sup> va boshqalar), hamda bu ilm rivojida Farg’ona fiqh maktabi olimlarining o’rni (Abu-l-Sano Mahmud ibn Zayd al-Lomishiy (vaf. tax. 539/1145) “Kitab fi usul al-fiqh” (“Fiqh asoslari sohasidagi kitob”), Husomuddin al-Axsikatiy (vaf. 644/1247) “Muntaxab al-Husomiy” (“Husomiy qisqartmasi”) tadqiq qilindi. Natijada, mazkur kitoblarning tarkibi (“Kitab fi usul al-fiqh” muqaddima, 37 fasl va 53 masaladan tarkib topgan bo’lsa, “Muntaxab al-

<sup>110</sup> Alouddin al-Kosoniy. *Badoye’ as-sanoye’ fi tartib ash-sharoye’*. Nashrga tayyorlovchi Ali Muhammad Mu’avvad va Odil Ahmad Abdulmajid. X jild. – Bayrut, Lubnon. 2003.

<sup>111</sup> Alouddin al-Kosoniy. *Badoye’ as-sanoye’ fi tartib ash-sharoye’*. Arab tilidan o’zbek tiliga ilmiy-izohli tarjima. 1-2 jild. Tarjimon va nashrga tayyorlovchi Alouddin Mansur. – Toshkent. 2015. – 459 b.

<sup>112</sup> Abu Hafs an-Nasafiy. *Tahsil usul al-fiqh / Tarjimon va nashrga tayyorlovchilar: H. Aminov, S. Muhammadaminov; mas’ul muharrir O. Qoriyev; O’zbekiston Respublikasi Oliy va o’rta-maxsus ta’lim vazirligi Toshkent davlat sharqshunoslik in-ti huzuridagi Abu Rayhon Beruniy nomidagi Sharq qo’lyozmalari markazi – T.: «Noshir» nashriyoti, 2015. – B. 8.*

<sup>113</sup> Qarang: Abdulhay al-Laknaviy. *Al-Favoid al-bahiyya fi tarjima al-hanafiyya*. – Qozon, 1902. – B. 324 (bundan keyin: al-Laknaviy. *al-Favoid al-bahiyya*); Ahmet Ozel. *Hanafi fikih alimlari*. – Ankara: Turkiye diyanet vakfi yayinlari, 2006. – 273bet; Nodir Nabijon o’g’li. *Usul ul-fiqh haqida saboqlar*. – T.: Toshkent islom universiteti, 2008. – 140 b. ; Shayx Muhammad Sodiq Muhammad Yusuf. *Usul ul-fiqh*. – T.: Sharq, 2010. – 576 b. ; Shayx Muhammad Sodiq Muhammad Yusuf. *Fiqhiy yo’nalishlar va kitoblar*. – T.: Sharq, 2011. – 304 b.

<sup>114</sup> Asarning fiqh asoslariga oid ekani manbalarda qayd etilgan. Jumladan Abu Hafs an-Nasafiy (1068–1142) jamlagan “Matla’ an-nujum va majma’ al-ulum” (Yulduzlarning chiqish va ilmlarning to’planish joyi) nomli to’planning fiqh asoslariga bag’ishlangan qismida “Ma’xaz ash-sharoyi” (“Shariat manbalari”)dan iqtiboslar keltirilgan. Biroq asarning alohida to’liq matni hozirgacha topilmagan.

<sup>115</sup> Afsuski bu asarning ham kitob shaklidagi to’liq matni bizgacha yetib kelmagan. Biroq Makkadagi “Umm al-Quro” islom universiteti professori doktor Husayn Xalaf Sulaymon al-Juburiy hanafiylik mazhabiga tegishli kitoblardan al-Karxiyning fiqh asoslariga oid fikrlarini jamlab 1989 yil “Al-Aqvol al-usuliy li-l-Imom Abulhasan al-Karxiy” (Imom Abulhasan al-Karxiyning usul haqidagi gaplari) nomi bilan nashr qilgan.

<sup>116</sup> 1985 yilda Quvaytda Ajil Josim an-Nashamiy tomonidan tahqiq qilinib, nashr etilgan.

<sup>117</sup> Bu asarning qo’lyozmasi hozirgacha topilmagan.

<sup>118</sup> Asar shuningdek “al-Usul” (“Asoslar”), “Kanz al-Vusul ila Ma’rifat al-Usul” (“Usulni tanishga yetkazuvchi xazina”), “Kitob al-kabir fi usul al-fiqh” (“Usul al-fiqh to’g’risidagi katta kitob”) kabi nomlar bilan ham mashhur bo’lgan. Unga o’ndan ortiq sharh yozilgan. Abdulaziz al-Buxoriy (vaf. 1330) qalamiga mansub “Kashf al-asror” (“Sirlarni ochib berish”) nomli sharhi Qohira va Istanbulda nashr etilgan.

Husomiy” to‘rt bob, 25 fasl va 9 qismdan iborat.), uslubi (“Kitab fi usul al-fiqh”da qiyos tamoyili fiqhning asllaridan hisoblanmagan holda “Muntaxab al-Husomiy”da qiyos to‘rtinchi asl ekanligi belgilangan) manbalari (“Kitab fi usul al-fiqh” manbalarini Qur‘oni Karim oyatlari (32 ta suraning 39 ta oyati), Payg‘ambar alayhissalomning sunnatlari (25 ta hadisdan 29 o‘rinda), sahobalar (Ali ibn Abu Tolib, Ibn A‘bbos, A‘bdulloh ibn Mas‘ud, Mu‘oz ibn Jabal, Abu Musa al-Ash‘ariy) ahli sunna va-l-jamoa mazhaboshilari (Abu Hanifa, Molik ibn Anas, Muhammad ibn Idris ash-Shofe‘iy, Ahmad ibn Hanbal), hanafiy mujtahidlari (Abu Yusuf, Muhammad ash-Shaybaniy, Zufar), hanafiy allomalari (Abu A‘bbos al-Qalonisiy, Abu Ishoq Isfaroyiniy, al-Qaffol ash-Shoshiy, Abu Zayd al-Dabusiy, Abu Mansur al-Motrudiy, Abu-l-Hasan al-Karxiy va boshqalar) fikrlari, islom dinidagi turli firqalar vakillari (mu‘tazila Ibrohim ibn Sayyor an-Nazzom, Abu Hoshim al-Jubbaniy uning o‘g‘li Abu Hoshim va boshqalar, karramiya, xavorij, rofiziyy, voqifiy va zohiriylar) yondoshuvlari mohiyati asosida bu ilm sohasining tadrijiy rivoji xususiyatlari aniqlandi. Ayni paytda mazkur ikki asarning mamlakatimiz va jahon qo‘lyozma fondlarida saqlanib qolgan qo‘lyozma nusxalari kam sonli ekanligi ayon bo‘ldi. Mavjud adabiyotlar va kataloglarda “Kitab fi usul al-fiqh” (“Fiqh asoslari sohasidagi kitob”)ning mamlakatimiz hududida saqlanib qolgan nusxalari haqida ma‘lumotlar topilmadi. Tadqiqotda foydalanilgan ikki qo‘lyozma nusxa tahlilida asarning Abd al-Majid at-Turkiy tomonidan amalga oshirilgan nashridan olingan ma‘lumotlarga tayanildi, asar nashrlari (1995 va 2018 yilda Bayrutda<sup>119</sup> chop qilingan) tahlil qilindi.

“Al-Muntaxab al-Husomiy” qo‘lyozmalarining mamlakatimizda (O‘zR FA ShI inv № 10718/1), xorijiy mamlakatlarda (BAA, Dubay, Jum‘al-Majid fondi (inv. №№ 1089, 1161, 1162, 1163). “Misr kutubxonasi” (inv. № 190), Berlin davlat kutubxonasi (inv. № 4858), Saudiya Arabistoni Qirolligining “Umm al-Quro” universiteti (inv. № 106)<sup>120</sup>), hamda sharhlari (“at-Tahqiq” nomli sharhning nusxalari Dimashq, “az-Zohiriyya” kutubxonasi (inv. №№ 2868, 5619, 7738), BAA, Dubay, Jum‘a-l-Majid fondi (inv. №№ 3466, 399), “at-Tabyin” nomli sharhi nusxalari “Misr kutubxonasi” (inv. № 142), “Iskandariyya kutubxonasi” (inv. № NJ 3634), “Berlin davlat kutubxonasi” (inv. № 4588) nusxalari va nashrlari (“Muxtasar al-Husomiy”ning 1999 yil Dimashq nashri<sup>121</sup>) tahlil qilindi. O‘rta asrlarda usul fiqh sohasidagi yondoshuvlar ikki muallif orasidagi bir yarim asrlik muddat davomida sezilarli taraqqiy etgani, metodolgik yondoshuv va xulosalardagi farqlarda namoyon bo‘lgani ko‘rsatib berildi.

Dissertatsiyada fatvo janridagi asarlarning o‘ziga xos jihatlari, unga qo‘yiladigan talablar, manbaviy asoslari ham qo‘lyozmalari tahlili asosida ochib berildi. Buning uchun hanafiy mazhabidagi fatvo to‘plamlari (Abu-l-Lays as-Samarqandiy (vaf. 393/1003)<sup>122</sup>ning “Fatovo Abu-l-Lays” (“Abu-l-Lays fatvolari”), A‘bdulloh al-

<sup>119</sup> Abu-l-Sano Mahmud ibn Zayd al-Lomishiy. Kitab fi usul al-fiqh. Tahqiq Abd al-Majid at-Turkiy. – Bayrut, Dar al-g‘arb al-islamiy. 1995; Mahmud ibn Zayd al-Lomishiy. Kitob fi usul al-fiqh. Nashrga tayyorlovchi Abdulmajid Turkiy. – Bayrut, Dor al-g‘arb al-islomiy, 2018.

<sup>120</sup> Bu nusxa asarning Turkiyada “Ahmad uchinchi” kutubxonasida 1009 raqam ostida saqlanadigan qo‘lyozma nusxasining fotonusxasi.

<sup>121</sup> Valiuddin Muhammad Solih al-Farfur. Al-Muzhab fi usul al-mazhab ala al-muntaxab. – Dimashq. 1999.

<sup>122</sup> Abu-l-Lays al-Faqih Nasr ibn Muhammad as-Samarqandiy (vaf. 393/1003) mashhur faqih. Uning Imom al-hudo degan laqabi ham bo‘lgan. Fiqhni Abu Ja‘far al-Hinduvoniydan o‘rgangan. Ilmiy merosini “al-Fatovo” (“Fatvolar”), “Xizonat al-fiqh” (“Fiqh xazinasi”), “an-Navozil” (“Nozil bo‘lgan narsalar”), “al-Uyun”

Zindavisatiy al-Buxoriy (vaf. 400/1010) ning “Nazm al-fiqh” (“Fiqh tartibi”), Ali ibn al-Husayn as-So‘g‘diyning (vaf. 461/1069)<sup>123</sup> “al-Nutaf fi-l-fatovo” (“Fatvolar haqida qatralar”), Abu Bakr al-Buxoriyning (vaf. 522/1128) “Xizonat al-fatovo” (“Fatvolar xazinasi”), Husomiddin U‘mar ibn Abdulaziz ibn U‘mar ibn Moza al-Buxoriyning (482/1090-536/1141) “Fatovo kubro” (“Katta fatvolar to‘plami”) va “Fatovo sug‘ro” (“Kichik fatvolar to‘plami”)<sup>124</sup>, Muhammad ibn Abu-l-Mafoxir al-Kirmoniyning (vaf. 577/1182) “Javohir al-fatovo” (“Fatvolar javohiri”)<sup>125</sup>, Ahmad ibn Muhammad al-Attobiy al-Buxoriyning (vaf.585/1190)<sup>126</sup> “Fatovo Attobiyya” (“Attoblikning fatvolari”)<sup>127</sup>, Alouddin al-Dinoriyning (516/1123-593/1197) “Fatovo Dinoriya” (“Dinoriyning fatvolari”)<sup>128</sup>, Ahmad ibn Ismoil at-Temurtoshiy al-Xorazmiyning (vaf. 611/1215)<sup>129</sup> “Fatovo Temurtoshiya” (“Temurtoshiyning fatvolari”)<sup>130</sup> va asosan Farg‘ona fiqh maktabi vakillari (Sirojiddin al-O‘shiy va Faxruddin Qozixon)ning fatvo janridagi kitoblariga tayanildi Avvalo bu asarlarning tarkibiy tuzilishi (“Fatovo Sirojiya” (“Sirojiiy fatvolari”) asarida 57 kitob, 392 bob va 37 faslda,) manbalari (chahoryorlar, ahli sunna mujtahidlari, hanafiy mazhabi mujtahidlari, mutaqqaddim va mutaaxxir ulamolardan 127 kishi va 23ta asar, rofiziy, jahmiy va qadariy kabi fiqarlar vakillari, 7 ta suradan 13ta oyat, hamda 13ta hadis), asl manbalardan (oyat va hadis) istefoda etishning mavzular bo‘yicha nisbati (“Muftilar odobi kitobi” (2 oyat, 5 hadis), “Karohiyat va istehson kitobi” (3ta oyat), “Namoz kitobi” (3 ta oyat ), asar umumiy hajmining oyat va hadislar bilan asoslanganlik nisbati 12, 2% ) tahlil qilinib aniqlangan. “Fatovo Qozixon” (“Qozixon fatvolari”) asarining ham tarkibi (fiqhiiy masalalar 44ta kitob, 64 bob 297 fasl, ) manbalari (110 kishi bulardan sahobalar -9, mujtahid mutlaqlar – 3, mazhab mujtahidlari – 5, turli darajadagi mujtahidlar–3 nafar, Samarqand, Balh, Buxoro Farg‘ona mutaqqaddim va mutaaxxir mashoyixlari, 17ta asar, 27ta oyat, hamda 82ta hadis), asl manbalardan (oyat va hadis) istefoda etishning mavzular bo‘yicha nisbati (“Namoz kitobi” (11 oyat, 7 hadis) “Ro‘za kitobi” (2 oyat, 9 hadis), “Nikoh kitobi” (1 oyat, 20 hadis), “Hazr va ibohat kitobi” (1 oyat, 14 hadis), asar umumiy hajmining oyat va hadislar bilan asoslash nisbati 50%), hamda manbashunoslik jihatidan xususiyatlari tahlil vositasida aniqlandi.

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(“Chashmalar”), “Tafsir al-Qur‘on” (“Qur‘on tafsiri”), “Bo‘ston al-orifin” (“Oriflar bo‘stoni”) va “Tanbih al-g‘ofilin” (“G‘ofillarga tanbih”) kabi asarlar tashkil qiladi.

<sup>123</sup> Shayx al-islom Abu-l-Hasan Ali ibn Husayn ibn Muhammad as-Sa‘diy as-So‘g‘diy (vaf.461/1069). Buxoroda yashagan faqih va hadisshunos olim. Undan Shayx al-islom as-Saraxsiy (399/1009-482/1090) Imom Muhammadning “as-Siyar al-kabir” (“Katta harbiy yurishlar”) asarini rivoyat qilgan. Ali Sa‘diy Buxoroda 461/1069 yili vafot qilgan. “An-Nutaf fi-l-Fatovo” (“Fatvolar haqida qatralar”) hamda “Sharh as-siyar al-kabir” (“Katta harbiy yurishlar sharhi”) asarlari muallifi.

<sup>124</sup> Bu ikki asarning bittadan qo‘lyozma nusxalari O‘zRFA ShI fondida saqlanadi.

<sup>125</sup> Mazkur asarning Ixtiyoriddin ibn G‘iyosiddin al-Hiraviy 889/1484 yilda kitobat qilgan noyob qo‘lyozma nusxasi bilan yana uchta nusxasi O‘zR FA ShI qo‘lyozmalar fondida saqlanadi.

<sup>126</sup> Zaynuddin Abu Nasr Ahmad ibn Muhammad ibn U‘mar al-Attobiy al-Buxoriy (vaf.585/1190) - hanafiy faqih va mufassir. Buxoroda tavallud topgan. Nisbasi Buxoro mahallaridan biriga nisbatan olingan. Ilmiy merosini “Javomi’ al-fiqh” (“Fiqh” to‘plamlari”), “Sharh al-jome’ al-kabir” (“Katta to‘plam sharhi”), “Sharh al-jome’ al-sag‘ir” (“Kichik to‘plam sharhi”) va “Sharh az-ziyodot” (“Ziyodalar asari sharhi”) asarlari tashkil qiladi.

<sup>127</sup> Bu asar yana “Javome’ al-fiqh” (“Fiqh to‘plamlari”) va “Jome’ al-fiqh” (“Fiqh to‘plami”) deb ham ataladi,

<sup>128</sup> O‘zR FA ShI qo‘lyozmalar fondida mazkur fatvo to‘plamining nusxasi inv.№ 3180 ostida saqlanadi.

<sup>129</sup> Abu-l-A‘bbos Zahiriddin Ahmad ibn Ismoil ibn Muhammad Oytug‘mish Abu Sobit at-Temurtoshiy al-Xorazmiy (vaf. 611/1215)- muhaddis, hanafiy faqih. Xorazm muftisi bo‘lgan. Alloma “Sharh al-jome’ as-sag‘ir” (“Kichik to‘plam sharhi”), “al-Faroz” (“Meros”), “at-Tarovih” (“Orom olish”) asarlari muallifi.

<sup>130</sup> Mazkur asarning qo‘lyozmalari O‘zR FA ShI qo‘lyozmalar fondida inv. №№. 5563, 4915, 3280 ostida saqlanadi.

Fatvo janriga oid "Fatovo Sirojiya" ("Sirojiy fatvolari") asarining qo'lyozmalari tahlili asosida mamlakatimizda (O'zR FA ShI inv. №№ 4662, 10591/2, 11906, 3009, 7109, 7399, 2560, 3106.), xorijiy davlatlarda (Turkiya, Anqara<sup>131</sup>, Saudiya Arabistoni Podshohligi, ar-Riyoz<sup>132</sup>, Qirg'iziston Respublikasi, O'sh<sup>133</sup>), hamda "Fatovo Qozixon" ("Qozixon fatvolari") asarining qo'lyozmalari mamlakatimizda (inv. №№ 7134, 6184, 7929, 5643, 11575 va boshqalar), shuningdek, bu asarlar tarjimalari qo'lyozmalari ("Qozixon fatvolarining tarjimasi" nomi bilan tojikcha tarjimasi inv. № 2801)<sup>134</sup>, qisqartma va saylanmalari qo'lyozmalari (Shayx Mahmud Adhamning "Muxtasar Qozixon" ("Qozixon fatvolari qisqartmasi"), Qozizoda Yusufning "Fatovo Qozixon" qisqartmasi), nashrlari<sup>135</sup> aniqlandi va ular asosida tegishli xulosalar qilindi. Fatvo janridagi asarlar Farg'ona vodiysi aholisini asrlar davomida islom fiqhining hanafiy yo'nalishida og'ishmay qolishida katta ahamiyat kasb etgan. Ular islom dinining asl manbalari Qur'oni Karim, Payg'ambar alayhissalom sunnatlari, hamda sahobalar, ahli sunna mazhabboshilari, mutaqaddim va mutaxxir mujtahid ulamolar ilmiy meroslariga asoslangani bois Movarounnahr hududidan chiqib boshqa musulmon mamlakatlarida ham e'tibor qozongan.

Tadqiqotda islom ilmlarining yetakchi sohalari usul al-fiqh, furu' al-fiqh va fatvo yo'nalishlariga "**Farg'ona fiqh maktabi vakillarining islom ilmlari rivojida o'rni**" nomli alohida bob ajratildi. Ma'lumki o'rta asrlarda fiqh ilmi eng muhim sohalardan bo'lgan. Maktab vakillarining furu' al-fiqh sohasi rivojida o'rni Burhonuddin al-Marg'inoniy va Alouddin al-Kosoniyning asarlari tadqiqi (fiqh ilmiga oid asarlar tarkibiy tuzilishi hamda mavzular tahlili, fiqh ilmining mintaqadagi tadrijiy rivoji dinamikasini aniqlash, fiqhiy asarlarda mavzular soni va mazmunidagi farqlar asosida muayyan tarixiy davrdagi muhim ijtimoiy, siyosiy jarayonlar haqida xulosalar chiqarish) asosida ochib berilgan. Usul al-fiqh sohasida maktab vakillari xizmatlari Husomuddin al-Axsikatiy, Mahmud al-Lomishiylar asarlari asosida (ijmo tamoyili borasidagi asos va xulosalar, ijmo huquqi<sup>136</sup>, ijmo qarori legitimligi<sup>137</sup>, yakdil bo'lmagan fikrlar asosida chiqarilgan hukm) tadqiq qilingan va mazkur masalalarda hanafiy mazhabida qabul qilingan asoslarning ustuvorligi va hayotiyliigi isbotlab berilgan<sup>138</sup>. Fatvo yo'nalishida asarlar mazmun mohiyati va alohida xususiyatlari Sirojuddin al-O'shiy, Faxruddin Qozixon asarlari asosida (islom dinida ilm, axloq va

<sup>131</sup> Qo'lyozma Safiuddin al-Qurashiy al-Lohuriy tomonidan 962/1560 yilda ko'chirilgan. Umumiy hajmi 204 v. Fatovo Sirojiya. Tahqiq Muhammad U'smon al-Bustaviy. "Dor al-ulum Zakariyo". – Linishiya, JAR. 2011. – B. 10.

<sup>132</sup> Podsho Saud universitetida inv. №697 ostida saqlanadi. Muhammad ibn Xalil ibn Muhammad Xayruddinzoda al-Amosiy tomonidan 1136/1724 yilida ko'chirilgan. Qo'lyozmaning umumiy hajmi 356 varaqni tashkil qiladi. Qarang: Fatovo Sirojiya. Tahqiq Muhammad U'smon al-Bustaviy. "Dor al-ulum Zakariyo". – Linishiya, JAR. 2011. – B. 10.

<sup>133</sup> Asarning eng qadimiy nusxalaridan biri 599/1203 yilda O'shda Ali ibn U'smon ibn Muhammad at-Taymiy tomonidan ko'chirilgan. Haji Khalifa. Lexicon encyclopedicum et bibliographicumT. IV. – London, 1845, – P. 358

<sup>134</sup> Tarjima Buxoro xoni Subhonqulixon davrida Qozi Vafo ibn Muhammad Fozil Balxiy tomonidan amalga oshirilgan.

<sup>135</sup> Sirojuddin al-O'shiy. Fatovo as-sirojiya. Nashrga tayyorlovchi Muhammad U'smon al-Bustaviy. Dor al-ulum Zakariyo. – Linishiya. Janubiy Afrika. 2011.; Faxruddin Qozixon. Fatovo Qozixon. Nashrga tayyorlovchi Solim Mustafo al-Badriy. Dor al-kutub al-ilmiya. III jild. – Bayrut, Lubnon. 2009.

<sup>136</sup> Xusomuddin al-Axsikatiy. Al-Muntaxab al-Xusomiy. O'zR FAShI qo'lyozmalar xazinasi. Inv.№ 12973/IV. – B. 60a.

<sup>137</sup> O'sha joyda.

<sup>138</sup> O'sha joyda.

falsafiy masalarga munosabat, Muhammad alayhissalomning shaxsiyatlariga aloqador fikrlar, ahli sunna va-l-jamo'a mazhablari faoliyatining o'ri va ahamiyati, hanafiylik va shofe'iylik mazhablari qiyosiy tahlili, hukm chiqarishda maslahatlashuv "sho'ro" prinsipi<sup>139</sup>, mujtahidlar darajalari, mujtahid darajasiga qo'yiladigan talablar, Iroq va Movarounnahr faqihlari chiqargan fatvolarni qiyosiy o'rganish) tahlil qilingan.

Islom ilmlariga oid asarlarni ilmlar rivojining turli davrlariga mansubligi kesimida ham alohida yondoshildi. Natijada turli davrlarga oid asarlar tadqiqi orqali mintaqada fiqh ilmi rivojlanishi turli bosqichlardan o'tganligini kuzatish imkoniga ega bo'ldik. Zero bu sohada bitilgan asarlarning tarkibiy tuzilishi va ilmiy sifat darajasidagi o'zgarishlar ham tadrijiy xususiyatga ega. Muayyan davrlarda bitilgan fiqhga oid asarlarning tahlili bu jarayon uch bosqichdan o'tganligini ko'rsatdi (fiqhiy masalalarga javob beruvchi hadis va sunnatlarni bir kitobga jamlangan asarlar bitilgan bosqich, fiqhiy masalalarni mavzular bo'yicha tasnif etib, ularni mazhab asoschilari fikrlari bilan tasdiqlangan asarlar yaratilgan bosqich va fiqhiy masalalarni mavzular bo'yicha tartib berish, ularni Qur'oni Karim oyatlari, Payg'ambar (s.a.v.) sunnatlari bilan asoslash, mazhab asoschilari fikrlari bilan tasdiqlash, mazhab mujtahidlari va mintaq' ulamolari fikrlari bilan quvvatlash, boshqa mazhablarning hukmlari bilan qiyoslangan fiqhiy asarlar yozilgan bosqichi). Har bir bosqichning xususiyati asar yaratilgan davrdagi ilmiy tafakkur darajasi, qo'llanilgan uslub va manbalarning saviyasi bilan belgilangan. Mazkur mezonlarga asoslanganda Farg'ona fiqh maktabida yaratilgan asarlar uchinchi bosqichga xos bo'lgan belgilarni o'zida mujassam qilganini kuzatish mumkin (jumladan furu' al-fiqhga oid asarlardagi huquqiy qoidalarni asoslashda oyat, hadis va sunnat dalillardan istifoda etilganligi, ahli sunna va-l-jamoaning boshqa mazhab olimlari fikrlari bilan qiyoslanganligi, ularni hanafiy mazhabining ustuvorligini tasdiqlovchi manba darajasiga ko'tarilganligi). Manbalarning qiyosiy tahlili natijasida furu' al-fiqh sohasidagi asarlar (Burhonuddin al-Marg'inoniyning "al-Hidoya", Muhammad al-Shayboniyning "al-Jome' as-sag'ir" ("Kichik t o'plam") va imom al-Quduriyning "Muxtasar al-Quduriy" ("Quduriy qisqartmasi")ni farqlantirib turadigan ("al-Hidoya"da ibodat masalalariga ko'proq e'tibor qaratilib, batafsil tahlil qilish uslubi qo'llanilgani, islom dini Movarounnahr mintaqasiga hanafiy mazhabi shakllangan boshqa musulmon mamlakatlaridan deyarli bir asr keyin kirib kelganligi bois moliyaviy, iqtisodiy va jinoiy javobgarlik masalalari bo'yicha belgilangan mezonlar alohida kitob<sup>140</sup>da berilgani, fiqhiy qoidalarni oyat va hadislar bilan asoslanish uslubi qo'llanilgani, mazhab mujtahidlari fikrlarini fiqhiy qoidalarni asoslashda dalil sifatida foydalanish, fiqhiy masalalarning manbasini, guvohlik qilgan tarixiy shaxslarning nomlari, (jumladan, Movarounnahr allomalari al-Halvoiy, as-Saraxsiy va boshqalar<sup>141</sup>) fikrlari, hukmlari va tarixiy voqealar bilan taqqoslab asoslash<sup>142</sup> va h.z) kabi xususiyatlari aniqlandi.

<sup>139</sup> Sirojuddin al-O'shiy. Fatavo Sirojiya. O'zR FASHI qo'lyozmalar xazinasini Inv. № 3009 – B. 263 b.

<sup>140</sup> Boshqa fiqhiy asarlarda bu mavzular alohida kitob mavzusi qilib olinmagan "al-Hidoya"da maxsus kitobga ajratgan holda berilgan.

<sup>141</sup> "Al-Hidoya"da alloma Burhonuddin al-Marg'inoniygacha bo'lgan davrda yashab ijod qilgan hanafiy mazhabi faqihlaridan o'ttizdan ortiq allomaning nomlari va yigirmadan ortiq asarlari manba sifatida keltirilgan.

<sup>142</sup> ۸۷ ص - ۱۹۹۰. بيروت. - شرح بداية المبتدي. - برهان الدين المرغاني الهداية في شرح بداية المبتدي.

Maktab doirasida o'rta asrlar uchun an'anaviy bo'lmagan fors tilida bitilgan fiqhiy asarlarga e'tibor qaratildi (Abu A'bdulloh Muhammad ibn Ali ibn Abu-l-Qosim ibn Abu Rajo al-Qoidiy al-Xo'jandiyning "al-Fatovo al-Qoidiya" ("Qoidiy fatvolari") asari misolida). Farg'ona maktabi allomalarning fiqhga oid asarlarida forsiy unsur (element) va iqtibos (fragmentlar) uchrashi ajablanarli holat emas ("al-Hidoya", "Fatovo Qozixon"). Ammo asarning deyarli yarmi fors tilida bo'lishi mazkur asarda kuzatildi ("Fatovo Qoidiya" da har bir sahifada matnning deyarli teng yarmi fors tilida ekanligini ko'ramiz). Bu davrda fiqhiy asarlarni fors tilida bitish ommalashmaganini ko'rsatuvchi dalil ham Farg'ona maktabi allomalari misolida namoyon bo'lgan (Abu Yusuf ibn Yoqub ibn Yusuf ibn Talhaning fors tilida yozilgan "Faqihlar tajribasi" kitobi Ashrafuddin Ahmad ibn Asad al-Farg'oniy tomonidan arab tiliga tarjima qilingan). Bu asar nisbatan kichik hajmda, taxminan 120 varaq. Biroq qizig'i shundaki u Asad al-Farg'oniy tomonidan arab tiliga tarjima qilinibgina qolmay, balki to'ldirilganligi va keyinchalik aynan al-Farg'oniyning asari sifatida e'tirof etila boshlagani aytiladi. Shuning uchun ham "al-Fatovo al-Qoidiya" asari vodiya ilmiy asarlarni fors tilida yozilishiga o'tish davrining namunasi sifatida ko'rilishi lozim degan fikrdamiz. Movarounnahrni mo'g'ullar tomonidan istilosi bu jarayonni jadallashiga turtki bo'lgan omillardan biri sifatida ko'rilishi mumkin.

## XULOSA

"Farg'ona fiqh maktabi olimlarining islom ilmlari rivojida o'rni (IX-XIII asrlar)" mavzusidagi doktorlik dissertatsiyasi bo'yicha olib borilgan tadqiqot va izlanishlar natijasida quyidagi xulosalar taqdim etildi:

1. Islom dini vujudga kelishi arafasi va ilk islom davrida Arabiston yarim orolidagi siyosiy, diniy-ijtimoiy vaziyat mintaqaning Vizantiya va Sosoniylar imperiyasi hukmronligi ta'siri ostida ekanligi, ijtimoiy hayot urug'-qabilachilik munosabatlari asosida qurilganligi bilan xarakterlanadi. Buning asosiy sabablaridan biri hududning o'ziga xos iqlim sharoiti edi. Yarim orolning aksar qismi asosan sahrodan iborat ekanligi bois, aholining katta qismi ko'chmanchi chorvachilik bilan mashg'ul edi. Vohalar va karvon yo'llari ustida joylashgan shaharlarda (Makka, Yasrib, Toif kabi) boy zodagon tabaqalar vujudga kela boshlagan, quldorchilik munosabatlari endi shakllanib borayotgan bo'lsa-da, hali urug'chilik qabilaviy munosabatlar ustuvor edi. Diniy-ijtimoiy jihatdan ko'p xudolik sharoitida axloqiy-ma'naviy qadriyatlar ham ayanchli deb ta'riflanadigan holatda edi. Bularning barchasi islom dinini vujudga kelishiga zamin yaratdi.

2. Ilk islom davrida ijtimoiy, iqtisodiy, diniy siyosiy jabhalaridagi tarixiy o'zgarishlar "xulafolar-shohidlar" davrida sodir bo'ldi. Zero, musulmonlar jamoasi aynan shu davrda davlatchilik belgilarini o'zida mujassam qilgan islom davlatiga aylandi. Bu jarayon nafaqat diniy (ridda harakati) balki siyosiy kurashlar (xalifalik boshqaruv tizimini joriy etilishi, yangi mamlakatlarning fath etilishi) ostida kechdi. Natijada Shimoliy Afrikadan to Markaziy Osiyogacha bo'lgan hududni egallagan imperiya shakllandi. Bu davlatni boshqarish esa qonunchilik va boshqaruv tizimini shakllantirish zaruratini keltirib chiqardi.

3. Fiqh ilmining shakllanish jarayoni davlatchilik tarixi bilan bevosita

bog‘liq holda kechdi. Shu boisdan uni tadqiq etishda davriylashtirish uslubini qo‘llash maqsadga muvofiq. Ilmiy adabiyotlarda bu jarayonni davrlashtirishning ikki uslubi mavjud bo‘lib, jamiyatidagi siyosiy-ijtimoiy o‘zgarishlar asosida davrlarga ajratilgan va olti davrni o‘z ichiga olgan uslub fiqh ilmi tarixini izchil va xolis tadqiq qilishga munosibroqdir.

4. Fiqh ilmi rivojida mintaqaviy maktablarning vujulga kelishi obyektiv zarurat hosilasi bo‘ldi. Zero, jamiyatida paydo bo‘ladigan huquqiy muammolarga asl islom manbalari asosida yechimlar topish ehtiyoji tug‘ildi. Natijada bunday maktablarning mavjud bo‘lishi shartlari (rivojlangan madaniyat), talab (yuksak ilmiy salohiyat) va mezonlar (mujtahid darajasidagi allomalar yetishib chiqqanligi) shakllangan.

5. O‘rta asrlarda Farg‘ona mintaqasida madaniyat va ilm – fan rivojlanishi uchun munosib shart sharoit bo‘lganligi (Marg‘ilon, Axsikent, Quva, O‘zgand, O‘sh kabi yirik shaharlar mavjudligi) ilm-fanning turli sohalari muvaffaqiyatli rivojlanganligi (diniy ilmlardan fiqh (usul va furu‘), hadis, faroiz va fatvo yo‘nalishlari, tabiiy ilmlardan matematika, handasa, tarix, adabiyot, tilshunoslik ilm sohalari) bu davrda yashab ijod qilgan allomalar (turli manba va adabiyotlarda ularning soni 500 dan ortiq ekanligi aytilsa-da, hozircha tarjimai holi va ilmiy merosiga oid ma‘lumotlar bilan tasdiqlanganlari oltmishdan ortiq) tarixiy manbalar, jumjadan epigraphic yodgorliklar (Farg‘ona vodiysidan topilgan qabrtoshlardagi ma‘lumotlar) asosida aniqlandi va ilmiy asarlar bilan tasdiqlandi.

6. Fiqh ilmi Farg‘onaning barcha hududlari uchun xos bo‘lgani holda (mujtahidlar Faxruddin Qozixon, Husomuddin al-Axsikatiy, Burhonuddin al-Marg‘inoniy, Alouddin al-Kosoniy, Sirojuddin al-O‘shiy) mintaqaning alohida hududlarida ilmning muayyan yo‘nalishi rivojlanganligi tendensiyasi aniqlandi. Misol uchun Axsikentda tarix va adabiyot (Abu-l-Vafa Muhammad al-Axsikatiy (vaf.1126) Zu-l-fazoil Ahmad ibn Muhammad al-Axsikatiy (1073-1134) va boshqalar) Farg‘onada hadis ilmi (Rahma ibn Rohib al-Farg‘oniy, Bilol ibn Mas‘ud al-Farg‘oniy va boshqa) taraqqiy etgan. Bu o‘z navbatida mintaqada mahalliy fiqh maktabi vujudga kelishi uchun talab qilingan shartlar topilganini ko‘rsatadi.

7. Farg‘ona fiqh maktabi allomalarining fiqh ilmi rivojiga qo‘shgan xizmatlari ularning hanafiy mazhabi doirasida ishlab chiqqan ilmiy uslubiy an‘analarini boshqa musulmon mamlakatlarida tatbiq etilganida (Shom, Pokiston, Hindiston), maktab vakillari asarlari qo‘lyozma nusxalari dunyoning o‘nlab mamlakatlari (Yaqin Sharq mamlakatlarida Misr, Saudiya Arabistoni, BAA, Suriya, Yaman. Omon, Turkiya, g‘arb mamlakatlarida Germaniya, Fransiya, Angliya, Irlandiya) fondlarida saqlanishida, hamda maktab vakillari asarlarining turli mamlakatlarda ko‘chirilgan nusxalarining mamlakatimizda saqlanishida (masalan “al-Hidoya”ning Afrika qit‘asida (Misr inv. № 3019/1), Xitoyda (Qashg‘ar inv. № 11302), Hindistonda (inv. № 3007/1), Pokistonda (Peshovar inv. № 6185), Turkiyada (Istanbul inv. № 8662) ko‘chirilgan) namoyon bo‘ladi.

8. Farg‘ona fiqh maktabi olimlarining soha rivojidagi o‘rnini ularning asarlariga yozilgan sharhlar miqyosi (masalan, “al-Hidoya”ga musulmon

dunyosida 60 dan ortiq sharhlar bitilgan), usul al-fiqh sohasida o'sha davr ilmiy yutuqlarini o'zida jamlash barobarida qiyos tamoyilini fiqhning usullaridan biri sifatida talqin qilishni amalga oshirishga joriy qilganliklari (Muhammad al-Lomishiy va Husomuddin al-Axsikatiy) tasdiqlaydi

9. Farg'ona fiqh maktabi vakillari hanafiy ta'limoti doirasida Qur'oni Karim, Payg'ambar (s.a.v.) sunnatlari, obro'li sahobalar dalillari va guvohliklariga, barcha fiqhiy masalalarni ahli sunna va-l-jamoat mazhablaridan shofe'iy, molikiy va hanbaliylar hukmlari bilan qiyoslashga asoslangan o'z uslub va xos yondoshuvlari asosida islom olamida turli fiqohlar, guruhlar va, hattoki, ahli sunna va-l-jamoat mazhablari o'rtasidagi ixtiloflarga aniqlik kiritish, ularni bartaraf etish yo'llarini mintaqada misolida isbotlaganlar.

10. Maktab vakillarining fiqhiy masalalar bo'yicha qaror qabul qilishda demokratik prinsiplarga rioya qilishlari (masalan, mazhabboshi Abu Hanifaning emas, mantiqan o'rinli bo'lgan imom Abu Yusuf va Muhammadlarning fikrlarini olish), hanafiy fiqhining ustuvorligini butun islom olamida (Alouddin al-Kosoniy Shomda bevosita, Burhonuddin al-Marg'inoniy Hindiston, Pokiston, Afg'oniston, Qashg'arda bilvosita) ta'minlanishi va mintaqada asrlar davomida sof ahli sunnat val jamoatning hanafiy mazhabi daxlsiz qolishiga, ustivor va yagona mazhab sifatida bardavom bo'lishiga xizmat qilishi bilan bir qatorda, fiqh ilmining rivojlanish istiqbollari belgilab beradigan markazlardan biriga aylanishida muhim o'rin tutganligi asoslandi.

### **Tadqiqotdan kelib chiqqan xulosalar asosida quyidagi tavsiyalar berildi:**

- Farg'ona fiqh maktabi doirasida faoliyat yuritgan allomalar va ularning asarlarini aniqlashni davom ettirish;

- Farg'onada tashkil etilgan fiqh ilmiy-tadqiqot markazida aholi qo'lidagi qo'lyozmalarni aniqlab sotib olish, xorijiy mamlakatlar fondlarida saqlanayotgan qo'lyozmalardan nusxalar olib kelish yo'li bilan maktab allomalari qalamiga mansub asarlar qo'lyozmalari xazinasini tashkil qilish;

- Farg'ona fiqh maktab vakillari ilmiy merosini tadqiq qilish, nashrga tayyorlash va aholi o'rtasida targ'ib qilishni yo'lga qo'yish;

- Farg'ona fiqh maktabi allomalari asarlari qo'lyozmalari katalogini yaratish.

**SCIENTIFIC COUNCIL AWARDING SCIENTIFIC DEGREES  
DSc.02/30.12.2019.Tar.44.01 AT THE INSTITUTE OF ORIENTAL  
STUDIES OF THE UZBEKISTAN ACADEMY OF SCIENCES**

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**ABU RAYHAN BERUNI INSTITUTE OF ORIENTAL STUDIES  
UZBEKISTAN ACADEMY OF SCIENCES**

**KARIYEV ADIL AXMADJANOVICH**

**ROLE OF SCHOLARS OF THE FERGHANA SCHOOL OF FIQH IN THE  
DEVELOPMENT OF ISLAMIC SCIENCES (9<sup>TH</sup>-13<sup>TH</sup> centuries)**

**07.00.03 – World history**

**07.00.08 – Historiography, source studies and  
historical research methods**

**ABSTRACT OF DOCTORAL (DSc)  
DISSERTATION IN HISTORICAL SCIENCES**

**TASHKENT – 2024**

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**Leading organization:**

**The Center of Islamic Civilization in  
Uzbekistan under the Cabinet of Ministers of  
the Republic of Uzbekistan**

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The doctoral dissertation was registered at the Information Resource Center and the Abu Rayhan Beruni Institute of Oriental Studies, Uzbekistan Academy of Sciences. (Address: 100170, Tashkent, M. Ulugbek st. 79, Tel: (99871) 262-54-61.

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## INTRODUCTION (abstract of DSc dissertation)

**Relevance and necessity of the dissertation topic.** In world historiography, the emergence of Islam and the research of the Islamic civilization formed on this basis are becoming important areas of inquiry. In the context of this increasing process of integration, interest in studying this topic has increased. This includes the role and specific characteristics of regional fiqh schools in the history of political, spiritual and cultural development of Muslim countries, and the political, economic and spiritual aspects of different countries of the Islamic world. Overall the importance of researching the impact on these spiritual processes is increasing. Accordingly, it is important to study the history and activities of regional scientific schools that played an important role in the development of humanity and Islamic culture.

**In scientific research centers and leading universities in the world which specialize in Hanafi** doctrine, characteristics of Hanafi jurisprudence in the 9<sup>th</sup>-13<sup>th</sup> centuries, regional schools, scholars who worked in the field of Islamic sciences and their scientific heritage, scholarly investigations focused on revealing the sources of Hanafi jurisprudence and their socio-historical, legal and textual aspects are being conducted. In particular, studies have been carried out on the value and importance of the first madhhabs, madrasahs and regional schools which were formed in the Muslim East during the early Islamic era. No special studies have been conducted on the history of the Ferghana school of jurisprudence, but works dedicated to the study of scholars who came from this region are being carried out. Also, it is necessary to emphasize that regional jurisprudence schools, formed in the middle ages and serving the development of the world Islamic civilization, occupy a special place in our country. To this end researching the history of local scientific centers, including the Ferghana school of jurisprudence, and determining its place in the development of cultural and Islamic sciences in the region will serve to increase the depth of existing research.

In modernizing Uzbekistan, including the period of the Muslim renaissance that arose in Central Asia in the 9<sup>th</sup>-13<sup>th</sup> centuries studying the scientific heritage created by our ancestors and continuing the traditions of the scientific schools created by them are among the urgent tasks at present for our nation, which is on the threshold of a new Third Renaissance. After all, it is extremely important, "to further strengthen the international reputation of Uzbekistan as a country that has made a great contribution to the development of world science and culture, to take the work of preserving, studying and widely promoting its rich written heritage to a new qualitative level."<sup>1</sup> The Ferghana school of jurisprudence, which was formed in the Middle Ages in our country and played an important role in the development of Islamic sciences, including the science of jurisprudence, possesses significant influence not only in our region but also in the entire Muslim world. Consequently the first study of the characteristics of the Ferghana school of jurisprudence, and

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<sup>1</sup>Mirziyoyev Sh. "On measures to further improve the system of preservation, research and promotion of ancient written sources" Decision No. PQ-2995. May 24, 2017.

the introduction of this concept into the science of history, while elucidating the true history of Uzbekistan, is of particular importance due to justifying its contribution to world civilization, raising the spirituality of our people and realizing their identity.

Decrees of the President of the Republic of Uzbekistan PQ-2774 dated February 14, 2017 "On measures to establish the Imam Termizi International Research Center", PQ-2855 dated March 27, 2017 "On measures to establish a research center of Imam Bukhari International Center at the Cabinet of Ministers of the Republic of Uzbekistan", PQ-2995 "On measures to further improve the system of preservation, research and promotion of ancient written sources" dated May 24, 2017, PQ-3080 dated June 23, 2017 "At the Cabinet of Ministers of the Republic of Uzbekistan" Decisions on measures to establish the center of Islamic culture in Uzbekistan, orders No. PF-5416 of April 16, 2018 "On measures to fundamentally improve the activities of the religious and educational sphere ", Addresses to the Oliy Majlis on December 22, 2022 i as well as the tasks defined in other regulatory legal documents on the subject mean that deep attention is paid to the study of the spiritual heritage left by the ancestors, and this research also serves the implementation of these tasks to a certain extent.

**Dependence of the research on directives prioritizing the of development of science and technology of the republic.** This dissertation was carried out in accordance with the directive prioritizing republican science and technological development I. "spiritual-ethical and cultural development of a democratic and legal society, formation of an innovative economy".

#### **Review of foreign research on the topic of the dissertation**

Special studies on the history of Ferghana fiqh school have not been carried out in the world. However, research indirectly related to the topics of characteristics of Hanafi jurisprudence in the 9<sup>th</sup>-13<sup>th</sup> centuries, such as regional schools, scholars who worked in the field of Islamic sciences and their scientific heritage, scientific research dedicated to the study of the socio-historical, legal and textual aspects of sources related to Hanafi jurisprudence, has been undertaken at the world's leading scientific research centers and higher education institutions. These institutions include Heidelberg University, Freiburg University, Center of Islamic Studies in Freiburg (Germany), Cambridge University, University of Oxford Institute of Islamic Studies (Great Britain), University of Toronto Department of Near and Middle Eastern Civilizations (Canada), Department of Middle Eastern Languages and Literatures, University of Washington (Seattle), Department of Middle Eastern Studies, Princeton University, Columbia University, Cornell University, University of Illinois (USA), Academy of Notaries Institute Hispano-Arab Culture, University of Granada (Spain), International Society of Arabic Papyrology in Leiden-Holland (Holland), Jerusalem University (Israel), Cairo University (Egypt), Suleymanie Library (Turkey), Povolje Kazan Federal University (Russia), Uzbekistan International Islamic Academy, Uzbekistan Center of Islamic Civilization, Imam Bukhari International Research Center, Institute of Oriental Studies named after Abu Rayhan Beruni of the Academy of Sciences of

the Republic of Uzbekistan (Uzbekistan). Among the studies on Hanafi jurisprudence, there are also those on the scientific heritage of representatives of the Ferghana school of jurisprudence.

As a result of these studies, the following scientific results were obtained: In the 9<sup>th</sup>-13<sup>th</sup> centuries, works dedicated to the scientific heritage of representatives of the school were carried out as research on Hanafi jurisprudence in the Movarounnahr region (University of Wales, Lampeter). Commentaries on the works of scholars of the region are analyzed (Umm al-Qura University of Saudi Arabia), their contributions to the development of Hanafi jurisprudence and their place in this process are revealed (Maktaba Muhammad ibn al-Hasan al-Shaybani. Timirkara, Pakistan), the approaches of jurists in the analysis of legal issues in Hanafi jurisprudence, the characteristics of relying on the text of the Holy Qur'an were studied (State University of New York, USA), the sources of theory, practice and traditions in Islamic Sharia were analyzed (St. Antonys College, University of Oxford), the ideas and goals of translating the works of Hanafi jurisprudence into Western languages are revealed (Legal Histories of the British Empire: Laws, Engagements and Legacies. London: Routledge), the concept of madhhab in Islamic law, and the reasons for conflicts within the Hanafi madhhab (Harvard University), the research and publication of authoritative sources on Hanafi jurisprudence was carried out (Bristol: Amal Press, 2009; London: Mu'assat al-Furqān lil-Turāth al-Islāmī, 2016; Cairo: Dār al-Ḥadīth).

Scientific research is being carried out in the world, regarding the history of its formation, the oriental interpretation of the protection of human rights in Hanafi jurisprudence, the basic foundations of democratic principles, the historical-legal, the socio-political, areas prioritizing revealing the educational and legal roots, comparative study of the works written by the scholars of the Movarounnahr region, and creating a critical text of the sources.

**The level of study of the problem.** The issue of the Ferghana fiqh school and the role of its representatives in the development of Islamic sciences has not been studied as a separate research topic. However, the jurisprudence of Movarounnahr within the scientific heritage of scholars from the Ferghana region has been involved to a certain extent in scientific research.

First of all, the authors who wrote works in the bio-bibliographic genre provide general information about the lives and scientific heritage of Hanafi scholars of Islamic sciences who lived and worked in the Movarounnahr region in the 9<sup>th</sup>-13<sup>th</sup> centuries. Among them, Abdul Qadir al-Qurashi (696/ 1297-774/1373)<sup>2</sup>, Ibn Qutlubuga (801/1399-878/1474)<sup>3</sup>, Mahmud ibn Suleiman al-Kafavi (d.990/ 1582)<sup>4</sup>, Haji Khalifa (1017/1609-1067/1657)<sup>5</sup>, Abdulhay al-Laknavi

<sup>2</sup> ابو محمد عبد القادر ابن ابو الوفاء محمد ابن محمد المصري. الجواهر المضبوطة في طبقات الحنفية. مجلد ٢ - ١٩١٣ حيدرآباد.

<sup>3</sup> ابن قطلبغا القاسم ابن عبد الله الصدني. تاج التراجم في طبقات الحنفية. لبيزغ - ١٩١٣

<sup>4</sup> محمود ابن سليمان الكفوي. كتائب اعلام الاخيار من فقهاء مذهب النعمان المختار. ص. - ٣٧٩.

Manuscript, Inv. No. 2929 of Abu Rayhan Beruni Institute of Oriental Studies, Uzbekistan Academy of Sciences

<sup>5</sup> Haji Khalifa. Lexicon bibliographicum et enciclopedicum a Mustafa bin Abdallah Katib Jalabi. – London, 1858. V-VI. - R. 479-495.

(1263/1848-1303/1886)<sup>6</sup>, etc.

Professor A. Q. Mominov, one of the modern researchers, has focused on the formation of jurisprudence in Movarounnahr based on Mahmud ibn Suleiman al-Kafavi's work "Kataib a'lam" and the activities of local schools and regional scholars in this process<sup>7</sup>.

In Uzbekistan, research was conducted on the life and scientific heritage of scholars from the region. Among this research, scholars such as A.H.Saidov, M.Nuritdinov, I. Abdullayev, M. Hasaniy, A.Sh. Juzhoni, S. Isakov, O'.A. Sultanov examined the personality and scientific heritage of Burhanuddin al-Marginani, one of the biggest representatives of the Ferghana region<sup>8</sup>.

In addition, the translation of Burhanuddin al-Marginani's work "Hidaya" by V.N.Grodekov in Tashkent in 1893 from English to Russian was republished by prof. A.H.Saidov.<sup>9</sup> Under the guidance of professors A.H.Saidov and M.Nuritdinov, the translation of the first volume of the work "Hidaya" from Arabic to Uzbek was published.<sup>10</sup>

In the Muslim East, the theory and practice of fiqh madrassas and schools, and then the emergence of fiqh madhhabs, have been studied by a number of scholars. Manno' al-Qatton (1925-1999), Hasan Ibrahim Hasan, Shams ad-Din al-Dahabi (672/1274-748/1348), Jalaluddin Abdurrahman al-Suyuti (849/1445-911/1505), Muhammad al-Khudri (1876-1958), Wali ad-din Muhammad Salih al-Farfur (d. 2020), Bint al-Mufti Mujib ar-Rahman ad-Dayraviy's studies are among them<sup>11</sup>.

A group of studies carried out by Western experts is also dedicated to the study of the scientific heritage of scholars who grew up in the Ferghana Valley. In particular, the doctoral dissertation submitted by the researcher of the University of Wales, Ahmed Abbas, is dedicated to the study and publication of the manuscripts

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<sup>6</sup> ابو الحسنات محمد عبد الحي اللكنوي. الفوائد البهية في ترجم الحنفية. قازان - 1903

<sup>7</sup>Muminov A.K. Kata 'ib a' lam al-akhyar" al-Kafavi (d.990/1582) kak istochnik po istorii Islama v Maverannakhre (III / IX-VII / XIV vv.). Autoref. dis... kand. ist. nauk – L., 1991. – P. 14; Ibid. Hanafitsky madhhab v istorii Tsentralnoy Azii/ pod redaktsiyey S.M. Prozorova. – Almaty : Qazaq ensyklopediasy, 2015. – 400 pp.

<sup>8</sup>Saidov A.H. Burhonuddin al-Marginoniy. "Hidaya" – muhim huquqiy yodgorlik // Ozbekistaon Ovozi, 1994. – May 3; Ibid. Burhonuddin al-Marginoniy buyuk huquqshunos. – T.: Adolat, 1997. – P. 45; Saidov A.H., Juzhoni A.Sh. Sharq va Inson huqulari. – T.: Ijtimoiy fikr, 1998. – 215 p.; Saidov A.H., Nuritdinov M. Fiqh ilmining sardori. // Ishonch, 2000. September 9; Abdullayev I. Burhonuddin Marginoniy // Namangan haqiqati, 2000. May 3; O'ktam Eshonbabo. "Hidoya"ning sohibi. – Ferghana., 2000. – 25 p.; Abdulkhakim Shar'iy Juzhoni. Marg'inoniy va uning izdoshlari. – T., 2000. – 54 p.; Ishoqov S. Burhoniddin Marg'inoniy va fiqh ilmi. – T.: Adolat, 2000. – 136 p.; Mahmud Hasaniy. Al-Marg'inoniyning "Hidoya" asari unga yozilgan sharhlar. – T.: A. Qodiriy nomidagi xalq merosi nashriyoti. 2000. – 45 p.; Sultonov O'.A. Burhoniddin Marg'inony nasabi va avlodlari taqdiri. / Imom Buxhoriy saboqlari. No. 2/ 2021. – Pp. 53 - 55.

<sup>9</sup> Grodekov V.N. translated Hidaya into Russian from Charles Hamelton's English translation. See Hamilton C. The Hidaya: Commentary on the Islamic Laws. Lahore: Premier Book House. (Original 1791 edition translated by order of the Governor-General and Council of Bengal, for the East India Company, printed by T. Bensley.)

<sup>10</sup>Burhoniddin al-Marg'inoniy. Hidoya. Managing editors Dr. Saidov A.H. (D.Sc. in Law), Dr. Nuriddin M. (D.Sc. in Philosophy). – T.: Adolat, 2000. – 848 p.;

<sup>11</sup> Shams ad-Din al-Zahabi. Tarikh al-Islam and Ziyaluhu. Beirut. Dar al-Kutub al-Arabi. 1990.; محمد الخضرى . تأريخ . ١٩٩٥ ولي الدين محمد الفرفور. المذهب في اصول المذهب علي المنتخب. - دمشق. ١٩٩٩ تاريخ التشريع الاسلامى . Ij. Dar al-Jil. – Bayrut, 1996. Jaloluddin Abdurrahmon as-Suyuti. Tarix al-Xulafa. Bayrut. Dar ibn Hazm. 2002.; Bint al-Mufti Mujib ar-Rahmon ad-Dayraviy. Al-Hodi ila Riyod al-Fiqh va-l-Fuqaho. – Timrkara. Pokiston. 2014. – P. 253.

of Husamuddin al-Akhsikati's work "Muntakhab al-Husami"<sup>12</sup>. Khalid U'mar al-Salim's doctoral dissertation at the Department of "Social Sciences, Humanities and Languages" of the University of Salford, Great Britain, is based on Burhanuddin al-Marginani's work "al-Hidaya" and its translations,<sup>13</sup> the article by Meron Yakov is dedicated to highlighting the unique style of Burhanuddin al-Marginani, Suhail Hanif's scientific work presented at St. Antony's College, University of Oxford, Great Britain, is devoted to the study of Burhanuddin al-Marginani's work "al-Hidaya."<sup>14</sup>

In another series of studies, the formation of methods of solving legal issues in the history of early Islam (M. Bedir), the emergence of madhhabs (V. Hallaq), formation and development (H. Suhayl), the influence of regional and personal approaches on the activities of different madhhabs-maktabas (J. Burak, W. Hallaq) issues were studied.<sup>15</sup>

However, these studies, do not focus on the examination of the issues of regional schools formed in the territory of our country and contributing to the development of jurisprudence with their activities, their processes of formation, their characteristics, and their influence on the development of jurisprudence in the Muslim world. That is why researching the history of the Ferghana school of jurisprudence, which had its own place and unique characteristics in the Middle Ages and made a great contribution to the development of Islamic sciences, including the science of jurisprudence, is of special scientific and practical importance.

**The connection of the dissertation topic with the research work of the research institution where the dissertation was completed.** The dissertation was completed within the framework of the scientific topic "Translation and research of the written heritage of Central Asian scientists related to Islamic sciences" of the Institute of Oriental Studies of the Uzbekistan Academy of Sciences.

**The purpose of the study is to reveal** the unique aspects of the scientific

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<sup>12</sup> Al-Muntakhab fi Usul al-Madhhab Also known as (al-Muntakhab al-Husami) by Muhammad bin U'mar, Husam al-Din al-Akhsikathi (d/644H/1247AD) analytical study end edition Ahmad MN Abbas. Submitted to the University of Wales in Fulfillment of the Requirements of the Degree of Doctor of Philosophy. – University of Wales, Lampeter, 2001.

<sup>13</sup>The translation of financial terms between English and Arabic, with particular reference to Islamic banking. Khalid Omar al-Saleem. School of Humanities, Languages and Social Sciences University of Salford, Salford, UK Ph.D. Thesis. Submitted in Partial Fulfillment of the Requirements of the Degree of Doctor of Philosophy. May 2013.

<sup>14</sup> Meron, Ya'akov. "Marghīnānī, His Method and His Legacy". *Islamic Law and Society*, 9.3 (2002): 410 – 16; *Theory of Early Classical Hanafism: Authority, Rationality and Tradition in the Hidayah of Burhan ad- Din Ali Abi Bakr al-Marginani (d.593/1197)*. Sohail Hanif St. Antonys College University of Oxford, UK. Thesis. Submitted for the Degree of Doctor of Philosophy in Oriental Studies. Michaelmas. 2017.

<sup>15</sup>"Considerations on the Function and Character of Sunni Legal Theory". *Journal of the American Oriental Society*, 104.4 (1984): 679 – 89.; "From Fatwās to Furū': Growth and Change in Islamic Substantive Law". *Islamic Law and Society*, 1.1 (1994): 29–65.; Melchert, Christopher. *The Formation of the Sunni Schools of Law, 9th-10th Centuries CE* Leiden: Brill, 1997.; Bedir, Murteza. "The Early Development of Ḥanafī Uṣūl al-Fiqh ". PhD diss., University of Manchester, 1999.; "From Regional to Personal Schools of Law? A Reevaluation". *Islamic Law and Society*, 8.1 (2001): 1–26.; Hallaq, Wael B. *Authority, Continuity, and Change in Islamic Law*. – Cambridge: Cambridge University Press, 2004.; Hanif, Sohail. "Sixth-Century Ḥanafī Fatāwā Literature and the Consolidation of School Identity". MSt diss., University of Oxford, 2013.; Burak, G. "Madhhab." In *The [Oxford] Encyclopedia of Islam and Law*. Oxford Islamic Studies Online. Jun 19, 2022. <<http://www.oxfordislamicstudies.com/article/opr/t349/e0094>>.

center formed in the Ferghana valley based on the scientific heritage created in the field of Islamic sciences in the 9<sup>th</sup>-13<sup>th</sup> centuries, the contributions of the school's representatives to the development of Islamic sciences, sources and features.

**Tasks of the research:**

Researching the history of the formation of regional fiqh schools in the Muslim world and giving general conclusions;

To highlight the importance of historical and cultural conditions in the formation of the Ferghana school of jurisprudence, and the results achieved through these factors;

Researching the specific aspects of the medieval scientific environment in the Ferghana Valley by regions;

justifying the contribution of school representatives to the development of science in the fields of Islamic sciences;

Classification and research of the written heritage of representatives of the Ferghana school of jurisprudence in the 9<sup>th</sup>-13<sup>th</sup> centuries;

to reveal the influence of the representatives of the school on the development of Hanafi jurisprudence and their role in increasing the influence of the Hanafi madhhab in the Muslim world;

Researching and justifying the basis and factors of the stable dominance of the Hanafi madhhab in the Ferghana Valley for centuries.

**The object of the study** is the history of formation and activity of regional fiqh schools in the Muslim world.

**The subject of the research** is the formation of the Ferghana school of jurisprudence and its place in the history of the region and the development of Islamic sciences .

**Research methods.** Methods such as microhistory, prosopography, comparative analysis and statistical analysis were used to study the causes and factors of the formation and development of the fiqh school in the Ferghana Valley region in the 9<sup>th</sup>-13<sup>th</sup> centuries.

**The scientific novelty of the research** is as follows:

Approaching the study of jurisprudence sources based on Hanafi teachings and using in practice their aspects different from the interpretation of other jurisprudence schools, the merits of Ferghana school of jurisprudence, which did not deviate from Hanafi jurisprudence throughout the centuries, and the services of strengthening the primary ideas of the Hanafi school in other Muslim countries are proven;

As a result of the services of scholars of the Ferghana fiqh school in the field of jurisprudence, when there was no place left for the influence of various currents and groups in the region, the role of scholars in teaching protected the humanitarian ideas of the people of the Hanafi school, even from other schools of thought, is proven;

It has been determined that the formation of the Ferghana school of jurisprudence, which was formed in the Middle Ages and made a great contribution to the development of Islamic sciences, took place on the basis of

more than 60 scientists working in various areas of Islamic sciences, and more than 50 of their works;

As a result of researching the jurists who graduated from the Ferghana school of jurisprudence in the Middle Ages, the characteristics of their scientific heritage, the influence of the jurisprudential views formed in the region on the development of the field, the role of the representatives of the school in the strengthening of the Hanafi doctrine, the concept of the Ferghana school of jurisprudence was first introduced in history;

In the works written within the framework of the Ferghana school of jurisprudence, a method of comparing the rules of the Hanafi school of jurisprudence with other schools of the Ahli-Sunnah (for example, the Maliki and Shafi'i schools) was developed, as a result of which it was proved that the principles of the Hanafi school, which express the interests of the Muslim community, were secured.

**The practical results of the research are as follows:** it was revealed that the Hanafi madhhab became the only school of jurisprudence in the region as a result of approaching fiqh issues on the basis of the Hanafi doctrine and proving their superiority over other fiqh madhhabs;

the role of the scientific heritage of the scholars of the school, which did not leave room for the influence of various currents and groups in the region, remains the main source in protecting the humanitarian ideas of the Hanafi doctrine even today;

the names of more than 60 scholars who worked in Middle Ages in various fields of Islamic sciences within the framework of the Fargona school of jurisprudence and more than 50 of their works have been identified;

As a result of the scientific and cultural environment that developed in the region in the Middle Ages, the jurists who originated from this place, the influence of their scientific potential and scientific views on the development of the area, as well as their role in strengthening the Ferghana School of Jurisprudence, unique in its sound, based on the Hanafi madhhab;

the scholars of the Ferghana school of fiqh have developed a method of comparative study of the rules accepted in the Hanafi doctrine with the tenets of the other Sunni madhhabs, including the Maliki and Shafi'i ones, and put them into practice;

The practical (for example, Alauddin al-Kasani in Sham) and scientific (for example, the works of Burhanuddin al-Marginani in Pakistan) services of the representatives of the school, which contributed to the development of Hanafi teachings in Muslim Arab and Asian Muslim countries, have been identified.

**The reliability of the research results is** based on the formation of the Ferghana school of jurisprudence and the role of its representatives in the development of Islamic sciences. It is researched on the basis of written sources stored within the manuscript treasures of our country and foreign countries, and it was formed in eastern and western schools of source studies based on the principle of objectivity. It is based on the fact that the methods were used, the conclusions

were based on the text of rare manuscript sources, and the conclusions and recommendations of the scientific work were tested in practice .

**Scientific and practical significance of research results.** The scientific significance of the research results is explained by the possibility of using methodological approaches to the history of local schools, which played an important role in the development of Islamic sciences in Central Asia, and the role of local centers in the religious and spiritual development of the region in perfecting theoretical conclusions.

The practical importance of the results of the dissertation is based on the role of regional schools in the history of statehood in Uzbekistan, the fact that the scientific heritage of school representatives serves to improve the implementation of targeted state programs dedicated to the improvement of national thinking and spirituality.

**Implementation of research results.** Based on the scientific conclusion and proposals developed on the research of the history of the Ferghana school of jurisprudence:

The approach to the study of fiqh sources based on the Hanafi doctrine and their different aspects from the interpretation of other fiqh madhhabs and their practical use, the fact that the Ferghana fiqh school has not deviated from Hanafi fiqh over the centuries and has remained stable, and the primary ideas of the Hanafi madhhab have also been applied in other Muslim countries, scientific conclusions about the proof of their services in the strengthening of the Imam Bukhari International Scientific Research Center (prepared on the basis of the order) were used in the preparation of the book entitled “Historical and Philosophical Heritage of the Scholars and Thinkers of the Middle Ages” *Act No. 02/120*). As a result, experts and readers were able to obtain new information about the life and work of our scholars, scientific heritage and the role of the Hanafi madhhab in the social life of our country.

The history of regional schools, which were formed in the Middle Ages in the territory of our country and made a great contribution to the development of Islamic sciences, is one of the completely unexplored areas of Islamic studies. This dissertation is the first major exploration into this area, in which the researcher was able to introduce the concept of the Ferghana school of jurisprudence into the science of history for the first time. Scientifically based conclusions that due to the merits of scientists of the Ferghana school of jurisprudence, the region for centuries did not deviate from the Hanafi madhhab, their contribution, when there was no room left for the influence of various movements and groupings in the Ferghana region, the tenacity of the Hanafi teachings in protecting the ideals of humanity, which are more important than other theological schools of Ahli Sunna wal-l-Jamaa, the role of scientists of theological schools in the growth of the influence of the Hanafi madhhab in other Muslim countries has been proven, the norms for resolving the issue of inheritance within the Hanafi madhhab and the methodological features of the work with medieval handwritten sources were used in the development of educational programs of the Department of Islamic History

and Source Studies of the International Islamic Academy of Uzbekistan, as well as advanced training courses organized for government and public organizations in regional branches of the Center for Advanced Studies at the Academy (*Committee on Religious Affairs at the Cabinet of Ministers of the Republic of Uzbekistan dated November 28, 2023 document No. 02-02/584* ). As a result, novel scientific contributions will be highlighted on the basis of primary sources and used on the official websites of representatives of local theological schools, which will ensure the primacy of the Hanafi madhhab in the region and will make it possible for its widespread use in the development of methodological recommendations for religious and educational institutions.

Scientific conclusions about jurists who grew up in the Ferghana school of jurisprudence in the Middle Ages, information about the features of their scientific heritage, the influence of views on the development of jurisprudence formed in the region, the role of representatives of the school in strengthening the Hanafi madhhab in the Islamic world were used in the preparation of works based on such medieval sources as “Chor Kitab”, “Al-Fiqh al-Akbar”, “Commentaries on the Sunan of Tirmidhi”, as well as in the creation of the book “Solutions to Controversial Issues” (Refutations to False Salafis) at the Imam Tirmidhi international research centre (*Act No. 01-07/197 dated October 16, 2023 of Imam Termizi International Research Center*). As a result, the scientific conclusions, suggestions and recommendations put forward in the research were utilized in the formation of the concept of the activity of the international scientific research center, and it is planned to be used as an additional source in enriching research, scientific collections and scholarly works on the history of fiqh schools in the future.

The history of Ferghana fiqh school, the scientific heritage of scholars such as Burhanuddin al-Marginani, Fakhruddin Qazikhan, Husomuddin al-Akhsikati, who worked in the practical and theoretical areas of fiqh science, the contribution to the development of Islamic sciences, the creation of the regional school place, from the scientific conclusions about the unique aspects of the school used in preparation of the scripts of programs such as "Islamic Civilization Center: From Glorious History to the Great Future" of "Uzbekistan-24" TV channel, "Aslida Qanday", "Mavzu" programs of "History of Uzbekistan" TV channel (*Reference of the National Broadcasting Company of Uzbekistan, November 28, 2023, 06-28-1780*). These programs serve to show the accomplishments of the scientific school operating in the territory of our country, the scientific potential of our ancestors, who are representatives of the school, and their role in the development of Islamic sciences in the Muslim world. Being aware of new information about their ancestors, increasing their historical knowledge, and serving to form a feeling of being proud of their ancestors and being a worthy descendant of them.

Conclusions, scientific-practical conclusions and recommendations developed within the framework of the dissertation work on the history of the Ferghana jurisprudence school formed in the Ferghana Valley in the Middle Ages, the scientific heritage of the school's representatives and their role in the development

of Islamic sciences were implemented in the promotion activities of the Center for Spirituality and Enlightenment in 2022-2023. In particular, Paragraph 29 "Thinkers who fought against ignorance with enlightenment" of the sixth directive "Propaganda and agitation activities on inter-national harmony and inter-religious tolerance, prevention of the disease of radicalism among the population" of the program of measures for 2023 of the Republican Center for Spirituality and Enlightenment used the materials of the dissertation to hold meetings. (*Act No. 02-22/1323 of the Republican Center for Spirituality and Enlightenment of November 29, 2023*). As a result, the proposals, recommendations and conclusions put forward in the dissertation served to reveal the importance of the scientific heritage of the representatives of the Ferghana school of jurisprudence in the 9<sup>th</sup>-13<sup>th</sup> centuries.

Kariev Adil Akhmadjonovich's dissertation on the topic "The role of the scholars of the Ferghana school of jurisprudence in the development of Islamic sciences (9<sup>th</sup>-13<sup>th</sup> centuries)" is devoted to the research of the medieval history of the Ferghana Valley, including the present Namangan region, and the lives and scientific heritage of the scholars who grew up in Ahsikent. The information presented in the dissertation plays an important role in the development of pilgrimage and historical tourism. For this reason, the findings attained were used in the preparation of the book "Akhsikent, the Cradle of the Great, or Ferghana Scholars" published by the scientists of the Akhsikent International Scientific Research Public Association, the current location of the ancient trade routes, settlements, fortifications and castles in the Ferghana Valley, the Turkic names and contents of the historical tourism roads and places as well as creating maps for identification and historical tourism. (*Reference No. 103 dated May 02, 2024 of the international scientific-research public association "AXSIKENT" of the city of Namangan, Republic of Uzbekistan*). The obtained scientific results are of great importance in the wide use of the rich scientific heritage of our ancestors in the education of young people, and in preventing them from being influenced by various foreign ideas, and at the same time in the development of pilgrimage, historical and scientific tourism in the region.

**Approval of research results.** The main results of the research were approved at 15 scientific-practical conferences, including 7 conferences held abroad and 8 international and republican conferences held in our country .

**Publication of research results.** A total of 41 scientific works have been published on the topic of the dissertation. Among them, 3 monographs, 1 publication of sources, 1 textbook, 2 brochure, 20 articles in publications recommended for publication of the main results of doctoral dissertations of the Higher Attestation Commission of the Republic of Uzbekistan, including 15 in republican and 5 in foreign journals published.

**The structure and scope of the dissertation.** The dissertation consists of an Introduction, Four Chapters, a Conclusion, a List of References and Appendices. The total volume of the dissertation is 275 pages.

## MAIN CONTENT OF THE DISSERTATION

In the **Introduction**, based on the urgency and relevance of the chosen topic, the purpose, objectives, object and subject of research are set forth. The correspondence of the research with the directives prioritizing the development of science and technology of the Republic is shown, the scientific novelty, practical results and their reliability are presented, their scientific and practical significance is revealed, as well as the implementation of the results into practical research, and information on published works and the structure of the dissertation is explained. In addition, a review of foreign scientific works on the topic of the dissertation is given.

The first chapter of the dissertation entitled **“The process of the emergence of regional schools”** is devoted to the analysis of the spiritual, socio-political and economic situation that led to the emergence of Islam on the Arabian Peninsula in the early Middle Ages, the formation of legal norms in the early Islamic period, the stages of their development, and the historical roots of local and regional schools that emerged in this process.

Before the advent of Islam, the Arabian Peninsula was under the rule of the Byzantine and Sasanian empires. Both sides sought to gain control of the trade routes that passed through the area. For this reason, the political situation was one of competition between Byzantium and the Sassanids to conquer the Yemeni region and to establish their dominance over the caravan routes. During Sassanid rule in Yemen (51 before the Hijra /572-6 before the Hijra /628) the trade route to India through the Persian Gulf developed rapidly, and the caravan route through the Hijaz was in crisis. This seriously affected the lives of all Arab tribes and created socio-economic tension in Arabia. As a result of the decrease in trade income, usury increased among the Quraish nobility. In Mecca and other cities, class contradictions intensified.

The social situation was characterized by the specific customs of the population, the fact that people were divided into different classes, and the absence of the concept and practice of equality. The spiritual and moral environment of the region was made up of inhumane customs (such as regarding the birth of a girl in a family as a disaster, the lack of a concept of the material rights and interests of a widow, in certain periods viewing a woman as property inherited from a man), and immoral traditions in family and marital relations (marriages between close relatives, at the same time the condition of a man being married to two sisters, the marriage of the sons of a deceased father to a woman widowed by him).

The religious situation was also complex, due to the existence of different faiths (such as the Basanites (Vasani) <sup>16</sup>in Mecca, the Jews in Yathrib, the Christians in Najd and Najran). Mecca was considered the religious center of the Arabian Peninsula, where Arabs came from different directions to perform the pilgrimage (Hajj) to the Bayt al-Haram, built by the prophet Ibrahim. The Kaaba thanks to its black stone and more than three hundred tribal gods was considered a

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<sup>16</sup>Vasani (Arabic) – idol worshippers

religious center for many tribes living in the area. The population of Mecca included fire worshipers, Sabians who worshiped the stars, as well as Hanifs who preferred to worship a single god, as in the religion of Ibrahim. Islam arose in such a political, social, religious and spiritual situation. Then, as a result of the spread of Islam and its transformation into a way of life, the need arose to form areas of knowledge that would regulate the requirements of this religion.

The need to determine the essence of the basic ideas and goals of Islamic teaching, as well as to develop means of implementing the requirements of the Islamic religion, led to the emergence of Islamic sciences. These sciences were based on the main sources of religion, the Holy Quran and the Sunnah of the Prophet. The science of fiqh (Islamic law) has taken a leading place among the Islamic sciences. The process of formation of the science of fiqh, which is based on almost all Islamic sciences, took place in several stages. In the scientific literature, preference is given to two methods of their periodization<sup>17</sup>. In the first method, the stages of the emergence of Sharia are divided into periods in connection with the history of the formation and development of Islamic thought. In this case, the stages are called the first Sharia period<sup>18</sup>, the second Sharia period<sup>19</sup>, the third Sharia period<sup>20</sup>, the fourth Sharia period<sup>21</sup> and the fifth<sup>22</sup> Sharia period<sup>23</sup>.

In the second method, the emergence of Sharia, the formation and development of the science of fiqh is divided into periods depending on political and social changes in Muslim society. According to this method, the first stage is called the period of the emergence of Sharia (12 before Hijra / 610-10 before Hijra / 632) - the time of the prophecy of Muhammad (s.a.w.), the second stage is the first period of fiqh (10/632-40/661) - the period of the reign of the righteous caliphs (Khulafa ar-Rashidin), the third stage of the second period of fiqh (40/661-132/750) – period of lives and activities of younger companions and followers, fourth stage of the third period of fiqh (142/760-369/980) includes the 1<sup>st</sup> half of the 2<sup>nd</sup> century AH and up to the middle of the fourth century, the fifth stage of the fourth period of fiqh (369/980-658/1260) covers from the 2<sup>nd</sup> half of the 4<sup>th</sup> century AH to the end of the A'bbasid dynasty, the sixth stage of the fifth period of fiqh (from the 13<sup>th</sup> century to the present) is the period from the end of the A'bbasid caliphate to our days<sup>24</sup>.

From a chronological point of view, the periods in both methods are almost the same, but there are also significant differences. Firstly, in the first method, the period of the Prophet (s.a.w.) and Khulafa al-Rashidin is defined as one period,

<sup>17</sup> مناع القطان. التشريع الاسلامي. بيروت. ١٩٨٩. ص-٢٥-٢٦

<sup>18</sup>The stage when Muhammad (peace and blessings be upon him) called the Arab tribes to Islam, proclaimed Islamic laws and the time of government of the righteous caliphs (“Khulafa al-Rashidin”).

<sup>19</sup> The stage at which the foundation of the science of fiqh and kalam was laid.

<sup>20</sup> The stage of development of the science of fiqh, the emergence of legal schools (madhab) and the written recording of the Sunnah and fiqh.

<sup>21</sup> The stage of taqlid, when the stage of ijthihad ended, and the science of fiqh began to develop within the framework of existing madhhabs.

<sup>22</sup> The stage of revival and reform of the science of fiqh.

<sup>23</sup> مناع القطان. التشريع الاسلامي. بيروت. ١٩٨٩. ص-٣٢-٣٣

<sup>24</sup> مناع القطان. التشريع الاسلامي. بيروت. ١٩٨٩. ص-٢٥-٢٦

while in the second they are divided into separate periods. Secondly, in the first method all stages are called the “Shariah period”. In the second, only the first period is called the “Shariah period”, and subsequent periods are called the “Fiqh period”<sup>25</sup>. In our opinion, it is advisable to distinguish between the era of the Prophet Muhammad (s.a.w.) and the period of “Khulafa ar-Rashidin” and use the term “ahd at-tashri” only in relation to the first period <sup>26</sup>. Because in the tradition of Islam, divine laws ceased to be revealed after the Prophet (peace and blessings be upon him). Therefore, this period cannot be called the “era of Sharia”. From that time on, the era of introducing Sharia regulations into life began, the “fiqh period”. “The Age of Sharia” (ahd at-tashri’) and the “period of fiqh” (davr al-fiqh) differ significantly from each other.

In the “era of Sharia,” the main sources of Islamic law (al-fiqh) were the Holy Quran and the Sunnah of the Prophet. The foundation of the science of fiqh (ilm al-fiqh) was laid by the Prophet (peace and blessings be upon him) himself, and its further development was built on this foundation.

At the second stage of the development of the science of fiqh (10/632 - 40/661) “the first period of fiqh”, the internal political, socio-spiritual situation in society created the need to improve the structure of the state and the legal system in order to ensure its development and stability (taking the oath (bayat) to <sup>27</sup>Abu Bakr as-Siddiq as the head of state). During the reign of the state of the righteous caliphs (“Khulafa ar-Rashidin”), it became clear that it was not possible to find direct answers to all questions arising in Muslim society in the Holy Quran and Sunnah. As a result, the institution of unanimous consent (ijma) arose<sup>28</sup>, i.e. the final consensus of the Companions on questions that were not answered in the two main sources. To find answers to questions that were not resolved through ijma, the method of comparison (qiyas) was introduced <sup>29</sup>through the ijtihad of the companions, aimed at resolving the issue by comparing them with existing fatwas. It later became the fourth main source (asl) of Islamic law (fiqh). Thus, this period was characterized by the formation of the main sources (usul) of fiqh.

The third stage occupies a special place in the development of the science of fiqh. It was during this period that the life and work of the companions of the Prophet and their followers (tobe 'in) occurred, whose efforts played a decisive role in the history of the formation of Islamic law.<sup>30</sup> The division of the Islamic world into Kharijite, Shiite and Sunni communities had a negative impact on the process of formation and development of science (within all three communities different

<sup>25</sup> محمد الخضري . تأريخ التشريع الاسلامي-بيروت- ١٩٩٥ ص- ٥

<sup>26</sup>Ibidem. – P. 30.

<sup>27</sup> "Bay'at " (Arabic) – the dictionary meaning of trade. As a term, it means the oath of Muslims to the Messenger of Allah. It is called "bay'at" because it means purchasing a reward by obeying the Prophet. Later it became customary to swear allegiance to the caliphs.

<sup>28</sup> Ijma (Arabic) – unanimity, unanimous decision in religious matters. As a technical term, it means making a decision on a legal question for which there is no clear answer in the Holy Quran and Hadith. The third source of the science of fiqh.

<sup>29</sup> Qiyas (Arabic) – measurement, comparison. As a term, it means making a judgment by comparing a matter for which there was no decision in previous sources of fiqh, with a similar issue for which there is a decision in those sources. The fourth source of fiqh.

<sup>30</sup> ٢٣٥- 1989 - بيروت - التشريع الاسلامي-بيروت

and often contradictory norms of fiqh were developed; the difficult political situation forced many scientific minds from among the companions to leave Medina; the number of false and fabricated hadiths, which led to the need to select reliable ones). During this period, two main groups emerged regarding the application of the sunnah when issuing fatwas - supporters of hadith (ahl al-hadith) and supporters of judgment (ahl al-rai), and the process of developing legal norms of fiqh and their written design continued.

The fourth stage of the development of the science of fiqh of the third period of fiqh (about 142/760-369/980) gave a new impetus to the development of newly built cities in various regions of the Muslim world (Qurtuba (Cordova) in Andalusia, al-Qayru'an in Africa, al-Fustat in Egypt (in the largest mosque of this city there were circles of Islamic scholars who left an indelible mark in the field of ijihad and istinbat), and previously known scientific centers (Damascus, Basra, Kufa) were formed thanks to the merits of Qur'anic experts (from Mecca<sup>31</sup>, Medina<sup>32</sup> and other cities), the science of correct reading of the Qur'an (ilm al-qiroat), written editions of the Sunnah appeared (the work "Muwatta" by Malik ibn Anas), which contributed to the emergence of the science of hadith. The creation of works of the "musnad"<sup>33</sup> genre and collections of reliable hadiths also contributed to the development of the science of fiqh. Companions (sahaba) and followers (tobe'in) at this stage became the beginning of the emergence of madhhabs.

Initially, the reason for the emergence of legal trends (madhhabs) was the need to find answers to questions that appeared in Muslim society regarding the compliance of the lifestyle of believers with the requirements of Sharia. As a result, legal movements (madhab) of fuqahas emerged whose scientific potential and personal qualities met certain requirements (dua' in the cases of A'li ibn Abu Talib<sup>35</sup> and Ibn A'bbas, ijaza<sup>37</sup> - confirmation of the level of knowledge in Islamic sciences and empowering companions with the right conducting legal proceedings (qada), issuing fatwas and teaching, testimony - the testimony of the Prophet

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<sup>31</sup>Nofe' ibn Abdurrahmon Abi Na'im al-Laysiy al-Madiniy (46/689-139/785). Imam, expert on the Qur'an. One of ten outstanding readers.

<sup>32</sup>A'bdallah ibn Kathir ibn Amr ibn A'bdallah ibn Zadan ibn Fairuz ibn Harmuz al-Makki. (23/665-93/737). One of the ten outstanding reciters of the Qur'an. Transmitter of hadiths from A'bdallah ibn az-Zubayr, U'mar ibn A'bd al-Aziz and others.

<sup>33</sup>In previously compiled books of the Sunnah, hadiths were mixed with the sayings of the companions (sahaba) and followers (tobe'in).

<sup>34</sup>In collections of the Musnad genre, the hadiths transmitted by each companion are presented separately. From the collections of this genre, "Musnad" by Ahmad ibn Hanbal has reached our time.

<sup>35</sup> According to legend, the Prophet (s.a.w.) decided to send A'li ibn Abu Talib to Yemen to teach the local population Islam. And he doubted his own abilities due to his youth and lack of experience and told the Messenger of Allah about this. Then the Prophet (s.a.w.) blessed him saying: "Go on your journey, Allah Almighty will guide your heart to the true path and make your words sharp." It is mentioned that A'li later said: "By Allah, after that I stopped doubting."

<sup>36</sup> It is mentioned that the Prophet (s.a.w.) also blessed Ibn A'bbas with words: "May Allah make him an expert in religion and teach him the interpretation of the Quran." As a result, Ibn 'Abbas remained in history as the most recognized as a competent jurist and commentator of the Qur'an among the Companions.

<sup>37</sup> Ijaza - a tradition consisting of mastering Islamic knowledge and the subsequent right to teach it. This method was actually introduced by the Prophet (s.a.w.) and is still relevant today.

(s.a.w.) about a number of companions<sup>38</sup>), as well as madhhabs based on the founder's own method of ijtiḥād (madhhabs of U'mar ibn al-Khattab, A'li ibn Abu Talib, Abu Huraira, A'isha bint Abu Bakr, Zayd ibn Thabit, Ibn A'bbas, Ibn 'U'mar, Ibn Mas'ud, etc.)<sup>39</sup>. In the era of early Islam, the number of such movements (madhab) reached several hundred. Later, on the basis of the strongest of them, regional fiqh schools were formed.

In the Middle Ages the term school of jurisprudence (madrasat al-fiqh) meant a place where scholars gathered to determine the prospects of this science and carry out scientific and practical activities. The essence of the fiqh school was the search for solutions to legal problems arising in Muslim society, based on primary sources, as well as the development of legal norms, their interpretation and justification. If initially this task was solved by companions, experts in fiqh, then during the period of followers (tobe'in) it passed to regional schools founded by them. In addition, the conditions necessary for the formation of such schools were determined. One of them was the presence of learned mujtahids living in the region and conducting scientific activities. That is why the first schools of fiqh appeared where the mujtahids lived. For example, in Hijaz, (Medina school, this school is also called the mother of jurisprudence schools (madaris al-fiqh). The school was based on the fiqh method of Zayd ibn Thabit<sup>40</sup>. He received knowledge from the Prophet (s.a.w.) himself in Medina. During the reign of Abu Bakr al-Siddiq and 'U'mar ibn al-Khattab, he played a key role in the collection and compilation of the text of the Qur'an. During the reign of 'Uthman ibn Affan, he was appointed chief reciter of the Qur'an of Medina. Among his merits is the issuance of fatwas on issues that were addressed to him by the residents of Medina and those who came to him asking for a fatwa. The companions of 'Aisha, Abu Huraira, followers (tobe'in) Said ibn Musayyab al-Makhzumi,<sup>41</sup> 'Urwa ibn az-Zubayr ibn Awwam al-Asadi,<sup>42</sup> Muhammad ibn Muslim ibn Shihab az-Zuhri made a significant contribution to the formation of this school and its activities<sup>43</sup>)<sup>44</sup> in Mecca (the

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<sup>38</sup> In a hadith transmitted from Anas, the Prophet (s.a.w.), testifying about his companions, said: "Among my ummah, Abu Bakr is the kindest to my ummah, U'mar is the most ardent in his love for religion, U'sman- the most shy, Mu'az ibn Jabal - the best expert on halal and haram, Ubay - the one who reads the book of Allah the most, Zeid ibn Thabit is the best in knowledge of inheritance law, in every ummah there is the most trustworthy one and "The most trustworthy person in this ummah is Abu Ubaydah ibn al-Jarrah."

<sup>39</sup> These madhhabs should not be confused with the four Sunni and four Shiite madhhabs, which became scientific and legal institutions in the Islamic world and have been active for centuries to this day. Because in those days the word madhhab meant methods and ways of extracting legal norms from the main sources of Sharia by one Sahabah (companion) or another, through the use of one's own effort (ijtiḥād).

<sup>40</sup> Zayd ibn Thabit al-Khazraji al-Najjari al-Madani al-Ansari (7 before the Hijra/615-44/665) was a famous companion. One of the personal secretaries of the Prophet (s.a.w.). On behalf of the Prophet (s.a.w.), he learned Hebrew and Syriac and became his personal translator. Among his companions he was considered the most knowledgeable in matters of inheritance. During the reign of U'sman ibn Affan, he was treasurer and judge.

<sup>41</sup> Sa'id ibn Musayyab al-Makhzumi (14/636-94/713) – faqih, muhaddis, one of the seven fuqih followers (tobe'in) from Medina. Hadith transmitter. Disciple of Zayd ibn Thabit.

<sup>42</sup> 'Urwa ibn az-Zubayr ibn Awwam al-Asadi (23/644-94/713) – faqih, muhaddis, one of the seven followers (tobe'in) - fuqih of Medina. He transmitted many hadiths from his aunt A'isha. One of the diligent in recording hadiths. One of the first Muslim historians to write the history of Islam.

<sup>43</sup> Muhammad ibn Muslim ibn A'bdallah ibn Shihab az-Zuhri (58/678-124/742) is a follower (tobe'in), a famous expert on hadiths and their reliable transmitter. He was the first compiler of a collection of hadith.

<sup>44</sup> At the time of the Companions, their activities in the field of jurisprudence were not yet called a legal school. Since each of the companions had knowledge at the level of a separate school.

Meccan school is based on the method of ‘Abdallah ibn ‘Abbas, who received knowledge and blessing from the Prophet himself to be a leader in science.<sup>45</sup> U’mar ibn al-Khattab, when solving difficult issues of Sharia, preferred his opinion to <sup>46</sup>the opinions of the Muhajirs, the Ansar and the people of Badr <sup>47</sup>), in Iraq (the Kuf school of fiqh is based on the style of ‘Abdallah ibn Mas'ud. The authority and status of the school are determined by the merits of many companions who moved here during the reign of Caliph Uthman. Many Iraqi fuqaha received knowledge from them, among whom are ‘Alqama ibn Qais an-Naha and<sup>48</sup>, al-Aswad ibn Yazid an-Naha and<sup>49</sup>, Abu Maysara Amr ibn Sharakhil al-Hamadani<sup>50</sup>, Masruk ibn al-Ajdah al-Hamadani, ‘Ubayd al-Salmani<sup>51</sup>, Shuraykh ibn al-Harith al-Kindi<sup>52</sup>, Ibrahim an-Naha and<sup>53</sup>others), in Basra (Basra school of fiqh, in the creation of which the teachings led<sup>54</sup> by Abu Musa al-Ash'ari, as well as Anas ibn Malik ibn

<sup>45</sup> And more: “The Messenger of Allah (s.a.w.) blessed me twice in a row, asking Allah for wisdom for me.” (Reported by at-Tirmidhi); “The Prophet (s.a.w.) entered the toilet. I brought him water for ablution. When he came out, he asked: “Who put this on?” “Ibn A'bbas ” I said. “Oh Allah, make him an expert in fiqh!” he said. (Narrated by Muslim). A'bdallah ibn A'bbas was a person to whom the blessings of the Prophet were heard by the Almighty. He was the fifth among those companions who transmitted the most hadiths.

<sup>46</sup> Imam al-Bukhari quoted the following message from A'bdallah ibn A'bbas ( r.a.): “ U'mar included me among the sheikhs of Badr, some of them did not like it. It was they who once asked him: “Why are you joining us with someone the same age as our children?!” And he answered them: “He is a well-known person to all of you!” When he added me to them, I understood that he was doing it to emphasize to them who I was. Then U'mar asked: “What do you say about the verse revealed by Allah “Iza jaa'a nasrullah wa -l- fath." Some of them said: “We say that we are commanded to praise and ask forgiveness from Allah when He grants us mercy or victory.” Some of them were silent and did not say anything. Then he turned to me: “And you ibn A'bbas, will you say the same?” I said "No". He told me: “What do you say?” I said: “This is the death of the Messenger of Allah (s.a.w.). Allah revealed this to him. “If Allah’s help and victory come” is a sign of this end. Allah Almighty said: “Remember your Lord in purity and ask Him for forgiveness. Verily, He accepts many repentances.” Then U'mar said: “By Allah, I also only know what you said about it.”

<sup>47</sup> Ahli Badr (Arab) – people of Badr. Muslims who took part in the first battle with idolaters (mushrik) at the locality of Badr (2/624).

<sup>48</sup>Alqama ibn Qays an-Naha'iy – Alqama ibn Qais ibn A'bdallah ibn Malik ibn Alqama an-Naha'iy (d.61/681) reciter of the Qur'an (qari), jurist (faqih). Although he was a contemporary of the Prophet, he did not meet him. He transmitted hadiths from U'mar ibn al-Khattab, U'sman ibn Affan, A'li ibn Abu Talib, Abu ad-Dardo, Salman al-Farsi and many other companions.

<sup>49</sup> Al-Aswad ibn Yazid an-Naha' i – Abu Amr al-Aswad ibn Yazid an-Naha' i (d. 75/695) was a follower (tobe'in) from Kufa. Originally from Yemen, although he was born before the Islamic period, he never met the Prophet (s.a.w). He learned about the Prophet from his teacher Mua'z ibn Jabal. He is one of the narrators of the Prophet's hadiths. He transmitted hadiths from Bilal ibn Rabah, A'isha, A'bdallah ibn Mas'ud and many other companions. He learned the Qur'an from A'bdallah ibn Mas'ud. Died in Kufa.

<sup>50</sup> Abu Maysara Amr ibn Shurahbil al-Hamadani al-Kufi (d.63/683) was a muhaddith from among the senior followers (tobe'in). Narrated hadiths from U'mar ibn al-Khattab, A'li ibn Abu Talib, A'bdallah ibn Mas'ud and many other companions.

<sup>51</sup> Ubaydah al-Salmani – Ubaydah ibn Amr al-Salmani al-Muradi al-Kufi. Fakihi of Kufa, follower (tobe'in). Converted to Islam in Yemen in the year of the conquest of Mecca. Expert in hadith and Islamic law (fiqh). He received knowledge from A'li ibn Abu Talib, A'bdallah ibn Mas'ud and others.

<sup>52</sup> Shuraykh ibn al-Harith al-Kindi – Shuraykh ibn al-Harith ibn Qays ibn al-Jahm al-Kindi (33before Hijra/590-70/697) was a follower (tobe'in) of Yemeni origin. He remained in history as a fair qadi (judge) of the early Islamic period. Connoisseur of literature and poetry. Appointed to the position of qadi of Kufa by U'mar ibn al-Khattab in 18/639, held this position for sixty years until the reign of Caliph A'bd al-Malik ibn Marwan. Narrated hadith from U'mar ibn al-Khattab, A'li ibn Abu Talib, Zaid ibn Thabit and others. There is also a version that Qadi Shurayh was a companion who, with the permission of the Prophet, brought his large family to Medina.

<sup>53</sup> Ibrahim an-Naha'i – Ibrahim ibn Zayd an-Naha' i (47/668-96/715) was one of the senior followers (tobe'in). Fakihi and Hafiz of the Quran. Narrated hadiths from al-Aswad ibn Yazid an-Nah' i Masruk ibn al-Ajdah and Alqama ibn Qays an-Naha'i others.

<sup>54</sup>Abu Musa al-Ash'ari - Abu Musa A'bdallah ibn Qais al-Ash'ari (20before Hijra/602-40/661) – companion (sahaba). Originally from Yemen. He moved to Mecca before Islam. The Prophet (s.a.w.) sent him as governor

Nazr al-Ansari,<sup>55</sup> followers of (Tobe'in) Hasan al-Basri,<sup>56</sup> Muhammad ibn Sirrin, Abu-l-Oliya Rufi ibn Mehron ar-Riyahi,<sup>57</sup> Hassan ibn Abu al-Hasan Yasar,<sup>58</sup> Abu Sha'sa Jabir ibn Zayd,<sup>59</sup> Qatada ibn Dioma al-Sadusi, etc.), in Syria (the formation of the Syrian school of fiqh is associated with the activities of Mu'az ibn Jabal, 'Ubada and Abu Darda. From this school descended such scholars like Abu Idris al-Khawlani, Makhul ibn Abu Muslim ad-Dimashki, U'mar ibn 'Abd al-'Aziz, Raja ibn Haywa al-Kindi and others. Among them, the eldest was 'Abd ar-Rahman al-Awza'i and others. He was born in Baalbak, lived in Damascus and Beirut, and is known as the leader of the Sham people ("Imam Ahl al-Sham").

The second chapter, entitled **“The Formation of the Ferghana School of Fiqh”** examines the main factors that influenced the formation of the school in the region and their characteristics. Cities have been built in the Ferghana Valley since ancient times. In the Middle Ages they had a great influence on the development of science and culture.<sup>60</sup> At this time, there were more than forty large and small cities<sup>61</sup> ('Abd al-Karim al-Sam'ani mentions nine cities, seven villages and one quarter. Among them are Akhsikat<sup>62</sup>, Koson, Margilan, Kuva (sources report that

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(wali) to Zubayd and Aden. Later, Caliph U'mar appointed him as governor (wali) of Basra, and Caliph U'sman as governor (wali) of Kufa. In Siffin, Caliph Ali chose him as a qadi for his part. He is the transmitter of 163 hadiths directly from the Prophet.

<sup>55</sup> Anas ibn Malik – Anas ibn Malik ibn Nazr al-Ansari (10 before Hijra /612-94/713) companion (sahaba). He is the son of the Companion (Sahabiyya) Umm Sulaym bint Milhan. She brought a ten-year-old boy to the service of the Prophet (s.a.w.) and asked him to bless him. The Prophet (s.a.w.) blessed him and asked Allah to grant him much wealth, offspring and long life. And for his sins to be forgiven Anas ibn Malik served the Prophet for ten years. He received knowledge directly from the Messenger of Allah (s.a.w.) and transmitted 2286 hadiths from him. In terms of the number of transmitted hadiths, he ranks behind Abu Huraira and Ibn U'mar. At the end of his life he moved to Basra and participated in the formation of the Basri school of jurisprudence (fiqh).

<sup>56</sup> Al-Hasan al-Basri – Abu Sa'id al-Hasan ibn Yasar al-Basri (21/642-109/728) - follower (tobe'in). At the age of sixteen he came to Basra and received knowledge from the companions (sahaba) who lived there. According to the stories, his mother Khaira was a servant of the mother of the believers (umm al-mu'mineen) of Umm Salama. It is said that one day when the baby al-Hasan began to cry, Umm Salama gave him the breast to calm him down. Therefore, it is believed that the knowledge and wisdom given to al-Hasan al-Basri is a blessing for this breastfeeding. He is one of the most famous scholars of Basra, was the Mufti of Basra and remained so until the end of his life.

<sup>57</sup> Abu -l-Alia Rufi' – Abu-l-Alia Rufi' ibn Mehron ar-Riyahi (d. 90/709 or 93/712) - follower (tobe'in). He witnessed the age of ignorance (jahiliya-pre-Islamic period). Islam was accepted after the death of the Prophet (s.a.w.). Was received by Abu Bakr as-Siddiq. U'mar ibn al-Khattab prayed for him. Abu Bakr bin Dovud called him the greatest expert on the Quran after the Companions. Transmitted hadiths from Ubayy ibn Ka'ab, Anas ibn Malik and others.

<sup>58</sup> Hasan ibn Abu al-Hasan Yasar – Hasan ibn Abu al-Hasan Yasar al-Basri (d.114/733) - follower (tobe'in). Preacher, expert in such Islamic sciences as kalam, tafsir, hadith and jurisprudence (fiqh).

<sup>59</sup> Abu Sha'sa Jabir ibn Zayd – Abu Sha'sa Jabir ibn Zayd al-Yahmadiy al-Azdi (21/642-93/712 or 103/722) follower (tobe'in). Expert in hadith, fiqh and tafsir. One of the especially close students of A'bdallah ibn A'bbas. Narrated a hadith from the “mother of believers” Aisha. During the Hajj season, he met with companions and scholars and tried to take knowledge from them. He categorically rejected allegations of his connection with the Ibadis.

<sup>60</sup> See: ۱۹۶۳ - حیدرآباد. مجلدہ - کتاب الانساب. كتاب التميمي السمعي. Hudud al-Alam. (The regions of the world) A Persian geography/ Translated and explained by V. Minorsky, 2<sup>nd</sup> edition. – London, 1970. – 482p.; Yakut al-Hamavi. Mu 'jam al-buldan. 8 vols. – Cairo, 1906; Abu Is'hak al-Farisi al-Istakhri regnorum/Ed. MJde Goeje, Lugduni Batavorum apud EJ Brill, 1967. Bibliotheca geographorum arabicorum. I. – 348 p.

<sup>61</sup> See Shamsaddin Abu A'bdullah Muhammad ibn Ahmad al-Moqaddasi. Descriptio imperii Moslemici /Ed. M. J. de Goeje, Lugduni Batavorum apud E. J. Brill, 1967. Bibliotheca geographorum arabicorum. III. – 498 p.

<sup>62</sup> There is an opinion that “... in the 9<sup>th</sup> century Akhsiket was called Fargana. The city of Fargana (Ferghana) mentioned by at-Tabari apparently also corresponds to Akhsiket” See Anarbaev A. Akhsiket – stolitsa drevnei Fergany. – Tashkent. Publishing house "Tafakkur", 2013. – P. 24. Qozoqov T. Axsikentning muxtasar tarixi. – Toshkent. “Fan ziyosi” nashriyoti, 2024. – B.11.

Kuva was a larger, neater and more prosperous city than Akhsikat and that, after the Mongol invasion, it turned into a small village<sup>63</sup>) Osh, Uzgand, Khailam, Kokand, Khojent (conquered under Caliph Yazid ibn ‘Abd al-Malik<sup>64</sup>, there are also opinions that it was built on the site of the ancient city of Eskhata, which existed in the time of Alexander the Great or even earlier<sup>65</sup>), Andukon (in the early Middle Ages was considered a village, but in the second half of the 12<sup>th</sup> century it became a city under the Mongol khans of Khaidu and Duva, and was the capital of Ferghana until the 18<sup>th</sup> century<sup>66</sup>), Gazak, Gandab (the villages of Gazak <sup>67</sup>and Gandab <sup>68</sup>in “Kitab al-Ansab” are called neighborhoods of Margilan<sup>69</sup>), Zarkan, Yadukhat, Navkad, Lomish <sup>70</sup>). The presence of necessary conditions for the development of science in these regions is confirmed by the activities of scientists who came from these places (Abu-l-‘Abbas Ahmad ibn Kathir al-Fargani,<sup>71</sup> Ahmad ibn Sa‘ad ad-Din Uzgandi Namangani (d.10<sup>th</sup> century),<sup>72</sup> Abu al-Wafa Muhammad ibn Muhammad al-Akhsikati (d.520/1126 ), Dhu al-Fazail Ahmad ibn Muhammad al-Akhsikati (465/1073-528/1134), Asir ad-Din al-Akhsikati (501/1108-594/ 1198 ),<sup>73</sup> Sayf ad-Din Muhammad al-Fargani (13<sup>th</sup> century), known as Sayfi Fargani,<sup>74</sup> Abu Tayyib Tahir ibn Muhammad ibn Ja'far ibn al-Khair al-Makhzumi al-Khukandi (d.500/1107),<sup>75</sup> Abu Imran Musa ibn ‘Abdallah al-Muaddib al-Khojandi (d.559/1067),<sup>76</sup> Abu Hafs ‘U’mar ibn Muhammad ibn Tahir

<sup>63</sup> Akhrarov I.A. Arkheologicheskie raskopki v shakhrastane gorodishsha Kuva // Istoriya material'noy kul'tury Uzbekistana. Issue 10. – T., 1973. – Pp. 58-65.

<sup>64</sup> Abu Sa'd A'bd al-Karim ibn Muhammad al-Sam'ani. Kitab al-ansab. Volume IV. – Beirut. – P. 128.

<sup>65</sup> Negmatov N.N. Ob issledovaniyakh Sogdiysko-tajik arkheologicheskoi ekspeditsii v 1975 g. // Arkheologicheskoe raboty v Tajikistane. Issue 15. Dushanbe, 1980. – Pp. 265-280.

<sup>66</sup> Bartold V.V. Turkestan v epokhu mongol'skogo nashestiya // Selected works in 9 vols. Vol. I. – M., 1963. – Pp. 214-216.

<sup>67</sup> Yakut al-Hamawi. Mu'jam al-buldan. Manuscript collection of IVAN Ruz . Inv. No. 2109, 288b; Abu Sa'd A'bd al - Karim ibn Muhammad al-Sam'ani. Kitab al-ansab. Volume IV. – Beirut. – P. 280.

<sup>68</sup> Yakut al-Hamawi. Mu'jam al-buldan. Ibidem. – P. 340.

<sup>69</sup> Abu Sa'd A'bd al-Karim ibn Muhammad al-Sam'ani. Kitab al-ansab. Ibidem. – P. 312.

<sup>70</sup> See Kamalidinov Sh. “Kitab al-ansab” by Abu Sa 'da A'bd al-Karim ibn Muhammad al-Sam'ani as a source on the history and cultural history of Central Asia. – T., 1993. – 350 p.

<sup>71</sup> He is an astronomer, mathematician and geographer, a great scientist who remains in history. His famous work "Az-Zij al-Ma 'mun al-Mumtahana "(The Verified Astronomical Tables of al-Ma' mun) was one of the first works written in Arabic on astronomy and spread to Europe in the Middle Ages. It was translated twice into Latin in the 12<sup>th</sup> century and into other Western languages in the 13<sup>th</sup> century. See: Abdullaev I. Islamic culture in Central Asia. – T., 2005. – P. 110.

<sup>72</sup> Manuscripts of the scholar's work entitled “Tazkira” Bugrakhan" have reached us and are stored in the collections of the Institute of Oriental Studies of the Russian Academy of Sciences. The work was written in Persian and later translated into Uzbek by Niyoz Kashgari. See: Abdullaev I. Ibid. – P. 120.

<sup>73</sup> These scholars were born in Akhsikent, received their primary education here, and then studied in different countries, gained fame as experts in history, literature and poetry, and worked fruitfully. See: Abdullaev I. Ibid. – P. 184.

<sup>74</sup> The scholar left his country during the Mongol invasion and lived in Tabriz in 660/1262-682/1284. At the end of his life he moved to the Byzantine city of Oksaroy (White Palace) and died there. His poem of 10,500 verses has survived. In addition, four letters from his correspondence with Saadi Shirazi have reached us. One manuscript of the above-mentioned diwan of Sayf ad-Din Ferghani, copied in 711/1312, is kept in the library of Istanbul University, the second, copied in 749/1349, in the library of Vahid Pasha, and the third, copied in 903/1498, in the library of Ravona Kashku. See: Abdullaev I. Ibid. – P. 186.

<sup>75</sup> He was a literary man and a virtuous man. Born in Kokand, lived in Samarkand, buried in the Chakardiza cemetery. See: Abdullaev I. Ibid. – P. 195.

<sup>76</sup> He lived and worked in Khojand. Author of words of wisdom, stories and recorded stories. Among his teachers the name of Abu Nazr Muhammad ibn al-Hakam al-Bazzaz al-Samarkandi is mentioned. See: Bobojonov A. Fergana i ferganskie uchyonye v “Mu'jam al-buldan” by Yakut al-Hamawi // The role of the city of Margilan in the

al-Andukani al-Sufi (479/1087-544/1150)<sup>77</sup> and by the information based on archaeological sources<sup>78</sup>. The study paid special attention to the regions where the scholars who took the leading place in the formation of the regional school came from. Among them is Akhsikat (Ibrahim ibn Yusuf ibn Ahmad ibn Hamd ibn Abu al-Fadl ibn ‘Abdallah al-Akhsikati (jurist, muhaddith, writer),<sup>79</sup> Abu al-Wafa Muhammad ibn Muhammad al-Akhsikati (d.520/1126 - poet, historian, linguist),<sup>80</sup> Dhu al-Fazail Ahmad ibn Muhammad al-Akhsikati (465/1073-528/1134 - writer, poet, historian), Asir ad-Din al-Akhsikati (501/1108-594/1198 - encyclopedist),<sup>81</sup> al-Husayn ibn Abu Ali al-Akhsikati al-Fargani (d.XI-jurist, muhaddith ), Abu Rashad Ahmad ibn Muhammad ibn al-Qasim al-Akhsikati (459/1067-534/1140 - jurist, linguist, writer, historian),<sup>82</sup> Husam ad-Din al-Akhsikati (d.644/1247 - jurist), Kasan (Abu Bakr ibn Masu'd ibn Ahmad ‘Ala ad-Din al-Kasani (d. 587/1191 - jurist ), Muhammad ibn al-Hasan Burkhan ad-Din al-Kasani <sup>83</sup> (d.XII-jurist), Muhammad ibn Ya’qub ibn Abi Tolib al-Kasani (480/1088-555/1160<sup>84</sup>), Margelan and Ferghana (‘Abd al-’Aziz ibn ‘Abd ar-Razzaq al-Marginani (d.477/1085 ), Zahir ad-Din al-Kabir Ali ibn ‘Abd al-’Aziz ibn A' bd ar-Razzaq al-Marginani (d.506/1113 ), Abu al-Mahosin Zahir ad-Din al-Hasan ibn ‘Ali ibn ‘Abd al-’Aziz al-Marginani, Muhammad Abu al-Fath Jalal ad-Din al-Farghani al-Marginani,<sup>85</sup> Abu al-Hasan Nasr ibn al-Hasan al-Marginani, ‘Abd al-Jalil ibn ‘Abdallah ibn ‘Ali ibn Sayin al-Marginani (580/1185-631/1234) Muhammad ibn Abu Bakr ibn Yusuf Imam Rukn ad-Din al-Farghani (d.594/1198), Muhammad ibn Muhammad ibn Muhammad al-Marginani (d.726/1326 ),<sup>86</sup> Abu Salih ‘Abd al-’Aziz ibn Abbad al-Fargani (d.269/883-muhaddith), Abu Sa'id Mus 'ad ibn Bakr ibn Sasan al-Fargani (d.341/953-muhaddis ), Abu al-A'bbas Hajib ibn Malik ibn Arkin al-Fargani al-Darir al-Dimashki (d.296/909-muhaddith), Rahma ibn Rahib al-Fargani (muhaddith) <sup>87</sup>, Bilal ibn Mas 'ud al-Farghani (muhaddith),<sup>88</sup> Abu al-

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history of world civilization. Proceedings of the international scientific conference. Tashkent-Margilan, 2007. – P.165-167.

<sup>77</sup> The scholar was born in Andijan, later lived in Ferghana. In existing sources, he is mentioned as a righteous sheikh and an expert in Islamic law (faqih). Studied in Bukhara and Merv. See: Abdullaev I. Islamic culture in Central Asia. – T., 2005. – P. 192.

<sup>78</sup> The information on the tombstones of the Middle Ages also testifies that "...well-known scholars, jurists, well-known sheikhs and imams" lived in this area. See: Nastich V.N. Muslim epigraphy of Fergana and Semirechye: Monuments of Arabic writing of the 11th-17th centuries. On the territory of Kyrgyzstan / Ed. B.M. Babadzhanov / Institute of Oriental Studies of the Russian Academy of Sciences. – St. Petersburg: Publishing house of the Russian State Pedagogical University named after. A.I. Herzen. 2019. – P. 160.

<sup>79</sup>Najm ad-Din U'mar ibn Muhammad ibn Ahmad an-Nasafi. Al-Kand fi zikri u'lama Samarkand. – Tehran, 1999 (in Arabic). – P. 62.

<sup>80</sup> Haji Khalifa. Lexicon bibliographicum et encyclopedicum a Mustafa bin Abdallah Katib Jalabi, instruxit Gustavus Fluegel. – London:1858. V. II. – P. 160.

<sup>81</sup> Abdullaev I. Islamskaya kul'tura v Tsentral'noy Azii. – T., 2005. – P. 118.

<sup>82</sup>Babajanov A. Fergana i ferganskije suchyonje v "Mu'jam al-buldan" by Yakut al-Hamawi // The role of the city of Margilan in the history of world civilization. Proceedings of the international scientific conference. – Tashkent-Margilan, 2007. – P.166.

<sup>83</sup> Najm ad-Din U'mar ibn Muhammad ibn Ahmad an-Nasafi. Al-Kand fi zikri u'lama Samarkand. – P. 584.

<sup>84</sup> - ١٩٨ ص- ١٩٠٣ الحنفية قازان- تراجم البهية في تراجم الحنفية قازان- ١٩٠٣ ص- ١٩٨

<sup>85</sup> Yakut al-Hamawi. Mu'jam al-buldan. Volume 5, Cairo, 1906. (in Arabic). – P. 233.

<sup>86</sup> Yakut al-Hamawi. Mu'jam al-buldan. Ibidem. – P. 235.

<sup>87</sup> Najm ad-Din U'mar ibn Muhammad ibn Ahmad an-Nasafi. Al-Kand fi zikri u'lama Samarkand. Ibidem. – P. 170.

<sup>88</sup> Ibidem. – P. 107.

A'bbas Khalid ibn Muhammad al-Fargani (muhaddis),<sup>89</sup> al-Imam U'mar ibn al-Hussein ibn al-Hasan al-Nukkadi al-Fargani (muhaddis),<sup>90</sup> Abu al-Muzaffar al-Mushtab ibn Muhammad ibn Osama ibn Zayd ibn al-Nu'man ibn Muhammad ibn Sufyan al-Farghani (414/1024-486/1093 - jurist (faqih), muhaddith), Abu Bakr Muhammad ibn Hamawayh ibn Hadid ibn Harun ibn Idris ibn 'Abdallah al-Fargani (muhaddith), Abu Ja'far Muhammad ibn 'Abdallah al-Fargani al-Sufi (muhaddith) and etc.); Uzgend (A'li ibn Sulaiman ibn Dawood al-Khatibi Abu al-Hasan al-Uzgandi (XI century-jurist (faqih), muhaddis), Shams al-Aimma Mahmud ibn 'Abd al-'Aziz al-Uzgandi (XI century-jurist (faqih), muhaddis), Shams al-Islam Mahmud ibn 'Abd al-'Aziz ibn 'Abd ar-Razzaq al-Uzgandi (muhaddis), Abu Muhammad 'Abd ar-Rahman ibn 'Abdallah ibn Ishaq ibn Ahmad al-Uzgandi (d.513/1120 - muhaddis)<sup>91</sup>, Hasan ibn Mansur ibn Mahmud Fakhr ad-Din Qadikhan al-Uzgandi al-Fargani (d.593/1197), etc.); Osh (Mas 'ud ibn Mansur ibn Mursal al-Ushi (d.518/1125 - jurist (faqih)<sup>92</sup>, Muhammad ibn Ahmad ibn Khalid Abu 'Abdallah al-Ushi (d.612/1216 - jurist (faqih),<sup>93</sup> Abu al-Hasan Ali ibn al-Hasan al-Hafiz I'mran ibn Musa al-Ushi - jurist (faqih), Muhammad ibn Sulaiman Abu 'Abdallah al-Ushi jurist (faqih) and others); Ilaq<sup>94</sup>(al-Khatib Abu 'Abdallah Muhammad ibn Daud ibn Ahmad ibn Rizwan al-Ilaqi (d.538/1144-faqih, muhaddith); Lamish<sup>95</sup>(Abu A'li al-Hussein ibn A'li ibn Abu al-Qasim al-Lamishi al-Fargani (440/1049-522/1128 - jurist (faqih); Kubo (Ibrahim ibn 'Ali ibn al-Hussein Abu Ishaq al-Kubawi al-Sufi (394/1004-474/1082 - one of the Sufis shaykhs), Abu al-Makarim Rizkullah ibn Muhammad ibn Abu al-Hasan ibn 'U'mar al-Kubawi (XII century - literary critic (adib)<sup>96</sup> and others. The features and primary scientific endeavors of the above-mentioned research centers, their contribution to the development of the school are identified, and appropriate conclusions are drawn.

The dissertation classifies school representatives both by region and by their affiliation with branches of science. The purpose of this classification was to study the degree and significance of the merits of representatives of the school in the branches of Islamic sciences. As a result, scientists who worked in the field of hadith studies and jurisprudence were identified and conclusions were drawn about their contribution to the development of these Islamic sciences in the region. It is known that the Ferghana Valley is not one of the traditional centers of hadith studies. Nevertheless, the sources revealed information that research in the field of hadith took place in the activities of local scientists (Abu 'Abd ar-Rahman al-Qasim ibn Muhammad ibn 'Abdallah al-Farghani (d.261/875), Abu Abdallah Nuh

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<sup>89</sup>Ibidem. – P. 132.

<sup>90</sup>Ibidem. – P. 487.

<sup>91</sup> Ibidem. – P. 372.

<sup>92</sup> A bu Sa'd A'bd al-Karim ibn Muhammad as- Sam'ani. Kitab al-ansab. Volume IV. – Beirut. – P. 229.

<sup>93</sup>Yakut al-Hamawi. Mu'jam al-buldan. Ibidem. – P. 375.

<sup>94</sup>Babajanov A. Ferghana and Ferghana scientists in "Mu'jam al-buldan" by Yakut al-Hamawi // The role of the city of Margilan in the history of world civilization. Proceedings of the international scientific conference. Tashkent-Margilan, 2007. – P.162.

<sup>95</sup> Babajanov A. Ibid. – P. 165.

<sup>96</sup> Babajanov A. Ibid. – P. 167.

ibn Nasr al-Akhsikati (XI century), ‘Abdallah ibn Qaid ibn Aqil ibn al-Hussein ibn Ahmad ibn A’li ibn Ahmad al-Akhsikati (461/1069-514/1121), Nuh ibn Nasr ibn Muhammad ibn Ahmad ibn Amr ibn al-Fadl ibn al-A’bbas ibn al-Harith al-Fargani al-Akhsikati (d.XI century), Abu al-Jawad A’to ibn Ahmad ibn al-Sadiq al-Khalidi al-Kasani, Abu Nasr Ahmad ibn Sulaiman ibn Nasr ibn Hatim ibn A’li ibn al-Hasan al-Kasani, Abu al-Muzaffar Bahram ibn Hamza ibn al-Mubarak al-Hajjaj al-Marghinani, Shaykh al-Imam Abu-l-aimmah ‘Abd al-’Aziz ibn ‘Abd al-Razzaq ibn Abu Nasr ibn Ja’far ibn Sulaiman ibn Matkan al-Marginani (406/1016-476/1084), Mus’ada ibn Asfa ibn Mus’ada ibn al-Mubarak ibn Zayd ibn Ahmad al-Farghani al-Kubawi). The dissertation examined more than ten scientists of different skill levels and information about their activities was introduced into scientific circulation for the first time. Studying the place of representatives of the school in the science of hadith is important from the point of view of clarifying the role of Islamic sciences in the development of the regional school of jurisprudence (fiqh).

The Ferghana Valley is famous in the Muslim world for its outstanding scientists who occupied leading positions in the development of Islamic law (fiqh). The study examined about twenty jurists who made a great contribution to the development of this science not only in Transoxiana, but throughout the Islamic world (‘Abd al-’Aziz ibn ‘Abd ar-Razzaq al-Marghinani (d.477/1085),<sup>97</sup> Shaykh Imam Zahir ad-Din al-Kabir ‘Ali ibn ‘Abd al-’Aziz ibn ‘Abd ar-Razzaq al-Marginani (d.506/1113), Abu al-Makhosin Zahir ad-Din al-Hasan ibn ‘Ali ibn ‘Abd al-’Aziz al-Marginani (d.XI century), ‘Abdallah ibn ‘Ali ibn Sain ibn ‘Abd al-Jalil ibn al-Khalil ibn Abu Bakr al-Farghani (550/1156-609/1213),<sup>98</sup> Abu Muhammad U’mar ibn Ahmad ibn Abu al-Hasan ibn al-Hasan al-Gandabi al-Marginani (484/1092-556/1161), Zahir ad-Din Ziyad ibn Ilyas Abu al-Maoli,<sup>99</sup> Shaykh al-Islam Nasr ad-Din Muhammad ibn Sulayman Abu ‘Abdallah al-Ushi,<sup>100</sup> Zia ad-Din ibn Sa’id Asad ibn Ishaq al-Marginani (d.593/1197),<sup>101</sup> Muhammad ibn Ahmad ibn ‘Abdallah al-Khatibi al-Jodaki, etc.),<sup>102</sup> and analyzed information about their scientific heritage.<sup>103</sup>

**In the third chapter, entitled “Source analysis of the works of scholars of the Ferghana school of fiqh,”** a source study of the works devoted to the Islamic sciences is carried out. The research involved works on *furu’ al-fiqh* (applied law) by representatives of the school (‘Ala ad-Din al-Kasani-“Badai’ as-sanai’ fi tartib ash-sharai” (“Magnificent arts in the composition of the Sharia”), Muhammad ibn

<sup>97</sup> Mahmud ibn Sulaiman al-Kafavi. *Kata 'ib a 'lam al-akhyor min madhhab an-Nu'man al-mukhtar*. – Beirut. 2019 – P. 378.

<sup>98</sup> *Ibidem*. – P. 294.

<sup>99</sup> Bint al-Mufti Mujib ar-Rahman ad-Dayraviy. *Al-Hadi ila Riyadh al-Fiqh wa-l-Fukaho*. Timkara. – Pakistan. 2014. – P. 253.

<sup>100</sup> ابو سعد عبد الكريم ابن محمد ابن منصور التميمي السمعاني. . كتاب الانساب – القاهرة – مجلد – 2 ص-386

<sup>101</sup> Bint al-Mufti Mujib ar-Rahman ad-Dayraviy. – P. 252.

<sup>102</sup> *Ibidem*. – p. 254.

<sup>103</sup> A separate chapter of the dissertation is devoted to the analysis of the merits of the largest representatives of the school such as Siraj ad-Dina al-Ushi, Fakhr ad-Dina Qadikhan, Burhan ad-Dina al-Marginani, Husam ad-Dina al-Akhsikati, Ala ad-Din al-Kasani in the field of Islamic law (fiqh) and the development of the regional school of jurisprudence.

Yaqub ibn Abi Talib al-Kasani (480/1088-555/1160) - "al-Amali" ("Dictation"), Zahir ad-Din al-Kabir ibn 'Abd al-'Aziz al-Marghinani - "Kitab al-Aqdiya" ("Book of Legal Proceedings"), Fakhr ad-Din Qadikhan al-Uzgandi al-Farghani - "al-Wakiat" ("Testimonies"), "al-Amali" ("Dictation"), "al-Mukhadara" ("Lectures"), Siraj ad-Din al-Ushi - "Jawahir al-ahkam" ("Jewels of Sharia rulings"), "Mukhtalif ar-rivaya" ("Various Narratives"), "Bad' al-Amali" ("The Beginning of Dictation"), Burhan ad-Din al-Marginani - "Majmu' mukhtarat an-nawazil" ("Collection of selected fatwas"), etc.) in total there are more than twenty works in the field of applied law by more than ten authors.

As a result of the source analysis of the works of Burhanuddin al-Marginani, the specificity of the structural structure, aspects of works on fiqh that are distinctive from other authors (for example, "Mukhtarat an-nawazil" is divided into books with their own name, each book is divided into chapters, and the chapters into sections). In "Tajnis wa-l-mazid" the method of indicating the source in the text using individual letters from the title of the book is applied, for example, the letter (ن) means "al-Nawazil" ("The Sent Ones") of Abu Laysa al-Samarkandi, the letter (ع) indicates "U'yun al-masail" ("The root of the issue"); the presence of sections not found in other works of the author on fiqh (such as "Kitab jam' al-masail" ("Book of collecting questions"), "Kitab al-mawaris" ("Book of inheritance") and "Kitab al-hiyal wa-l-maharij" ("The Book of Tricks and Ways Out of the Situation"); topics (sequence of topics, their share in the composition of the work as a percentage (for example, the questions "Takhara" ("Wash"), "Salat" ("Prayer"), "Zakat" ("Alms"), "Sawm" ("Lent") and "Hajj" ("Pilgrimage") account for 25 percent); are not divided into chapters and sections); the degree of use of Sharia sources in substantiating the topics (verses of the Holy Quran, Sunnah, Ijma and Qiyas, then the opinions of the companions, Hanafi<sup>104</sup> scholars and representatives of the madhhab from Transoxiana and their works); al-Hidaya "The Istanbul list dates back to 613/1217, the Tashkent copy 678/1280,<sup>105</sup> in addition, copies of the work copied in India (inv.No.3007/1), in Istanbul (inv.No. 8662), in Peshawar (inv.No.6185), in Kashgar (inv.No.11302) in Bukhara (inv. No. 3173, 8447, etc.), in Samarkand (inv.No.8930,12516,7921, etc.), in Nasaf (inv. No. 6040,7817), in Khorezm (inv.No.4987), in Andijan (inv.No.4047), in Khojent (inv. No.10828), in Tashkent (inv.No.9522).); comments, glosses and marginal notes (talik) (over the centuries, more than 60 commentaries, glosses and marginal notes (talik) have been written on "al-Hidaya," among which "al-Fawaid" ("The

<sup>104</sup> Abu Hanifa Nu'man ibn Sabit al-Kufi (79/699-149/767), a great imam (Imam Azam), jurist (faqih), hadith scholar (muhaddith), founder of the Hanafi school (madhhab). Author of the works "al-Fiqh al-Akbar" ("Great Fiqh"), "al-Musnad" ("Support") and others; Abu Yusuf Yaqub ibn Ibrahim ibn Habib ibn Hunays ibn Sa'd ibn Habta al-Ansari (112/731-181/798), the first supreme judge ("qadi al-quzat") in the history of Islam. He studied with Abu Hanifa for 17 years. From 165/782, for sixteen years as a qadi, he made a great contribution to the spread of the Hanafi madhhab; Abu A'bdallah Muhammad ibn al-Hasan ibn al-Farqad al-Shaybani (131/749-189/805) belongs to the Shayban tribe from the village of Kharsata in Damascus. Imam Muhammad is considered the author of hundreds of books, but the titles of only a little more than ten of his works are known. They are divided into "Zahir ar-rivaya" books and books that are not "Zahir ar-rivaya"; Zufar ibn al-Khuzail ibn Qais al-Anbari at-Tamimi (109/728-158/775) studied with Abu Hanifa for 20 years. There is no information about his works, but his legal views and fatwas are repeatedly mentioned in sources on fiqh.

<sup>105</sup>This manuscript is considered the oldest copy stored in our country.

Benefits”) of Hamiduddin ‘Ali ibn Muhammad az-Zarira al-Bukhari (d.667/1269), "an-Nihaya" ("Complete") of Imam Husam ad-Din ibn A'li al-Siganaki (d. 709/1310), "Mi'raj ad diraya fi sharh al-Hidaya" (“The Ladder of Knowledge in the commentary of al-Hidaya”) by Shaykh Imam Qawam ad-Din Muhammad ibn Muhammad al-Bukhari al-Kaki, “Nihayat al-kifaya fi dirayat al-Hidaya” (“Complete knowledge sufficient to assimilate al-Hidaya”) of the Shaykh U’mar ibn Sadr ash-Shari’a al-Awwal ‘Ubaidullah al-Mahbubi al-Hanafi); publications (in India <sup>106</sup>, Turkey <sup>107</sup>, Saudi Arabia <sup>108</sup> and the Institute of Oriental Studies of the Uzbekistan Academy of Sciences <sup>109</sup>, etc.)

As a result of the study, it was established that no manuscripts of the work of ‘Ala ad-Din al-Kasani "Badai' as-sanai' fi tartib ash-sharai'" ("Magnificent arts in the composition of Sharia") have been preserved on the territory of our country. Therefore, a source analysis of the work was carried out on the basis of a manuscript rewritten by Yahya ibn Muhammad al-Bukhari in 852/1449. It establishes information related to the author’s biography, the features of the manuscript and the structure of the work (for example, the order of quoting representatives of other madhhabs on issues of Islamic law (fiqh), then, when moving to the rules adopted in the Hanafi school (madhab), to indicate this transition with a special sign (لنا) marking the beginning of a new topic, etc.); manuscripts of the work and storage locations (e.g. Turkey, (Koprulu, Hafiz Ahmad Pasha Foundation 32HA81, 31 HA82, 32 HA83 and 32 HA84, Manisa al-Khalq Library 45 Hk 478/2, Atif Foundation Efandi 34 Atf 748 and 34 Atf 749, Fazlullah Foundation Afandi 34 Fe 676), Ireland (Chester Beatty Library, Inv. Nos. 3638/I, 3638/II), Qatar (Library “Dar al-qutub al-qatariya”, Inv. No. 747), Kuwait (Library “Mahad al-makhtutot al-Arabiya”, Inv. No. 1809/I,II), Germany (Berlin State Library, Inv. No. 447-449), England (British Library, Inv. No. 5512 Or), Tunisia (Library of the University of Zaytouniya , Inv. No. 68/IV ), Palestine (Library “Maktabat al-Khalidiya”, Inv. No. 13/III), Egypt (Library “Khudaiviya”, Inv. No. 12/II, “Dar al-qutub al-misriyya”, Inv. No. 405/I , "Maktabat al-Azhariya", Inv. No. 44133), Syria (Library "al-Zahiriya", Inv. No. 231,2576), Saudi Arabia (Library "Markaz al-Malik Faisal li-l-buhus" wa-d-dirosat al-Islamiya", Inv. No. 11731-11736 b, 16735 -16739 b, 260/II b,) India ("Maktabat al-Asifiya", Inv. No. 1074/II, 344, Library "Maktabat " Rambur", Inv. No. Муминов/I, 59, 419/II, 728-732), USA ( Barniston Library, Inv. No. 2563, 2807); editions<sup>110</sup>, essays and translations <sup>111</sup>.

<sup>106</sup>Burhan ad-Din al-Marginani. Mukhtarat an-nawazil. Prepared for publication by Khalid Saifullah al- Rahmani. Publishing house " Ifo ". – New Delhi, India. 2013. – 543 p.

<sup>107</sup> Burhan ad-Din al-Marginani. Mukhtarat an-nawazil. Critical text. Prepared for publication by Ahmad Gunash. – Konya, Türkiye. 2010 – 536 pp.: Burhan ad-Din al-Marginani. Mukhtarat an-nawazil. Prepared for publication by Ahmed Günas. Publishing house "Irshad". – Istanbul, Türkiye. 2016 – 567 p.

<sup>108</sup> Burhan ad-Din al-Marginani. Mukhtarat an-nawazil. Prepared for publication by Amina Salahuddin al-Saghir. Publishing house "al-Muktabis ". – Mecca, Saudi Arabia. 2013. – 643 p.

<sup>109</sup> Burhan ad-Din al-Marginani. Mukhtarat an-nawazil. Scientifically commented translation from Arabic into Uzbek. The authors of the translation are O. Kariyev, Kh. Aminov, M. Ismailov, B. A'bdullaev, U. Palvanov. Executive editor O. Kariyev. – T., "Fan". 2019. – 605 p.

<sup>110</sup> A'la ad-Din al-Kasani. Badoe 'as-sanoe' fi tartib ash-sharoe'. Preparation for publication A'li Muhammad Muawwad and Adil Ahmad A'bd al-Majid. 10 volumes. – Beirut, Lebanon. 2003.

About fifty works and more than a hundred commentaries and glosses on “usul al-fiqh” have been written<sup>112</sup> in the Hanafi madhhab. They are mentioned in a number of scholarly works.<sup>113</sup> The dissertation presents works on “usul al-fiqh” and their authors (for example, Abu Mansur al-Moturidi (d.332/944) “Makhaz ash-sharayi” (“Sources of Sharia”)<sup>114</sup>, Abulhasan ‘Ubaydullah ibn al-Husayn al-Karkhi (258/873-340/952) “Usul al-Karkhi” (“Fundamentals of al-Karkhi”)<sup>115</sup>, Abu Bakr al-Jasos (305/918-369/980) “al-Fusul fi-l-usul” (“Sections of the Fundamentals”)<sup>116</sup>, Abu Zayd ad-Dabusi (367/978-430/1039) “al-Anwar fi usul al-fiqh” (“Rays of the foundations of fiqh”)<sup>117</sup>, ‘Abd al-Karim ibn Musa al-Bazdawi (399/1009-481/1089) “Usul al-Bazdawi” (“Fundamentals of al-Bazdawi”),<sup>118</sup> etc.). The role of scholars of the Ferghana school of fiqh in the development of this science has been studied (Abu al-Sano Mahmud ibn Zayd al-Lamishi (d.539/1145) “Kitab fi usul al-fiqh” (“Book of the Fundamentals of Fiqh”), Husam ad-Din al-Akhsikati (d.644/1247) “Muntahab al-Husami” (“Favorites of al-Husami”). As a result of the analysis of their structure, differences between them were identified (for example, “Kitab fi usul al-fiqh” (“The Book of the Fundamentals of Fiqh”) consists of an introduction, 37 sections (fasl) and 53 parts (mas’ala), and “Muntakhab al-Husami” (“Selections of al-Husami”) consists of four chapters, 25 sections (fasl) and 9 parts); differences in style (for example, in “Kitab fi usul al-fiqh” (“Book of the Fundamentals of Fiqh”) the principle of comparison (qiyas) is not called one of the sources of fiqh, and in “Muntakhab al-Husami” qiyas is considered the fourth source (asl); the composition of the sources has been established (the sources of “Kitab fi usul al-fiqh” (“Book of the Fundamentals of Fiqh”) are the verses of the Qur’an (39 verses out of 32 surahs), the Sunnah of the

<sup>111</sup> A'la ad-Din al-Kasani. Badoe' as-sanoe' fi tartib ash-sharoe'. Scientifically commented translation from Arabic into Uzbek. Volumes 1-2. Translation and preparation for publication of Ala' uddin Mansur. – Tashkent, 2015. – 459 p.

<sup>112</sup> Abu Hafs an-Nasafi. Tahsil usul al-fiqh / Translation and preparation for publication: H. Aminov, S. Muhammadaminov. Executive editor O. Kariyev; Abu Rayhan Beruni Center for Oriental Manuscripts at the Tashkent State Institute of Oriental Studies of the Ministry of Higher and Secondary Special Education of the Republic of Uzbekistan – T.: Nashr Publishing House, 2015. – P. 8.

<sup>113</sup> See: A'bd al-Hayy al-Laknawi. Al-Fawaid al-bahiya fi tarajim al-hanafiyya. – Kazan, 1902. – P. 324 (hereinafter: al-Laknawi. al-Fawaid al-bahiya); Ahmet Ozel. Hanefi fikih alimlari. – Ankara: Turkiye diyanet vakfi yayinlari, 2006. – 273 p. ; Nadir Nabijan ug'li. Lessons on usul al-fiqh. – T.: Tashkent Islamic University, 2008. – 140 p.; Shaykh Muhammad Sadiq Muhammad Yusuf. Usul al-fiqh. – T.: Sharq, 2010. – 576 p.; Shaykh Muhammad Sadiq Muhammad Yusuf. Yuridicheskie napravleniya i knigi. – T.: Sharq, 2011. – 304 p.

<sup>114</sup> The sources mention that the work is devoted to the basics of jurisprudence. For example, in the part devoted to the fundamentals of jurisprudence of the collection entitled “Matla' an-nujum va Majma' al- 'ulum” (“The Rising of the Stars and the Place of Gathering of Knowledge”), compiled by Abu Hafs an-Nasafi ( 460/1068-536/1142), quotes from “Ma'khaz ash-sharayi ”. However, a separate complete text of the work has not yet been found.

<sup>115</sup> Unfortunately, the full text of this work has not reached us in book form. However, Dr. Husain Khalaf Sulaiman al-Juburi, a professor at the Umm al-Qura Islamic University in Mecca, collected al-Karkhi's thoughts on the fundamentals of jurisprudence from the books of the Hanafi madhhab and published it in 1989 under the title “al-Akwal al-usuli li-l-imam Abu al-Hasan al-Karkhi” (“Sayings of Imam Abu al-Hasan al-Karkhi about the fundamentals (usul).

<sup>116</sup> Composition researched and published by Ajil Jasim al-Nashami in Kuwait in 1985.

<sup>117</sup> The manuscript of the book has not yet been found.

<sup>118</sup> The work was also known as “al-Usul” (“Fundamentals”), “Kanz al-wusul Ila ma'rifat al- usul” (“Treasury of achieving knowledge according to “Usul ”), “Kitab al-kabir fi usul al-fiqh” (“Big book on the basics of fiqh”). More than ten comments have been written on it. A commentary by A'bd al-A 'ziz al-Bukhari (d.730/1330) entitled Kashf al-asrar (Revelation of Secrets) was published in Cairo and Istanbul.

Prophet (in 29 places there are 25 hadiths), the opinions of the companions (‘Ali ibn Abu Talib, Ibn ‘Abbas, ‘Abdallah ibn Masu'd, Mu'az ibn Jabal, Abu Musa al-‘Ashari), people of the Sunnah (ahl al-sunnah wa-l-jama’a) (Abu Hanifa, Malik ibn Anas, Muhammad ibn Idris ash-Shafi'i, Ahmad ibn Hanbal), Hanafi mujtahids (Abu Yusuf, Muhammad al-Shaybani, Zufar), Hanafi scholars (Abu ‘Abbas al-Qalanisi, Abu Ishaq al-Isfarayini, al-Kaffal al-Shashi, Abu Zaid ad-Dabusi, Abu Mansur al-Moturidi, Abu al-Hasan al-Karkhi, etc.) and the specifics of the approach of representatives of various sects in Islam (Mu'tazilites Ibrahim ibn Sayyar an-Nazzam, Abu Hashim al-Jubbani, his son Abu Hashim and others, Karramites, Khawarij, Rafidis, Waqifites and Zahiris); The features of the stage-by-stage development of this science are revealed. It turned out that a small number of copies of these two works have been preserved in the manuscript collections of our country and the world. In the existing literature and catalogs, no information has been found about the manuscripts of “Kitab fi usul al-fiqh” preserved on the territory of our country. To study this work, we used the publication prepared by ‘Abd al-Majid al-Turki (published in Beirut in 1995 and 2018 <sup>119</sup>).

The research “al-Muntakhab al-Husami” was carried out on the basis of manuscripts stored in our country (Al-Biruni Institute of Oriental Studies, Inv. No. 10718/1), in foreign countries (Juma’ al-Majid, Dubai Foundation, UAE, Inv. Nos. 1089,1161,1162,1163 “Egyptian Library” Cairo, Egypt, Inv. No. 190, “Berlin State Library” Berlin, Germany, Inv. No. 4858, Library of the University of Umm al-Qura of the Kingdom of Saudi Arabia, Inv. No. 106 <sup>120</sup>), as well as manuscripts of commentaries on the work (“at-Tahqiq” - Al-Zahiriya Library Damascus, Syria, Inv. Nos. 2868,5619,7738 Juma’al-Majid Foundation, Dubai, UAE, Inv. Nos. 3466,399 “at-Tabyin” - “Egyptian Library”, Cairo, Egypt, Inv. No. 142, “Alexandria Library” Alexandria, Egypt, Inv. No. NJ 3634, “Berlin State Library” Berlin, Germany, Inv. No. 4588) and publications (Damascus edition "Mukhtasar al-Husami" 1999.<sup>121</sup>). A qualitative change was revealed that occurred in the Middle Ages over a century and a half period in matters of usul fiqh, which are reflected in the differences in methodological approaches and conclusions.

The features of works in the genre of fatwas, the requirements for them and their source base in the dissertation are studied on the basis of manuscripts. For this purpose, the study involved collections of fatwas of the Hanafi madhhab (school) (“Fatawa Abu al-Lays” (“Fatwas of Abu al-Lays”) by Abu al-Lays al-Samarkandi (d.393/1003)<sup>122</sup>, “Nazm al-fiqh” (“Organization of Law”) by

<sup>119</sup> Abu al-Sano Mahmoud ibn Zayd al-Lamishi. Kitab fi usul al-fiqh. Tahqiq A'bd al-Majid at-Turki. – Bayrut, Dar al-garb al-islamiy. 1995; Mahmoud ibn Zayd al-Lamishi. Kitob fi usul al-fiqh. Prepared for publication by A'bd al-Majid at-Turki. – Bayrut, Dar al-garb al-islami. 2018.

<sup>120</sup> This copy is a photocopy of the manuscript of the work, stored in the Ahmed the Third library in Turkey under Inv. No. 1009.

<sup>121</sup> Wali ad-Din Muhammad Salih al-Farfur. Al-Muz'hab fi usul al-maz'hab a'la al-muntakhab. – Damascus. 1999.

<sup>122</sup> Abu al-Lais al-Faqih Nasr ibn Muhammad al-Samarkandi (d.393/1003) is a famous expert on Islamic law (faqih). Bearer of the nickname Imam al-huda. He studied Islamic law (fiqh) from Abu Ja'far al-Hinduvani. His scientific heritage consists of “al-Fatawa” (“Fatwas”), “Khizanat al-Fiqh” (“Treasury of Fiqh”), “al-Nawazil” (“The Revealed”), “Al-Uyun” (“The Source”), “Tafsir al-Quran” (“Commentary of the Qur’an”), “Bostan al-arifin” (“Garden of the Enlightened”). and “Tanbih al-gafilin” (“Warning to the ignorant”), etc.

‘Abdullah az- Zindawisati al-Bukhari (d.400/1010), "an- Nutaf fi-l-fatawa" ("Pure drops about fatwas") ‘Ali ibn al-Husayn al-Sughdi (d.461/1069)<sup>123</sup>, “Khizanat al-fatawa” (“Treasury of Fatwas”) by Abu Bakr al-Bukhari (d.522/1128), Fatawa Kubra (Great Collection of Fatwas) and Fatawa Sughra" ("Small collection of fatwas") by Husam ad-Din U’mar ibn ‘Abd al-’Aziz ibn U’mar ibn Ma’aza al-Bukhari (482/1090-535/1141)<sup>124</sup>, "Jawahir al-Fatawa" (“The Pearl of Fatwas”) by Muhammad ibn Abu al-Mafahir al-Kirmani (d.577/1182)<sup>125</sup>, “Fatawa Attabiyyah" (Fatwas of Attabi )<sup>126</sup>by Ahmad ibn Muhammad al-Attabi al-Bukhari (d.586/1190)<sup>127</sup>, "Fatawa Dinari"("Fatwas of Dinari")<sup>128</sup> ‘Ala ad-Din ad-Dinari (516/1123-593/1197), "Fatawa Temurtashi" (“Fatwas of Temurtashi”) <sup>129</sup>by Ahmad ibn Ismail al-Temurtashi al-Khwarizmi (d.611/1215)<sup>130</sup>, and the works of representatives of the Ferghana school of fiqh (“Fatawa al-Sirajiyah” by Siraj ad-Din al-Ushi and “Fatawa Qadikhan” by Fakhr ad-Din Qadikhan).

First of all, a source analysis of these works was carried out and it was established: structures (legal issues in “ Fatawa al-Sirajiyah” are presented in 57 books (kitab), 392 chapters (bab) and 37 sections (fasl), source and (statements of the righteous caliphs, mujtahids of Ahl al-Sunnah in general and the Hanafi madhhab in particular, predecessors (mutaqaddim) and followers (mutahhir) from the ulema in total more than 127 ulama, 23 works, 13 verses from 7 surahs and 13 hadiths, as well as representatives of the Rafidis, Jahmits and Qadiris), percentage of the ratio of the use of main sources (verses and hadiths) by topic (“ Kitab adab al-mufti" ("Book of Mufti Etiquette") - 2 ayats, 5 hadiths, "Kitab karohiyat va Istekhsan" ("Book of censure and approval") - 3 verses, "Kitab al-Salat" ("Book of prayers") - 3 verses, the overall ratio of the substantiation of the work by verses and hadiths is 12.2%).

Regarding “Fatawa Qadikhan” by results, source analysis essay it is established: the structure of the essay (legal issues are discussed in 44 books (kitab), 64 chapters (bab) and 297 sections (fasl)), source and (27 verses, 82 hadiths, 17 essays, opinion of 9 companions (sahaba), 3 experts in Islamic law of

<sup>123</sup>Shaykh al-Islam Abu al-Hasan A’li ibn Hussein ibn Muhammad al-Saadi al-Sugdi (d.461/1069). An expert in Islamic law (fiqh) and hadith scholar who lived in Bukhara. Shaykh al-Islam as-Sarakhsi (399/1009-482/1090) taught “as-Siyar al-kabir” (“The Great Book of Campaigns”) from Imam Muhammad. Died in Bukhara in 461/1069. He is the author of the works “an-Nutaf fi-l-fatawa” (“Pure drops about fatwas”) and “Sharh as-siyar al-kabir” (“Commentary on the big book about campaigns”).

<sup>124</sup> One manuscript of these two works is kept in the fund of IVAN RUz (Institut Vostokovedeniia Akademii nauk Respubliki Uzbekistan – Institute of Oriental Studies of the Uzbekistan Academy of Sciences).

<sup>125</sup> A unique manuscript of this work, rewritten by Ikhtiyar ad-Din ibn Ghiyas ad-Din al-Hirawi in 889/1484, along with three other copies, is stored in the manuscript collection of IVAN RUz.

<sup>126</sup> This work is also called Jawameh al-fiqh (Collection of Fiqh) and Jameh al-fiqh (Collection of Fiqh) .

<sup>127</sup> Zayn ad-Din Abu Nasr Ahmad ibn Muhammad ibn U’mar al- Attabi al-Bukhari (d.585/1190) - Hanafi expert on Islamic law (faqih) and commentator on the Qur’an (mufassir). Born in Bukhara. Nisba is taken in relation to one of the residential areas (mahalla) of Bukhara. His scientific heritage consists of “Jawami al- fiqh” (“Collection of fiqh”), “Sharh al-jame’ al-kabir” (“Commentary of the large collection”), “Sharh al-jame’ assagir” (“Commentary on the Small Collection”) and “ Sharh Az-ziyadat ” (“Commentary on the Sufficient”).

<sup>128</sup>A copy of this collection of fatwas is kept in the IVAN RUz manuscript collection under Inv. No. 3180.

<sup>129</sup> The manuscripts of this work are in the manuscript collection of IVAN RUz under Inv. Nos. 5563, 4915, 3280.

<sup>130</sup> Abu al-A’bbas Zahiruddin Ahmad ibn Ismail ibn Muhammad Aitugmish Abu Sabit al-Temurtashi al-Khwarizmi (d. 611/1215), a muhaddith, Hanafi expert in Islamic law (faqih). He was the mufti of Khorezm. Author of "Sharh al- jame’ as- sagir" ("Commentary of the Small Collection"), "al-Faraiz " ("Book of Inheritance"), " at-Tarawih " ("Prayer of the Month of Ramadan").

the highest degree (mujtahid mutlaq), 5 experts in Islamic law at the level of individual schools (mujtahid fi-l-madhab), 3 experts in Islamic law of varying degrees (muztahid), predecessors (mutaqaddim) and followers (mutahhir) from the ulema of Samarkand, Balkh, Bukhara and Ferghana), percentage of the use of verses and hadiths by topic (“Kitab as-salat” (“Book of Prayers”) - 11 verses and 7 hadiths, “Kitab as-sawm” (“Book of Fasting”) - 2 verses and 9 hadiths, “Kitab an nikah” (“Book of Marriage”) - 1 verse and 20 hadiths, “Kitab Khazr va Ibokhat” (“Book of Warning and Permission”) - 1 verse and 14 hadiths), the overall ratio of the substantiation of the work by verses and hadiths is 50%).

In the process of studying the manuscripts of “Fatawa” Sirajiya” the following was identified, copies stored in our country (Al-Beruni Institute of Oriental Studies, Inv. Nos. 4662, 10591/2, 11906, 3009, 7109, 7399, 2560, 3106), in foreign countries (Turkey, Ankara<sup>131</sup>, Kingdom of Saudi Arabia, ar-Riyadh<sup>132</sup>, Kyrgyz Republic, Osh<sup>133</sup>), as well as the manuscript “Fatawa Qadikhan” in our country (Al-Beruni Institute of Oriental Studies, Inv. Nos. 7134, 6184, 7929, 5643, 11575, etc.), manuscripts of its translations (Tajik translation of “Fatawa Qadikhan”, Inv. No. 2801),<sup>134</sup> abridged versions and selections (“Mukhtasar Qadikhan” (“Abbreviation Qadikhan”) by Shaikh Mahmud ‘Adham, “Mukhtasar fatawa Qadikhan” (“Abbreviated fatawa Qadikhan”) and publications by Qazizade Yusuf,<sup>135</sup> on their basis a corresponding conclusion was made.

Works in the fatwa genre were of great importance in ensuring the residents of the Ferghana Valley continued to follow the Hanafi direction of Islamic law (fiqh) for centuries. Since they were based on such original sources of Islam as the Holy Qur’an, the Sunnah of the Prophet, the scientific heritage of the companions and founders of legal schools, as well as predecessors (mutaqaddim), followers (mutahahir) and learned mujtahids had a big success in other Muslim countries far beyond Transoxiana.

Chapter four in the study entitled **“The role of representatives of the Ferghana school of fiqh in the development of Islamic sciences”** dedicated to the leading directions of Islamic sciences, such as usul al-fiqh (fundamentals of fiqh), furu’ al-fiqh (sections of fiqh) and fatwas (al-fatawa). It is known that in the Middle Ages jurisprudence was one of the most important areas of science. The role of school representatives in the development of furu’ al-fiqh considered on the basis of the works of Burhan ad-Din al-Marginani and ‘Ala ad-Din al-Kasani

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<sup>131</sup>The manuscript was rewritten by Safi ad-Din al-Qurashi al-Lohuri in 962/1560. Total 204 folios. See Fatawa Sirojia. Tahqiq Muhammad U’sman al-Bustavi. “Dar al-ulum Zakariya.” – Linisia, Republic of South Africa. 2011. – P.10.

<sup>132</sup> It is kept under Inv. No. 697 in King Saud University. Copied by Muhammad ibn Khalil ibn Muhammad Khair ad-Dinzada al-Amasi in 1136/1724. The total volume of the manuscript is 356 folios. See: Fatawa Sirajiya. Tahqiq Muhammad U’sman al-Bustavi. “Dar al-ulum Zakariya.” – Linisia, Republic of South Africa. 2011. – P.10.

<sup>133</sup> One of the oldest copies of the work was rewritten in 599/1203 in Osh by Ali ibn Osman ibn Muhammad at-Taymi. See. Haji Khalifa. Lexicon encyclopedicum et bibliographicum T. IV. – London, 1845. – P. 358.

<sup>134</sup> Translation was done by Qazi Wafa ibn Muhammad Fazil Balkhi during the reign of the Bukhara khan Subkhankuli Khan.

<sup>135</sup> Siraj ad-Din al-Ushi. Fatawa al-Sirajiya. Prepared for publication by Muhammad Othman al-Bustawi. Dar al-ulum Zakariyya. – Linisia. Republic of South Africa. 2011; Fakhr ad-Din Qadikhan. Fatawa Qadikhan. Prepared for publication by Salim Mustafa al-Badri. Dar al-kutub al-ilmiya. In 3 volumes. – Beirut, Lebanon. 2009.

(analysis of the structure and topics of works on the science of fiqh, determining the dynamics of its gradual development in the region, drawing conclusions on important socio-political process in a certain historical period based on differences in the content of topics of works on fiqh). The place of the scientific school in the field of *usul al-fiqh* is analyzed using the example of the works of Husam ad-Din al-Akhsikati and Mahmud al-Lamishi (the foundations of the principle of *ijma* and conclusions on them, the law of *ijma* <sup>136</sup>, the legality of *ijma* decisions <sup>137</sup>, verdicts rendered on the basis not unanimous opinions) and the priority and viability of the principles adopted in the Hanafi madhhab in these matters has been proven <sup>138</sup>. The analysis of the content and features of works in the genre of fatwas was carried out using the example of the works of Siraj ad-Din al-Ushi and Fakhr ad-Din Qadikhan (attitude in Islam to knowledge, ethics, philosophical issues, discussions about the personality of Muhammad (s.a.w.), the place and significance of the activities of the madhhabs of Ahl-Sunnah wal-l-jama'a, a comparative analysis of the Hanafi and Shafi'i madhhabs, the principle of "shura"<sup>139</sup> when making decisions, the degrees of mujtahids, the requirements for achieving the level of a mujtahid, a comparative analysis of fatwas issued by jurists (faqih) of Iraq and Transoxiana).

Works on Islamic sciences were also separately considered from the point of view of their belonging to different stages of the development of sciences and fiqh. In each, developments in the structure of essays and the level of their scientific quality have an evolutionary character. As a result of studying works of different periods, three conditional stages of development were established (the stage of compiling collections of hadith and sunnah containing answers to legal questions, the stage of creating books with the classification of legal precedents approved by the opinions of the founders of legal schools (madhab) and the stage of compiling essays on fiqh with the arrangement of legal topics in a strictly defined order, justifying them with verses of the Qur'an, Sunnah of the Prophet (s.a.w.), confirmed by the opinions of the founders of schools (madhabs), reinforced by the opinions of mujtahids of madhhabs and scientists of the region, comparison with the decisions of other schools (madhabs). The features of each of them are determined by the level of scientific thinking, the quality of the sources and the specifics of the methods used. Based on these criteria, it can be noted that the works created in the Ferghana school of jurisprudence contain features corresponding to the third stage (the use of verses, hadiths and sunnah to substantiate legal norms in works on *furu' al-fiqh*, comparing the opinions of Hanafi scholars with opinions of representatives of other madhhabs of Ahl al-Sunnah wa-l-Jama'a, and raising them to the level of a source confirming the superiority of the Hanafi school). As a result of a comparative analysis of sources, distinctive features were identified in the works on *furu' al-fiqh* ("*al-Hidaya*" by

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<sup>136</sup> Husam ad-Din al-Akhsikati. *Al-Muntakhab al-Husami*. Manuscript Fund of IVAN RUz . Inv No. 12973/IV. – B. 60a.

<sup>137</sup> *Ibid*

<sup>138</sup> *Ibid*.

<sup>139</sup> Siraj ad-Din al-Ushi. *Fatawa Sirajiya*. Manuscript Fund of IVAN RUz. Inv No. 3009. – V. 263b.

Burhan ad-Din al-Marginani, “al-Jameh 'as-sagir” by Muhammad al-Shaybani and “Mukhtasar al-Quduri” Imam al-Quduri. In “al-Hidaya” more attention is paid to issues of worship and a detailed analysis method is used. Since Islam penetrated into the Transoxiana almost a hundred years later than in other Muslim countries where the Hanafi school was formed, for example, the criteria for financial, economic and criminal liability in “al-Hidaya” are given in separate sections (kitab)<sup>140</sup>, methods were used to substantiate the rules of fiqh verses, hadiths and opinions of the mujtahids of the madhhab as evidence, confirming the reliability of the source of legal precedent by comparing the names, conclusions, points of view of historical figures with historical events (including scientists from Maverannah al-Halwai, al-Sarakhsi<sup>141</sup>, etc.)<sup>142</sup>.

The dissertation pays special attention to works written in a non-traditional Persian language for the region (“al-Fatawa al-Qaidiyya” by Abu ‘Abdallah Muhammad ibn ‘Ali ibn Abu al-Qasim ibn Abu Raja al-Qaidi al-Khojandi). Persian-language elements and quotations (fragments) are traditional for works written in Arabic (“al-Hidaya”, “Fatawa Qadikhan”). But a text consisting almost half in Persian as “Fatawa al-Qaidiyya” is found for the first time.

The fact that the tradition of composing essays in Persian is not widespread was also confirmed by the example of scholars of the Ferghana school (the work of Abu Yusuf ibn Yaqub ibn Yusuf ibn Talha “Khibrat al-fuqaha” (“Test of jurists”), compiled in Persian and translated into Arabic by Ashraf ad-Din Ahmad ibn Asad al-Fargani. The book is relatively small in volume, about 120 pages. It was not only translated into Arabic, but also supplemented by Asad al-Farghani. It is reported that for this reason they later began to attribute its authorship to him). Consequently, we believe that the work of al-Fatawa al-Qaidiyya can be considered as one of the earliest examples of works in the Persian language that have come down to us, and the conquest of Transoxiana by the Mongols was one of the factors that accelerated this process.

## CONCLUSION

The following conclusions were presented as a result of the doctoral dissertation on the topic "The role of scholars of the Ferghana school of jurisprudence in the development of Islamic sciences (IX-XIII centuries)":

1. The political, religious and social situation in the Arabian Peninsula on the eve of the emergence of Islam and in the early Islamic period is characterized by the fact that the region was under the influence of the Byzantine and Sassanid empires, and social life was built on the basis of clan-tribal relations. One of the main reasons for this was the specific climatic conditions of the region. Since most of the peninsula consists of desert, the majority of the population was engaged in

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<sup>140</sup>These topics in other works on fiqh are not separated into separate sections, while in al-Hidayah special books (sections) are devoted to each of them.

<sup>141</sup> In “al-Hidaya” the names of more than thirty Hanafi jurists, predecessors, are given in sources as predecessors of Burhan ad-Din al-Marginani, and more than twenty titles of their works,

<sup>142</sup> برهان الدين المرغناني الهداية في شرح بداية المبتدي. - بيروت. ١٩٩٠. ص - ٨٧

nomadic animal husbandry. In oases and cities located on the caravan routes (such as Makkah, Yathrib, Taif) rich noble classes began to emerge, and although slavery was beginning to form, clan relations were still predominant. From a religious and social point of view, in the conditions of polytheism, moral and spiritual values were also in a state that could be described as dismal. All this created the basis for the emergence of Islam.

2. Historical changes in the social, economic, religious and political aspects of the early Islamic period took place during the period of the Khulafa ar-Rashidin. After all, it was during this period that the Muslim community became an Islamic state, embodying the signs of statehood. This process took place under not only religious (riddah movement) but also political struggles (introduction of the caliphate management system, conquest of new countries). As a result, an empire was formed that occupied the territory from North Africa to Central Asia. And the administering this state created the need to form a legislative and administrative system.

3. The formation process of jurisprudence was directly related to the history of statehood. Therefore, it is appropriate to use the periodization method when researching this process. There are two methods of periodization of this process in scientific literature. The method divides periods based on political and social changes in the society. A classification of six periods is more suitable for consistent and impartial research of the history of jurisprudence.

4. In the development of jurisprudence, the emergence of regional schools was an objective necessity. After all, there was a need to find solutions to the legal problems that arise in the society based on the original Islamic sources. As a result, the conditions for the existence of such schools (developed culture), demand (high scientific potential) and criteria (the development of mujtahid-level scholars) were met.

5. Due to the fact that in the Middle Ages there were suitable conditions for the development of culture and science in the Ferghana region (the existence of large cities such as Margilan, Akhsikent, Kuva, Uzgand, Osh), various fields of science were successfully developed (fiqh (usul and furu'), hadith, faraiz and fatwa from religious sciences, mathematics, geometry, history, literature, linguistics from natural sciences) scholars who lived and created during this period (in various sources and literature, their number is more than 500 although it is said that there are more, so far the ones confirmed by the information about his biography and scientific heritage are more than sixty) were determined based on historical sources, in particular epigraphic monuments (information on tombstones found in the Ferghana Valley) and confirmed by scientific works.

6. While the science of jurisprudence is typical for all regions of Ferghana (the mujtahids Fakhr ad-din Qadikhan, Husamuddin al-Akhsikati, Burhanuddin al-Marginani, Ala ad-din al-Kasani, Siroj ad-din al-Ushi) it was determined that certain types of science in certain areas of the region had a tendency toward development. For example, history and literature in Akhsikent (Abu-l-Wafa Muhammad al-Akhsikati (d.1126) Zu-l-fazail Ahmad ibn Muhammad al-Akhsikati

(1073-1134) and others), hadith science in Ferghana (Rahma ibn Rahib al-Farghani, Bilal ibn Mas'ud al-Farghani and others) developed. This, in turn, indicates that the conditions required for the establishment of a local jurisprudence school existed in the region.

7. Contributions of scholars of the Ferghana school of jurisprudence to the development of the science of jurisprudence, when the scientific methodological traditions developed by them within the framework of the Hanafi madhhab were applied in other Muslim countries (Syria, Pakistan, India), manuscript copies of the works of the representatives of the school were distributed (Egypt, Saudi Arabia, UAE, Syria, Yemen in the Middle East countries, Oman, Turkey, Germany, France, England, Ireland in the western countries) and are kept in the funds in dozens of countries of the world, as well as copies of works of school representatives copied in different countries are kept in our country (for example "al-Hidaya" on the African continent (Egypt Inv. No. 3019/1), in China (Kashgar Inv. No. 11302), in India (Inv. No. 3007/1), in Pakistan (Peshawar Inv. No. 6185), and in Turkey (Istanbul Inv. No. 8662) copied.

8. The place of scholars of the Ferghana school of fiqh in the development of the field is determined by the scale of comments written on their works (for example, more than 60 commentaries were written on "al-Hidaya" in the Muslim world), which includes the scientific achievements of that time in the field of *usul al-fiqh*. (Muhammad al-Lamishi and Husamuddin al-Akhsikati) confirm that they have implemented the interpretation of the principle of comparison as one of the methods of jurisprudence.

9. The representatives of the Ferghana school of jurisprudence, within the framework of the Hanafi teachings, based on the Holy Qur'an, the Sunnah of the Prophet (peace be upon him), the evidence and testimonies of the prestigious Companions, all jurisprudential issues from the *Ahli-Sunna wal-Jamaa* madhhabs, based on their own style and approach based on the comparison with Shafi'i, Maliki and Hanbali rulings, demonstrated the ways of clarifying and eliminating differences between different sects, groups and even the madhhabs of *Ahli-Sunnah wa-l-Jamaa* in the Islamic world on the example of the region.

10. The representatives of the school adhere to democratic principles when making decisions on jurisprudential issues (for example, taking the logically reasonable opinions of Imam Abu Yusuf and Muhammad, not the founder of madhhab Abu Hanifa), the primacy of Hanafi jurisprudence throughout the Islamic world (Alauddin al-Kasani (directly in Syria, Burhanuddin al-Marginani indirectly in India, Pakistan, Afghanistan, Kashgar) and serving to ensure that the Hanafi madhhab of pure people of Sunnah wa Jamaat remains intact in the region for centuries and continues as the dominant and only madhhab. In addition to doing it, it was justified that the science of jurisprudence played an important role in becoming one of the centers that determine the prospects of development.

**Based on the conclusions of the study, the following recommendations were made:**

- To continue to identify scholars and their works who worked within the framework of the Ferghana school of jurisprudence;
- In the fiqh scientific-research center established in Ferghana, identifying and acquiring manuscripts from people, organizing a treasury of manuscripts of works written by school scholars by bringing copies of manuscripts stored in funds of foreign countries;
- Researching the scientific heritage of representatives of the Ferghana fiqh school, preparing it for publication and promoting it among the population;
- Creation of a catalog of manuscripts of the works of scholars of Ferghana school of jurisprudence.

**НАУЧНЫЙ СОВЕТ DSc.02/30.12.2019.Tar.44.01 ПО ПРИСУЖДЕНИЮ  
УЧЕНЫХ СТЕПЕНЕЙ ПРИ ИНСТИТУТЕ ВОСТОКОВЕДЕНИЯ  
АКАДЕМИИ НАУК РЕСПУБЛИКИ УЗБЕКИСТАН**

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**ИНСТИТУТ ВОСТОКОВЕДЕНИЯ ИМ. АБУ РАЙХАНА БЕРУНИ  
АКАДЕМИИ НАУК РЕСПУБЛИКИ УЗБЕКИСТАН**

**КАРИЕВ АДИЛ АХМАДЖАНОВИЧ**

**РОЛЬ УЧЕНЫХ ФЕРГАНСКОЙ ШКОЛЫ ФИКХА В РАЗВИТИИ  
ИСЛАМСКИХ НАУК (IX-XIII вв.)**

**07.00.03 – Мировая история  
07.00.08 – Историография, источниковедение и  
исторические методы исследования**

**АВТОРЕФЕРАТ ДОКТОРСКОЙ (DSc)  
ДИССЕРТАЦИИ ПО ИСТОРИЧЕСКИМ НАУКАМ**

**ТАШКЕНТ – 2024**

**Тема диссертации доктора исторических наук (DSc) зарегистрирована в Высшей аттестационной комиссии Республики Узбекистан за номером B2024.1.DSc/Tar173.**

Диссертация выполнена в Институте востоковедения им. Абу Райхана Беруни Академии наук Республики Узбекистан.

Автореферат диссертации на трех языках (узбекском, английском, русском (резюме)) размещен на веб-странице Научного совета ([www.beruni.uz](http://www.beruni.uz)) и на Информационно-образовательном портале «Ziyonet» ([www.ziyonet.uz](http://www.ziyonet.uz))

|                               |  |
|-------------------------------|--|
| <b>Научный консультант:</b>   | <b>Абдухалимов Бахром Абдурахимович</b><br>Доктор исторических наук, профессор   |
| <b>Официальные оппоненты:</b> | <b>Юсупова Дилором Юнусовна</b><br>Доктор исторических наук, профессор, академик<br><b>Анарбаев Абдулхамид</b><br>Доктор исторических наук, профессор,<br><b>Исламов Зоҳиджон Махмудлович</b><br>Доктор филологических наук, профессор |
| <b>Ведущая организация:</b>   | <b>Центр исламской цивилизации в Узбекистане<br/>при Кабинете Министров Республики<br/>Узбекистан</b>  |

Защита диссертации состоится «\_\_\_» \_\_\_\_\_ 2024 года в \_\_\_\_\_ часов на заседании Научного совета по присуждению ученых степеней DSc.02/30.12.2019.Tar.44.01 при Институте востоковедения им. Абу Райхана Беруни АН РУз. (Адрес: 100170, г. Ташкент, ул. М. Улугбека 79, Тел: (99871) 262-54-61; факс:(99871) 262-52-77; e-mail: [beruni1@uznet.net](mailto:beruni1@uznet.net)).

Докторская диссертация зарегистрирована в Информационно-ресурсном центре Институте востоковедения им. Абу Райхана Беруни АН РУз. (Адрес: 100170, г. Ташкент, ул. М. Улугбека 79, Тел: (99871) 262-54-61.

Автореферат диссертации разослан «\_\_\_» \_\_\_\_\_ 2024 года  
(протокол реестра рассылки № \_\_\_\_\_ от «\_\_\_» \_\_\_\_\_ 2024 года).

**Н.Э. Каримова**

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**Ф. Джуманиязова**

Ученый секретарь научного совета по присуждению ученых степеней, PhD.

**Э.З. Нуриддинов**

Председатель научного семинара при научном совете по присуждению ученых степеней, доктор исторических наук, профессор

## **ВВЕДЕНИЕ (аннотация докторской (DSc) диссертации)**

**Цель исследования** является раскрытие уникальных аспектов, традиций, источников, а также особенностей научной школы, сформировавшейся в Ферганской долине, вклада представителей школы в развитие исламских наук на базе научного наследия, созданного в IX-XIII веках учеными региона по исламским наукам.

**Объектом исследования** является становления Ферганской школы фикх и его значение в истории региона.

**Предметом исследования** определена история становления региональных школ фикх в мусульманском мире.

**Методы исследования.** Для изучения причин и факторов формирования и развития школы фикха в Ферганской долине в IX-XIII веках были использованы методы микроистории (*microhistory*), просопографии (*prosopography*), сравнительного анализа (*comparative analysis*) и статистический анализ (*statistical analysis*).

**Научная новизна исследования** заключается в следующем:

доказаны заслуги Ферганской школы фикх, строго придерживающейся требований ханафитского мазхаба на протяжении веков, в подходе к изучению источников мусульманского права на основе ханафитского учения, в применении на практике норм мазхаба, отличных от трактовки других школ, приведшей к укреплению приоритетность идей ханафитской школы, в том числе и в других странах мусульманского мира;

аргументировано, заслуги ученых Ферганской школы фикх в области мусульманского права, обеспечивших не допущения распространения влияния различных групп и течений среди населения, защитивших ханафитское учение, являющегося носителем наиболее гуманных идей среди мазхабов людей сунны и жамаа;

установлено, что в основу Ферганской школы фикх, внесшей огромный вклад в развитие исламских наук, легла деятельность более 60 ученых, работавших в различных областях исламских наук и более 50 трудов, созданных этими учеными;

по результатам исследования деятельности и научного наследия ученых, сложившихся в средние века в Ферганской школы фикх, влияния их научного подхода на развитие отрасли и их место в укреплении ханафитского учения, впервые внедрено в историческую науку понятие Ферганская школа фикх;

В трудах, написанных в рамках Ферганской школы правоведения, была разработана методика сравнения правил ханафитской школы правоведения с другими школами людей Сунны (например, маликитской и шафиитской школы), в результате чего было доказано превосходство принципов ханафитской школы, выражающие интересы мусульманской общины.

**Внедрение результатов исследований.** На основе научных выводов и предложений, выработанных согласно результатам исследования истории Ферганской школы фикх:

Научные выводы о методах изучения источников фикха на основе

ханафитского учения, их различия от интерпретации других мазхабов фикха и их использования на практике, неуклонном следовании представителей ферганской школы на протяжении веков ханафитскому фикху, а также о заслугах ханафитского мазхаба в укреплении приоритетных идей ханафитского мазхаба и в других мусульманских странах, были использованы при подготовке Международным исследовательским центром имама Бухари книги (подготовлено по заказу) «Историко-философское наследие средневековых учёных и мыслителей Ближнего Востока» (свидетельство Международного исследовательского центра Имама Бухари № 02/120 от 16 марта 2023 г.). В результате данные научные выводы послужили для специалистов и читателей новой информацией о жизни и деятельности, научном наследии наших учёных и о роли ханафитского мазхаба в общественной жизни нашей страны.

История региональных школ, сформировавшихся в средние века на территории нашей страны и своей плодотворной деятельностью внесших большой вклад в развитие исламских наук, является одной из неизученных областей исламоведения. В данном исследовании раскрыты роль и значение региональной научной школы на основе научного наследия ученых, представителей Ферганской школы правоведения в средние века, а также данных об их деятельности в области правоведения. Научные выводы, новая информация и рекомендации относительно того, что регион не отклонялся от ханафитской школы на протяжении веков; обнаружения и издания труда «Маджма' ал-Усмани», великого правоведа Бурхан ад-Дина ал-Маргинани, посвященного науке о наследовании, подтверждающего актуальность норм решения вопроса о наследстве в рамках ханафитского мазхаба; значения вклада ученых школы в недопущении проникновения влияния различных чуждых течений и группировок в Ферганский регион; стойкости в защите более гуманных идей ханафитского учения среди мазхабов людей сунны и жамаа (ахл ас-сунна ва-л-жама'а); подтверждения заслуг ученых школы в росте авторитета ханафитского мазхаба в других мусульманских странах и специфики методологии работы средневековыми письменными источниками были использованы при создании учебных пособий по таким предметам, как «Фикх», «Современные вопросы юриспруденции», «Классические тексты по юриспруденции», «Исламское источниковедение» для студентов бакалавриата и магистратуры Международной исламской академии Узбекистана, а также при составлении учебных программ, текстов лекций и тезисов по теме «Актуальные задачи, стоящие перед работниками религиозно-просветительской сферы при осуществлении стратегии развития Нового Узбекистана», организованных в Центре повышения квалификаций и его региональных филиалах для работников государственных и общественных организаций, главных имам-хатибов, преподавательско-педагогическому составу религиозных учебных заведений и отиной. (Свидетельство Комитета по делам религий при Кабинете Министров Республики Узбекистан от 28 ноября 2023 года 02-02/584). В результате внедрения полученные научные выводы послужили освещению заслуг представителей местных школ по обеспечению стабильности

ханафитского мазхаба в регионе на основе первоисточников и использованию их на официальных сайтах, а также широкому использованию предложений и рекомендаций исследования при разработке методологических рекомендаций для духовно-образовательных учебных заведений и научно-исследовательских центров.

Сведения о правоведах (факих) средневековья, выходцев Ферганской школы фикх и о специфике их научного наследия, а также научные выводы о влиянии подходов в решении правовых вопросов, сформировавшихся в регионе на развитии отрасли и места представителей школы в укреплении позиций ханафитского мазхаба в исламском мире были использованы в Международном научно-исследовательском центре Имама Термизи при подготовке к изданию таких средневековых источников как «Чор китоб» («Четверокнижья»), «ал-Фикх ал-акбар» («Большой фикх»), «Сунан Термизий шархи» («Комментарий сунан Термизи»), а также книги «Ихтилоfli масалалар ечимлари» (Сохта салафийларга раддиялар) («Разрешения спорных вопросов – опровержения псевдо салафитам»). (Свидетельство Международного научно-исследовательского центра Имама Термизи № 01-07/197 от 16 октября 2023 г.). В результате научные выводы, предложения и рекомендации, представленные в исследовании, легли в основу формирования концепции деятельности международного научно-исследовательского центра и в дальнейшем планируется использовать как дополнительный источник при подготовке научных сборников и книг по истории юридических школ.

Научно-исторические материалы по истории нуки фикх, этапам её развития, научные центры, в частности история возникновения Ферганской школы, место ученых школы и значения их научного наследия в процессе развития исламской цивилизации и мировой науки были использованы при подготовке сценариев телепередач на каналах «Узбекистан-24», « Ўзбекистон тарихи», «Ёшлар», «Зиё», для телепередач «Центр исламской цивилизации: от славной истории к великому будущему», «Как на самом деле (Аслида қандай)», «Тема (Мавзу)» и др. (Справка Национальной телерадиокомпании Узбекистана за № 06-28-1780 от 28 ноября 2023года). Эти передачи послужили ознакомлению общественности с новой информацией о деятельности научной школы, научном потенциале наших предков и их месте в развитии исламских наук на территории нашей страны и в мусульманском мире, повышению исторических знаний, формированию чувства гордости за предков и стремления быть достойным им поколением.

Выводы, научно-практические предложения и рекомендации, разработанные в рамках диссертационной работы, посвященной истории Ферганской школы правоведения, сформировавшейся в Ферганской долине в средние века, научному наследию представителей школы и ее роли в развитие исламских наук, были реализованы в пропагандистской деятельности Республиканского центра духовности и просветительства в 2022-2023 годах. В частности, материалы диссертации использованы при проведении встреч на тему «Мыслители, боровшиеся с невежеством с помощью просветительства»

определенных в пункте 29, четвертого направления программы мероприятий Республиканского Центра духовности и просветительства на 2023 год под названием "Агитационно-пропагандистские мероприятия по межэтническому согласию, межрелигиозной толерантности и предотвращению радикализма среди населения». (Справка Республиканского Центра духовности и просветительства за № 02-22/1323 от 29 ноября 2023года). В результате выдвинутые в диссертации предложения, рекомендации и выводы послужили раскрытию значения научного наследия представителей ферганской школы правоведения.

Диссертация Кариева Адила Ахмаджановича на тему «Роль ученых Ферганской школы правоведения в развитии исламских наук (IX-XIII вв.)» посвящена исследованию средневековой истории Ферганской долины, включая современную Наманганскую область, жизнь и научное наследие учёных, выходцев из Ахсикента. Информация, содержащаяся в диссертации, играет важную роль в развитии паломнического и исторического туризма. По этой причине сведения приведенные в исследовании были использованы при определении современного местоположение древних торговых путей, поселений, укреплений и замков в Ферганской долины, а также при уточнения тюркских названий исторических местностей, туристических дорог и их значени, при создании карт маршрутов исторического туризма. (Свидетельство № 103 от 02 мая 2024 года Международного научно-исследовательского общественного объединения «АХСИКЕНТ» города Намангана Республики Узбекистан).

Полученные научные результаты имеют большое значение в широком использовании богатого научного наследия наших предков в воспитании молодежи, в деле их защиты от чуждых вредоносных идей, а также в развитии паломнического, исторического и научного туризма в регионе

**Апробация результатов исследования.** Основные результаты исследований прошли апробацию на 15 научных конференциях, в том числе на 7 зарубежных, на 8 международных и республиканских научных и научно-практических конференциях.

**Публикация результатов исследования.** По основной теме диссертации опубликованы 41 научных работ, в том числе 3 монографии, 1 учебное пособие, 2 брошюры, 20 статей в научных изданиях, рекомендованных ВАК Республики Узбекистан для публикации основных результатов докторских диссертаций, в том числе 15– в республиканских и 5– в зарубежных журналах, а также издан 1 источник по теме диссертации.

**Структура и объем диссертации.** Диссертация состоит из введения, четырех глав, включающих в себя 13 параграфов, заключения, списка использованных источников и литературы, приложений. Объем диссертации с приложением составляет 275 страниц.

**E‘LON QILINGAN ISHLAR RO‘YXATI**  
**СПИСОК ОПУБЛИКОВАННЫХ РАБОТ**  
**LIST OF PUBLISHED WORKS**

**I bo‘lim (I часть, I part)**

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