

**O‘ZBEKISTON XALQARO ISLOM AKADEMIYASI  
HUZURIDAGI ILMIY DARAJALAR BERUVCHI  
DSc.35/30.12.2019.Isl/Tar/F.57.01 RAQAMLI ILMIY KENGASH**

---

**O‘ZBEKISTON XALQARO ISLOM AKADEMIYASI**

**AHMEDOV SAYQAL ABDURAHMONOVICH**

**ABU BARAKOT NASAFIYNING MOVAROUNNAHR HANAFIY FIQHI  
RIVOJIGA QO‘SHGAN HISSASI  
("AL-VOFIY" ASARI ASOSIDA)**

**24.00.03 – Fiqh, kalom ilmi. Ilohiyot**

**TARIX FANLARI BO‘YICHA FALSAFA DOKTORI (PhD) DISSERTATSIYASI  
AVTOREFERATI**

**Toshkent – 2024**

**Tarix fanlari bo‘yicha falsafa doktori (PhD) dissertatsiyasi  
avtoreferati mundarijasi**

**Content of Dissertation Abstract of the Doctor of Philosophy (PhD) on  
historical sciences**

**Оглавление автореферата диссертации доктора философии (PhD) по  
историческим наукам**

**Ahmedov Sayqal Abdurahmonovich**

Abu Barakot Nasafiyning Movarounnahr hanafiy fiqhi rivojiga qo‘shgan  
hissasi (“al-Vofiy” asari asosida)..... 3

**Akhmedov Saykhal Abdurakhmonovich**

Regulatory Bases of Social Protection Issues in Islamic Law (based on the  
work of “al-Wafi”)..... 23

**Ахмедов Сайкал Абдурахмонович**

Вклад Абу Бараката Насафи в развитие ханафитского права (на основе  
труда “ал-Вафи”)..... 41

**E‘lon qilingan ishlar ro‘uxati**

List of published works  
Список опубликованных работ..... 46

**O‘ZBEKISTON XALQARO ISLOM AKADEMIYASI  
HUZURIDAGI ILMIY DARAJALAR BERUVCHI  
DSc.35/30.12.2019.Isl/Tar/F.57.01 RAQAMLI ILMIY KENGASH**

---

**O‘ZBEKISTON XALQARO ISLOM AKADEMIYASI**

**AHMEDOV SAYQAL ABDURAHMONOVICH**

**ABU BARAKOT NASAFIYNING MOVAROUNNAHR HANAFIY FIQHI  
RIVOJIGA QO‘SHGAN HISSASI  
("AL-VOFIY" ASARI ASOSIDA)**

**24.00.03 – Fiqh, kalom ilmi. Ilohiyot**

**TARIX FANLARI BO‘YICHA FALSAFA DOKTORI (PhD) DISSERTATSIYASI  
AVTOREFERATI**

**Toshkent – 2024**

**Tarix fanlari bo'yicha falsafa doktori (PhD) dissertatsiyasi mavzusi O'zbekiston Respublikasi Oliy attestatsiya komissiyasida B2020.4.PhD/Tar838 raqam bilan ro'yxatga olingan.**

Dissertatsiya O'zbekiston xalqaro islom akademiyasida bajarilgan.  
Dissertatsiya referati uch tilda (o'zbek, ingliz, rus (rezyume) Ilmiy kengashning veb-sahifasi (www.ii.au.uz)da hamda "ZiyoNET" Axborot ta'lim portali (www.ziynet.uz) da joylashtirilgan.

**Ilmiy rahbar:**

**Maxsudov Davronbek Rustamovich**  
tarix fanlari doktori, professor

**Rasmiy opponentlar:**

**Rajabova Mavjuda Abdullayevna**  
yuridik fanlar doktori, professor

**Qosimov Mirjalol Abdug'afforovich**  
islomshunoslik fanlari bo'yicha falsafa doktori

**Yetakchi tashkilot:**

**O'zbekistondagi islom sivilizatsiyasi  
markazi**

Dissertatsiya himoyasi O'zbekiston xalqaro islom akademiyasi huzuridagi ilmiy darajalar beruvchi DSc.35/30.12.2019.Isl/Tar/F.57.01 raqamli Ilmiy kengashning 2024-yil "\_\_\_" avgust soat \_\_\_\_ dagi majlisida bo'lib o'tadi. (Manzil: 100011, Toshkent shahri, A.Qodiriy ko'chasi, 11-uy, Tel.: (99871) 2440056, Faks: (99871) 2440065, e-mail: (info@ii.au.uz)

Dissertatsiya bilan O'zbekiston xalqaro islom akademiyasining Axborot-resurs markazida tanishish mumkin (159-raqami bilan ro'yxatga olingan). Manzil: 100011, Toshkent shahri, A.Qodiriy ko'chasi, 11-uy, Tel.: (99871) 2440056, Faks: (99871) 2440065, e-mail: info@ii.au.uz)

Dissertatsiya avtoreferati 2024-yil "\_\_\_" iyul kuni tarqatildi.  
(2024-yil 02-iyuldagi 07-raqamli reestr bayonnomasi).

**I.I. Bekmirzayev**

Ilmiy darajalar beruvchi ilmiy kengash raisi o'rinbosari, tarix fanlari doktori, professor

**S.A. Rustamiy**

Ilmiy darajalar beruvchi ilmiy kengash ilmiy kotibi, filologiya fanlari doktori, professor

**Z.M. Islamov**

Ilmiy darajalar beruvchi ilmiy kengash qoshidagi ilmiy seminar raisi, filologiya fanlari doktori, professor

## KIRISH (falsafa doktori (PhD) dissertatsiyasi annotatsiyasi)

**Dissertasiya mavzusining dolzarbligi va zarurati.** Jahonning hanafiylik mazhabi keng tarqalgan hududlarida islom huquqining amaliy-huquqiy masalalari – “furu al-fiqh ilmi” (فروع الفقه)ga bag‘ishlangan ko‘plab ilmiy asarlar yozilgan. O‘rta asrlarda yuzlab faqihlar bu yo‘nalishda kitoblar yaratganlar. Ular orasida Abu Barakot Nasafiy (vaf. 710/1310 y.) alohida o‘ringa ega bo‘lib, o‘zining “al-Vofiy” (الوافي) asarida hanafiylik “furu al-fiqh”i masalalarini o‘ziga xos tarzda tizimlashtirish orqali XIII asr Movarounnahr fiqh maktabi rivojiga katta hissa qo‘shgan. Shuningdek, mazkur asarga muallif tomonidan yozilgan “al-Kofiy” (الكافي), “Kanz ad-daqiq” (كنز الدقائق) nomli sharhlari islom olamida “Furu al-fiqh” fanidan darslik sifatida qabul qilingan. Shu jihatdan, Abu Barakot Nasafiyning “al-Vofiy” asarida keltirilgan hanafiylikka xos masalalarni yoritib berish dolzarb ahamiyatga ega.

Dunyodagi islomshunoslikka ixtisoslashgan ko‘plab ilmiy-tadqiqot muassasalarida furu al-fiqh (فروع الفقه) ilmi va undagi shar‘iy masalalarni tushunish hamda ularning o‘ziga xos xususiyatlarini ochib berish bo‘yicha bir qator ilmiy tadqiqotlar olib borilmoqda. Ushbu tadqiqotlarda furu al-fiqh ilmining shakllanish tarixi va bosqichlari, islom huquqining milliy qadriyatlar va odatlar bilan uzviy aloqalarini aniqlash, islom huquqining o‘zgarmas va o‘zgaruvchan masalalarini tahlil qilishga alohida e‘tibor qaratilmoqda. Mazkur izlanishlarda shar‘iy manbalarni o‘rganish va ulardan shar‘iy qoidalarni ishlab chiqishning zamonaviy muammolarini hal etishda uning tarixiy ildizlarini yoritish ham muhim ahamiyat kasb etmoqda.

Yangi O‘zbekistonda diniy sohada amalga oshirilayotgan islohotlar natijasida musulmon huquqiga oid manbalarni, ushbu yurt allomalari ilmiy merosidagi insonparvarlik g‘oyalarini o‘rganishga qaratilgan tadqiqotlar olib borishga keng imkoniyat yaratilmoqda. Natijada, Marg‘ilon shahrida fiqh maktabiga asos solindi, Abu Xafs Umar Nasafiyning “Tahsil usul al-fiqh” (Usul al-fiqhni o‘rganish), Nizomiddin Shoshiyning “Usul al-fiqh” (Usul qoidalar) kabi mo‘tabar asarlarining o‘zbek tilidagi izohli tarjimalari hamda “Fiqhiy yo‘nalishlar va kitoblar” kabi kitoblar nashr etildi. Movarounnahrlik faqih Abu Barakot Nasafiyning ilmiy asarlarini va ularning mintaqa ilm-fan rivojidagi ahamiyatini ochib berish bugungi kunda sohada amalga oshirilayotgan islohotlarning davomi bo‘lib xizmat qiladi.

O‘zbekiston Respublikasi Prezidentining 2018-yil 16-apreldagi PF-5416-son «Diniy-ma‘rifiy soha faoliyatini tubdan takomillashtirish chora-tadbirlari to‘g‘risida»gi, 2022-yil 28-yanvardagi PF-60-son “2022-2026-yillarga mo‘ljallangan yangi O‘zbekistonning taraqqiyot strategiyasi to‘g‘risida”gi farmonlari, O‘zbekiston Respublikasi Prezidentining 2017-yil 24-maydagi PQ-2995-son “Qadimiy yozma manbalarni saqlash, tadqiq va targ‘ib qilish tizimini yanada takomillashtirish chora-tadbirlari to‘g‘risida”gi qarori, Vazirlar Mahkamasining 2019-yil 24-iyundagi 519-son “O‘zbekiston Respublikasi Vazirlar Mahkamasi huzuridagi Imom Buxoriy xalqaro ilmiy-tadqiqot markazining kutubxona fondini xorijiy adabiyotlar bilan boyitish to‘g‘risida”gi qarorida hamda

sohaga oid boshqa me'yoriy-huquqiy hujjatlarda belgilangan vazifalarni amalga oshirishda ushbu dissertatsiya ishi muayyan darajada xizmat qiladi.

**Tadqiqotning respublikada fan va texnologiyalari rivojlanishining ustuvor yo'nalishlariga mosligi.** Mazkur dissertatsiya respublika fan va texnologiyalar rivojlanishining "Axborotlashgan jamiyat va demokratik davlatni ijtimoiy, huquqiy, iqtisodiy, madaniy, ma'naviy-ma'rifiy rivojlantirishda innovatsion g'oyalar tizimini shakllantirish va ularni amalga oshirish yo'llari" nomli ustuvor yo'nalishiga muvofiq amalga oshirilgan.

**Muammoning o'rganilganlik darajasi.** Abu Barakot Nasafiyning ilmiy merosida ko'tarilgan mavzular Sharq va G'arb olimlarining diqqat markazida bo'lib kelgan.

Arab olimlaridan: Abu Muhammad Shafiq G'irbol (1894-1961), Abdulhay Laknaviy (1848-1887), Mavlono Toshko'pri-zoda, Hoji Xalifa (1609-1657), Shamsuddin Dovudiy (1535-1598), Muhammad Husayn Zahabiy (1915-1977), Amir Abdulaziz, Manno' ibn Xolil Qatton (1925-1999) o'z bibliografik asarlarida Nasafiyning ustoz-shogirdlari shajarasi, xorijsa qilgan ilmiy safarlari, ilmiy va siyosiy faoliyati, hamkasblari va yozgan asarlari haqida muhim ma'lumotlar keltirilgan<sup>1</sup>. Hozirgi davr arab tadqiqotchilaridan Muhammad Nazar Tamim "al-Vofiy" asarini tadqiq qilib, arab tilidagi zamonaviy nashrini amalga oshirgan.

G'arb olimlaridan – K.Brokkelman (1868-1956)<sup>2</sup>, F.Myuller (1823-1900) tarixda o'tgan musulmon huquqshunoslari va ularning asarlari, mazkur asarlarning hozirda mavjud qo'lyozma nusxalari borasida tadqiqotlar olib borgan.<sup>3</sup> Ular o'z izlanishlarida Nasafiyning hayoti va ilmiy merosi to'g'risidagi ma'lumotlarni bayon etgan.

O'zbekistonlik olimlardan D.Maxsudov "Abu Barakot Nasafiyning tafsir ilmida tutgan o'rni" mavzusida nomzodlik dissertatsiyasini yoqlagan hamda "Abu Barakot Nasafiy" nomli risola nashr etgan<sup>4</sup>. U.Uvatov, A.Saidov muallif haqida, N.Nasrullayev, R.Obidov va A.Abdullayev esa, Nasafiyning tafsiriga oid ma'lumotlarni qisman yoritganlar<sup>5</sup>. A.Mansur "Qur'oni karim ma'nolarining tarjima va tafsiri" nomli nashrida Abu Barakot Nasafiyning "Madorik at-tanzil" tafsiridan asosiy manba sifatida foydalanganiga urg'u bergan<sup>6</sup>. Lekin Abu Barakot

1 انظر: نجم الدين النسفي. كتاب القند في ذكر العلماء سمرقند. - الرياض: 1991؛ عبدالكريم السمعاني. كتاب الأنساب. - ج. الثاني - القاهرة. مكتبة ابن تيمية، 1980؛ ياقوت حموي. معجم البلدان. - بيروت: دار الصدر، 1977؛ شمس الدين الذهبي. سير أعلام النبلاء. - طشقند: مطبعة هلال، 2017؛ عبدالقادر القرشي. الجواهر المزبية في طبقات الحنفية. - ج. الثاني. - القاهرة: 1993م؛ عبد القادر التميمي. طبقات السنية. - الرياض: دار الرفاعي، 1989؛ الحاج خليفة. كشف الظنون عن أسامي الكتب والفنون. - ج.الاول - بيروت: دار إحياء التراث العربي، 2008؛ عبد الحي لكنوي. الفوائد البهية في تراجم الحنفية. - مصر: مطبعة السعداء، 1906/1324

2 Karl Brokkelman. Nemis sharqshunosi, somiy va turkiy tillar mutaxassisi. 1900-yilda Beslau, Kenigsberg, Galle, Berlin untlari prof. sharq tarixi, somiyshunoslik bo'yicha ilmiy asarlar yozgan.

3 Qarang: Броккельман К. Тарихул адаб ал-араби // араб тилига таржимон Доктор Абдулхалим Нажжор /. – Ж. VI. – Қоҳира: Дор ал-маъориф, 1989.

4 Махсудов Д. Буюк аждоларимиз. Абул Баракот Насафий ҳаёти ва илмий ижоди. – Т.: ТИУ, 2013.; Мовароуннаҳр Ҳанафий мазҳаби тафсириларининг қиёсий таҳлили (XIII-XV асрлар). – Т.: 2020.

5 Уватов У. Қашқадарё воҳасининг алломалари // Тошкент ислом университети илмий-таҳлилий ахбороти.– Тошкент, 2005. – № 3. – Б. 12-13; Насруллаев Н. Лутфуллох Насафийнинг илмий-маънавий мероси. Тафаккур, 2020; Абдуллаев А. Абул Лайс ас-Самарқандийнинг Мовароуннаҳр тафсиришунослигида тутган ўрни: Таф. фан. ном. ... дисс. автореф. – Т.: ТИУ, 2007.

6 Qarang: Мансур А. Қуръони карим маъноларининг таржима ва тафсири. – Т.: Ўқитувчи, 2021. – 624 б.

Nasafiyning “al-Vofiy” asari alohida kompleks tarzda tadqiq etilmagan. Yuqoridagi izlanishlardan farqli ravishda, ushbu dissertatsiyada Abu Barakot Nasafiy “al-Vofiy” asarining hanafiylik huquq tizimi – furu al-fiqhning rivoji va mustahkamlanishidagi o‘rni hamda bugungi kunda din asoslarini to‘g‘ri tushunish va tahlil etishdagi ilmiy-amaliy ahamiyati ochib berilgan.

**Dissertatsiya tadqiqotining dissertatsiya bajarilgan oliy ta’lim muassasasining ilmiy-tadqiqot ishlari rejalari bilan bog‘liqligi.** Tadqiqot O‘zbekiston xalqaro islom akademiyasining 2020-2022-yillarga mo‘ljallangan FZ-202002146 – “Markaziy Osiyo mutafakkirlari asarlari asosida buzg‘unchi g‘oyalarga qarshi kurashning ma’rifiy, tarbiyaviy asoslarini o‘zida jamlagan multimedia dasturi hamda mobil ilovasini yaratish” mavzuidagi ilmiy loyihasi doirasida amalga oshirilgan.

**Tadqiqotning maqsadi** “al-Vofiy” asari asosida Abu Barakot Nasafiyning hanafiy fiqhi rivojidagi o‘rnini ochib berishdan iborat.

**Tadqiqotning vazifalari** quyidagilardan iborat:

“furu’ al-fiqh” ilmini o‘rganishga bag‘ishlangan tadqiqotlardagi yondashuv va metodlarni tahlil qilish;

XIII asrda Movarounnahrda fiqh ilmi rivojlanishining o‘ziga xos xususiyatlarini ochib berish;

nasaflik allomalarning islom ilmlari taraqqiyotiga ta’siri va soha rivojidagi o‘rnini ko‘rsatish;

Movarounnahrda mo‘g‘ullar hukmronligi davrida diniy ilmlar rivojida Abu Barakot Nasafiyning tutgan o‘rnini belgilash;

Abu Barakot Nasafiy faoliyati va ilmiy merosi tarkibida fiqh ilmining ahamiyatini yoritib berish;

Nasafiyning fiqhiy asarlaridagi mavzular tasnifi va uslubiy xususiyatlarini tadqiq etish;

“al-Vofiy” asari mavzularining tahlili va manbada fiqhiy qoidalarning qo‘llanish o‘rinlarini asoslab berish;

asarda oila munosabatlarini tartibga solish bilan bog‘liq fiqhiy masalalarning zamonaviy ahamiyatini ko‘rsatib berish;

manbadagi ijtimoiy mavzudagi fiqhiy qarashlarning bugungi diniy-ijtimoiy muammolarni hal etishdagi ahamiyatini ochib berish hamda olingan xulosalar asosida taklif va tavsiyalar ishlab chiqishdan iborat.

**Tadqiqotning obyekti** sifatida Abu Barakot Nasafiyning “al-Vofiy” asari olingan.

**Tadqiqotning predmetini** Abu Barakot Nasafiy asarlarining hanafiy fiqidagi ahamiyati, olimning fiqhiy qarashlariga ta’sir etgan omillar, “al-Vofiy” asaridagi fiqhiy masalalar tashkil etadi.

**Tadqiqotning usullari.** Dissertatsiyada kompleks yondashuv, ilmiy bilishning tarixiylik, mantiqiylik, analiz va qiyosiy tahlil kabi tadqiqot usullaridan foydalanilgan.

**Tadqiqotning ilmiy yangiligi** quyidagilardan iborat:

“al-Vofiy” (الوافية) asarining kirish qismida qo‘llanilgan *gapini qaytarib*

*bo'lmaydigan azizlarning iltimoslaridan keyin kitobni yozdim* – بعد إلتماس ممن لا يريد كلامه jumlasidagi *iltimos* soʻzi arab adabiyotlarida uchramay, balki turkiy olimlar tomonidan keng ishlatilishi asosida Abu Barakot Nasafiy kelib chiqishi turkiy xalqlarga mansub olim ekani dalillangan;

Abu Barakot Nasafiy “al-Vofiy” asarida toʻrt mazhabning yetakchi olimlari ismlarining bosh harflarini qoʻllash orqali fiqhiy asarlar tizimiga shartli qisqartmalar qoʻllash uslubini olib kirganligi aniqlangan;

asarning boblari yakunida *turli masalalar* – المسائل المتفرقة qismini keltirib, mavzu doirasida kelajakda paydo boʻlishi mumkin boʻlgan ehtimoliy masalalarning sharʼiy javoblari berilishi bilan manbaning ham tarixiy, ham keyingi davr uchun ahamiyatli ekani asoslab berilgan;

olim, odatda, kitob yozishning ikki xil anʼanasi (hadis kitoblarida har bir mavzu *kitob* – كتاب, fiqhiy asarlarda esa, *bob* – باب deb nomlanishi)dan farqli ravishda, “al-Vofiy” fiqhiy asari boblariga *kitob* – كتاب sarlavhasi ostida nom bergani bilan uning ayrim hadis ilmi manbalariga xos uslublarni fiqhiy kitoblar tizimiga ham olib kirgani ochib berilgan.

**Tadqiqotning amaliy natijalari** quyidagilardan iborat:

Nasafiyning “al-Vofiy” asarida fiqh masalalarining yoritilishi, mazhablar oʻrtasidagi qarashlar, hanafiy fiqhi asoschilarining fikrlari jamlanganligi sababli, mazkur asarning “furu al-fiqh”, “usul al-fiqh”, “fatvo” va “voqyeot” janrlariga doir manba ekani isbotlangan;

“al-Vofiy” asarida biror-bir masalada hanafiy olimlar yoki boshqa mazhabning qarashlari mavjud oʻrinlarda shu mazhab yoki olimning ismi bosh harfini keltirib oʻtish bilan kifoyalangani va asarda keltirib oʻtilgan fiqhiy masalalarga bogʻlik boʻlishi mumkin boʻlgan koʻrinishlari ham bayon etib oʻtilgani aniqlangan;

tadqiqotda fiqh ilmining rivojlanishi, Movarounnahrda kirib kelish davrlari, hanafiy fiqhining oʻlkada keng qoʻllanishiga asosiy sababchi boʻlgan olimlar, “al-Vofiy” asarining hanafiy fiqhida tutgan oʻrni va oʻziga xos jihatlari, asarning qoʻlyozma nusxalari haqidagi maʼlumotlar jamlanib, tizimli tahlil etilgan;

Nasafiy ilmiy merosining tarixiy manbalar va zamonaviy tadqiqotlar asosidagi tadqiqi natijasida olimning 13 ta ilmiy asari mavjudligi, ulardan 5 tasi - fiqh, 4 tasi - kalom, 3 tasi - usulul-fiqh va 1 tasi - tafsirga bagʻishlangani va ularning barchasi bugungi kunga qadar yetib kelgani aniqlangan.

**Tadqiqot natijalarining ishonchliligi.** Dissertatsiyada bugungi kunda islomshunoslik (fiqh/huquq) fanida eʼtirof etilgan yondashuv va usullarning qoʻllangani, mavzuga daxldor boʻlgan birlamchi manbalardan foydalanilgani, ilmiy xulosalarni ilgari surishda “al-Vofiy” asarining Misrdagi Al-Azhar kutubxonasidagi 5351/244, Turkiyaning Sulaymoniya kutubxonasidagi 592, AQSHning Garvard universiteti kitob fondida, AQSHning Michigan universitet kutubxonasidagi 196-raqamli qoʻlyozmalari hamda 2020-yil Muhammad Nazor Tamim tomonidan tayyorlangan asarning arab tilidagi zamonaviy nashri matniga tayanilgani, tadqiqot jarayonida olingan natijalarning vakolatli tashkilotlar tomonidan tasdiqlangani bilan asoslanadi.



**Tadqiqot natijalarining ilmiy va amaliy ahamiyati.** Tadqiqot natijalarining ilmiy ahamiyati ulardan musulmon huquqiy amaliyoti, xususan, hanafiylik huquqiy ta'limotida qonun ishlab chiqish tizimini tartibga solishning o'ziga xos mezon va xususiyatlarini o'rganish bo'yicha ilmiy-nazariy bilimlarni boyitish va yangi nazariya hamda tadqiqotlarni shakllantirishda foydalanish mumkinligi bilan izohlanadi.

Tadqiqot natijalarining amaliy ahamiyati ulardan oliy va o'rta maxsus diniy ta'lim muassasalarida o'qitiladigan "Islom tarixi va manbashunosligi", "Islomshunoslik", "Usul al-fiqh", "Islom huquqi asoslari", "Klassik fiqhiy matnlar" kabi fanlar mazmunini yangi nazariy ishlanmalar bilan boyitishda, sohaga oid fakultativ darslar, seminar mashg'ulotlari va maxsus kurslarni ishlab chiqishda foydalanish mumkinligi bilan asoslanadi.

**Tadqiqot natijalarining joriy qilinishi.** Abu Barakot Nasafiyning Movarounnahr xanafiy fiqhining rivojiga qo'shgan hissasi bo'yicha olib borilgan tadqiqotning ilmiy natijalari asosida:

"al-Vofiy" (الوافي) asarining kirish qismida qo'llanilgan *gapini qaytarib bo'lmaydigan azizlarning iltimoslaridan keyin kitobni yozdim* – بعد إلتماس ممن لا يرد كلامه jumlasidagi *iltimos* so'zi arab adabiyotlarida uchramay, balki turkiy olimlar tomonidan keng ishlatilishi asosida Abu Barakot Nasafiy kelib chiqishi turkiy xalqlarga mansub olim ekani dalillangani to'g'risidagi xulosalardan buyurtma asosida tayyorlangan "O'rta asr sharq allomalari ensiklopediyasi" kitobi mazmuniga singdirilgan (O'zbekiston Respublikasi Vazirlar Mahkamasi huzuridagi Imom Buxoriy xalqaro ilmiy-tadqiqot markazining 2024 yil 16-fevraldagi 02/58-son ma'lumotnomasi). Natijada, bu Abu Barakot Nasafiy tarjimayi holiga doir qimmatli ma'lumotlarning ilmiy jamoatchilikka yetib borishiga xizmat qilgan;

Abu Barakot Nasafiy "al-Vofiy" asarida to'rt mazhabning yetakchi olimlari ismlarining bosh harflarini qo'llash orqali fiqhiy asarlar tizimiga shartli qisqartmalar qo'llash uslubini olib kirganligi aniqlangani to'g'risidagi ilmiy xulosalar buyurtma asosida tayyorlangan "Sunani Termiziy sharhi" kitobi mazmuniga singdirilgan (O'zbekistondagi islom sivilizatsiyasi markazining 2024 yil 28 fevraldagi 06-07/38-son ma'lumotnomasi). Natijada, usul al-fiqh va hadis ilmi istilohlari fanlaridagi adabiyotlar va qo'llanmalarda keng uchraydigan tushunchalar va istilohlar mazmuniga oid bilimlar talaba o'quvchilar e'tiboriga yetkazildi;

asarining boblari yakunida *turli masalalar* – المسائل المتفرقة qismini keltirib, mavzu doirasida kelajakda paydo bo'lishi mumkin bo'lgan ehtimoliy masalalarning shar'iy javoblari berilishi bilan manbaning ham tarixiy, ham keyingi davr uchun ahamiyatli ekani asoslab berilgani to'g'risidagi ilmiy xulosalar buyurtma asosida tayyorlangan "Islom ensiklopediyasi" kitobi mazmuniga singdirilgan (O'zbekiston Respublikasi Din ishlari bo'yicha qo'mitasining 2024-yil 28-maydagi 04-02/1743-son ma'lumotnomasi). Natijada, keng ommaga movarounnahrlik faqihlar asarlarining o'ziga xos afzalliklari, mazkur davrning ilmiy va ijtimoiy holatlari o'z aksini topgani haqidagi ma'lumot yetkazildi;

olim, odatda, kitob yozishning ikki xil an'anasi (hadis kitoblarida har bir mavzu *kitob* – كتاب, fiqhiy asarlarda esa, *bob* – باب deb nomlanishi)dan farqli

ravishda, “al-Vofiy” nomli fiqhiy asari boblariga *kitob* – كتاب sarlavhasi ostida nom bergani bilan uning ayrim hadis ilmi manbalariga xos uslublarni fiqhiy kitoblar tizimiga ham olib kirgani ochib berilgani haqidagi xulosalardan “Ajdodlarga munosib avlod bo‘laylik” shiori ostida ta’lim muassasalari talaba-o‘quvchilari o‘rtasida o‘tkazilgan madaniy-ma’rifiy targ‘ibot ishlarida foydalanilgan (Imom Termiziy xalqaro ilmiy-tadqiqot markazining 2024-yil 21-maydagi 01-05/9-son ma’lumotnomasi). Natijada, aholining fiqhiy kitoblardagi masalalar qamrovi, mazmun-mohiyati haqidagi bilimlarining oshishiga erishilgan.

**Tadqiqot natijalarining aprobatsiyasi.** Tadqiqot natijalari 7 ta ilmiy anjuman va konferensiyalarda, shu jumladan, 4 ta xalqaro va 3 ta respublika ilmiy-amaliy konferensiyalarida aprobatsiyadan o‘tgan.

**Tadqiqot natijalarining e’lon qilinganligi.** Dissertatsiya mavzusi bo‘yicha jami 14 ta ilmiy ish chop etilgan. Jumladan, O‘zbekiston Respublikasi Oliy attestatsiya komissiyasining doktorlik dissertatsiyalari asosiy ilmiy natijalarini chop etish tavsiya etilgan ilmiy nashrlarida 7 ta maqola, ulardan 4 tasi respublika va 3 tasi xorijiy ilmiy jurnallarda chop etilgan.

**Dissertatsiyaning tuzilishi va hajmi.** Dissertatsiya tarkibi kirish, uchta bob, xulosa, foydalanilgan manba va adabiyotlar ro‘yxati hamda ilovalardan iborat. Dissertatsiyaning hajmi 120 betni tashkil etadi.

## DISSERTATSIYANING ASOSIY MAZMUNI

**Kirish** qismida dissertatsiya mavzusining dolzarbligi va zarurati asoslanib, tadqiqotning maqsadi hamda vazifalari, o‘rganish obyekti va predmeti aniqlangan, tadqiqotning fan va texnologiyalar rivojlanishining ustuvor yo‘nalishlariga mosligi ko‘rsatilib, ishning ilmiy yangiligi va amaliy natijalari bayon etilgan, olingan natijalarning ishonchliligi asoslangan holda ularning nazariy va amaliy ahamiyati ochib berilgan. Tadqiqot natijalarining amaliyotga joriy qilinishi, ishning aprobatsiyasi, e’lon qilingan ishlar va dissertatsiyaning tuzilishi to‘g‘risida ma’lumotlar keltirilgan.

Dissertatsiyaning “**Movarounnahrdagi furu’ al-fiqh ilmi rivojini tadqiq etishning ilmiy-nazariy asoslari**” deb nomlangan birinchi bobida Movarounnahrga hanafiy mazhabi ikki yo‘l orqali: Abu Hanifaning shogirdi, Imom Muhammad Shayboniydan saboq olgan Abu Hafs Kabir orqali - Buxoroga va Balxda hanafiy olimlardan ta’lim olib, o‘z yurtiga qaytgan Abu Bakr Juzjoniy orqali Samarqandga kirib kelgani bayon etilgan.

Birinchi bobning “*Furu’ al-fiqh ilmini o‘rganishdagi yondashuvlar tahlili*” deb nomlangan birinchi paragrafida movarounnahrlilik faqihlarning islom huquqiga doir asarlarini o‘rganishga doir tadqiqotlar va ulardagi yondashuvlar tahlil etilgan hamda muxtasar holda ma’lumotlar keltirib o‘tilgan. Islom huquqshunosligiga bag‘ishlangan zamonaviy tadqiqotlar kattagina hajmni tashkil etadi. Shuning uchun bu borada faqat furu’ al-fiqh ilmida yozilgan asarlar tahliliga alohida e’tibor qaratildi. Jumladan, mavzu doirasida: “Fihq”, “Movarounnahr fiqh ilmi rivojida Alouddin Samarqandiyning o‘rni va “Tuhfat al-fuqaho” asarining ahamiyati”, “IX

asr Movarounnahr madaniy hayotida Imom Buxoriyning mavqei va uning “al-Jomi as-sahih” asaridagi fiqhiy masalalar”, “Majiduddin Ustrushaniyning Movarounnahr fiqh ilmi tarixida tutgan o‘rni”, “Abu Zayd Dabusiyy merosining Movarounnahrda fiqh ilmi rivojida tutgan o‘rni”, “Burhonuddin Mahmud Buxoriyning “Muhit” asari va uning Movarounnahr qoziligida tutgan o‘rni”, “Islom huquqshunosligi va hanafiy mazhabi taraqqiyotida O‘rta Osiyo faqihlarining o‘rni”, “Lutfulloh Nasafiyning “Fiqhi Kaydoniy” asari va unga yozilgan sharh va hoshiyalar tahlili”, “Burhoniddin Marg‘inoniyning “Hidoya” asari – muhim huquqiy manba”, “X–XIII asrlar Movarounnahr ijtimoiy munosabatlariga oid protsessual va notarial hujjatlar”, “Abu Hafs Kabir Buxoriy va hanafiy fiqhi”. “Alouddin Buxoriy “Hayrat al-fuqaho” asarining islom manbashunosligida tutgan o‘rni” mavzularidagi sohaga oid muhim tadqiqotlar va ularning yo‘nalishlari belgilab olindi.

Furu al-fiqh ilmining alohida fan bo‘lib shakllanishi va har bir davrda o‘ziga xos ko‘rinish kasb etishida o‘sha davr olimlarining hissasi beqiyos bo‘lgan. Shular qatorida Alloma Abu Barakot Nasafiy ham yashagan davr – XIII asrda Movarounnahrda fiqh ilmi rivojiga o‘ziga xos hissa qo‘shgan. Bu jihat olimning mo‘tabar fiqhiy asarlarni “al-Vofiy” asarida jamlaganligida namoyon bo‘ladi. Shu kabi yuqorida keltirilgan sharoit va muhitning notinchligiga qaramasdan, ilmga qilgan xizmati va aqida, fiqh va tafsir borasida mo‘tabar olimlar e‘tirofiga sazovor bo‘lishi bilan bir qatorda, hozirgi kunga qadar “Madorik at-tanzir” va “al-Kanz” asarlarining oliy ta‘lim muassasalarida asosiy qo‘llanma bo‘lib kelayotgani ham alohida ahamiyatga ega. Bunga, bir tomondan, davlat arboblari tomonidan ilm ahliga ko‘rsatilgan yuksak ehtirom, targ‘ibot va tashviqot Movarounnahrda faqihlar sonining ko‘payishi va hanafiy mazhabining rivojlanishiga sabab bo‘lgan. XII asrlarda Xuroson shaharlaridan tortib, Movarounnahr va Turkistonning barcha hududlarida aksariyat aholi hanafiy mazhabida bo‘lgan. Bungi mazhab ulamolari va bitilgan asarlarning naqadar mo‘tadilligi va sermahsulligi sabab sifatida ko‘rsatilgan.

Birinchi bobning “*XIII asr Movarounnahrda fiqh ilmi rivojlanishining o‘ziga xos xususiyatlari*” deya nomlangan ikkinchi paragrafida islom tarixida fiqhiy mazhablarning shakllanishi, mazhabboshi bo‘lgan mujtahid ulamolar faoliyati ochib berilgan. Unda Kufa va Basra (Iroq) ilk huquqiy maktabi negizida asos solingan hanafiy mazhabining shakllanish va rivojlanish omillariga alohida urg‘u berilgan.

Jumladan, hanafiy mazhabi Abu Hanifa va uning shogirdlari – Abu Yusuf, Muhammad ibn Hasan Shayboniy va Zufar tomonidan jadal rivojlantirilgan. Ushbu mazhab Movarounnahrda VIII asr o‘rtalarida kirib kelgan. Hanafiylikning Movarounnahrda kirib kelishi va keng tarqalishi-ning asosiy sabablaridan biri - mazkur mazhab mintaqada islomga yangidan kirib kelayotgan mahalliy aholi manfaatlari himoyachisi sifatida maydonga chiqqanligidir. Shuningdek, mazkur davrda hanafiylik markazi bo‘lgan Balx va Movarounnahr o‘rtasidagi mustahkam aloqalar o‘lkada Abu Hanifa mazhabi muvaffaqiyatini ta‘minlagan.

Abu Hafis Ahmad ibn Hafis Kabir Buxoriy (768-832) birinchi bo‘lib, IX asr boshlarida ushbu mazhab ta’limotining ilk vakili bo‘lib o‘z vataniga qaytib kelgan va Buxoro shahrini hanafiylikning muhim markazlaridan biriga aylantirishga o‘z hissasini qo‘shgan. Shuningdek, uning tarbiyasi ostida bir guruh salohiyatli faqihlarning yetishishi, Qoraxoniylar hukmdorlarining siyosiy jihatdan qo‘llab-quvvatlashi Movarounnahrda faqihlar sonining ko‘payishi va Hanafiy mazhabining rivojlanishiga sabab bo‘lgan. Jumladan, bu davrda uch yuzga yaqin olim fiqh ilmining ham nazariy, ham amaliy jihatlari bilan shug‘ullanib, yigirmadan ortiq fatvolar majmuasi, uch yuz ellikdan ortiq fiqhiy asarlar yaratgan. XIII asrga kelib, Xuroson shaharlaridan tortib, Movarounnahr va Turkistonning barcha hududlarida aksariyat aholi Hanafiy mazhabida bo‘lgan.

Movarounnahr fiqh maktabining islom tarixida tutgan o‘rnining yana bir xarakterli tomoni – bu yerda shakllangan boy ilmiy meros va amaliy tajribaning boshqa musulmon o‘lkaloriga, jumladan, arab mamlakatlariga ham yetib borishi hamda u mamlakatlarda Hanafiy mazhabining rivojiga salmoqli hissa qo‘shgani bilan ham ahamiyatli sanaladi.

XIII asrda Movarounnahrda fiqh ilmi rivojida alloma Abu Barakat Nasafiy ham alohida o‘rin egallab, olimning fiqh ilmiga olib kirgan o‘ziga xos uslublari hamda “al-Vofiy” asarining muqaddimasida keltirib o‘tganidek, fiqhiy asarlar: “Jomiayn”, “Ziyadat”, “Muxtasar al-Quduriy” va “Manzumat al-xilafiyat” masalalarini jamlagani bilan belgilanadi. Chunki o‘quvchi Nasafiyning “al-Vofiy” asarini mukammal o‘zlashtirsa, yuqoridagi uch asarni egallaydi.

Birinchi bobning uchinchi paragrafi “*Nasaflik allomalarning fiqhiy ilmlar taraqqiyotiga ta’siri*” deb nomlanib, unda Nasaf tarixi va u yerlik allomalar ilmiy merosning hanafiy fiqhi rivojiga qo‘shgan hissasi ochib berilgan.

VII asr oxiri va IX asr boshlarida Nasaf hamda Keshda yirik hadisshunoslik va fiqhshunoslik markazlari vujudga kelgan. Mazkur maktablarda turli o‘lkalardan kelgan talabalar saboq olar edilar: IX asrda - Muoz ibn Ya‘qub, Sulaymon ibn Dirizdahiy, X asrda - Asab ibn Hamdaviy, XI asrda - Abdulaziz ibn Muhammad Naxshabiy, XII asrda - Abu Bakr Nasafiy, XIII-XIV asrlarda - Aziziddin Nasafiy, Lutfulloh Nasafiy kabi o‘nlab olimlar islom olamida tanilgan. Keyingi asrlarda ham bu ilmiy an’ana muvaffaqiyat bilan davom ettirildi.<sup>7</sup>

VII-XII asrlarda Movarounnahrda 3000 dan ziyod muhaddislar yashagan bo‘lib, ulardan 1000 dan ortig‘i - Samarqandda, 600 dan ortig‘i - Buxoroda va 400 dan ortig‘i - Nasafda, qolgani esa, Movarounnahrning boshqa mintaqalarida faoliyat olib borgan. Nasafdagi hadis ilmi taraqqiyotiga ulkan hissa qo‘shgan olimlar: Abu Zayd Tufayl ibn Zayd Nasafiy (vaf. 892-y.), mufassir va muhaddis, “al-Musnad al-kabir” va “at-Tafsir” asarlari muallifi, qozi Abu Is’hoq Ibrohim ibn Ma’qil Nasafiy (vaf. 906-y.), faqih, muhaddis, lug‘at va tarix ilmlari bilimdoni Abu Abbos Ja’far ibn Muhammad Mustag‘firiylar shular jumlasidan.

---

<sup>7</sup> Махсудов Д. Абул-Баракот ан-Насафийнинг тафсири илмида тутган ўрни. Тар.фан.ном. ... дисс. – Т.: ТИУ, 2007. – Б. 40.

Shuningdek, Abdulkarim Sam'oniyning "al-Ansob" asarida X-XII asrlarda yashab, ijod qilgan 180 ga yaqin nasaflik allomalar zikr etilgan. Nasaf qadimiy shaharlardan biri sifatida doim o'zining boy tarixi va ilmiy muhiti bilan ko'plab tadqiqotchilarni o'ziga jalb etgan. Shahar o'zining: Nasafiy, Pazdaviy, Ofuroni, Kasbaviy, Kosoniy, Keshiy, Butxazoniy, Bayoniy, Tubaniy, Juvikiy, G'uzoriy, Dujakoniy, Zaykuli, Sunajiy, Sharg'iyoniy, G'adoniy, Kojariy kabi ellikka yaqin turli nasabli olimlari bilan nafaqat Movarounnahr, balki butun islom olamida shuhrat qozongan. Jahon tamadduni rivojiga salmoqli hissa qo'shib kelgan, ammo turli tarixiy omillar sababli birmuncha susaygan qadimiy Nasaf shahri madaniyati XIV asr kelib, navbatdagi taraqqiyot bosqichini boshladi. O'rta va keyingi asrlarda yashab ijod etgan nasaflik olimlar tafsir, hadis, kalom, fiqh, fatvo va boshqa fanlar bo'yicha boy ilmiy meros qoldirgan.

Nasaf shahri ham Movarounnahrning ilmu ma'rifat markazlaridan bo'lgani bois, "Nasafiy" nisbali olimlar o'z asarlari bilan nafaqat ona yurtlarida, balki butun islom olamida shuhrat qozonganlar. Nasaf islomning turli ilmlarini mukammal egallagan ko'plab zabardast olimlarni voyaga yetkazdi. Tarixchi olimlarning ma'lumotiga ko'ra, 2700 yillik tarixga ega Nasaf Xitoy solnomalarida «Nashebo», yunon tarixchilarining ma'lumotlarida «Navkata» deb atalgan. Bundan tashqari turli davrda yashagan arab tarixchilari o'z asarlarida bu shahar haqida qimmatli ma'lumotlarni yozib qoldirganlar<sup>8</sup>.

Jumladan:

Yoqut Hamaviyning (vaf. 1229 y.) "Mo'jam al-buldon" ("Mamlakatlar tarixi");

Sibt ibn Javziyning (vaf. 1256 y.) "Mir'ot az-zamon" ("Zamon ko'zgusi");

Ibn Xallikonning (vaf. 1282 y.) "Vafayot al-a'yon" ("Taniqlilar vafosi");

Alouddin Otamalik ibn Bahouddin Muhammad Juvayniyning (vaf. 1283 y.) "Tarixi jahonkusho";

Ibn Ibriyning (vaf. 1286 y.) "Tarix muxtasar ad-duval" ("Davlatlarning qisqacha tarixi");

Rashiddin Fayzullohning (vaf. 1320 y.) tashabbusi va bevosita ishtiroki bilan yaratilgan "Jome' at-tavorix";

Banokatiyning (vaf. 1330 y.) "Ravzat lil-albob fit-tavorix al-akobir val-ansob" ("Ulug' va asl (kishilar) tarixi xususida oqillar bog'i");

Hamidulloh Mustavfiy Qazviniyning (vaf. 1350 y.) "Nuzhat al-qulub" ("Qalblarning uyg'onishi");

Ibn Kasirning (vaf. 1373 y.) "al-Bidoya van-nihoya" ("Boshlanish va tugash");

Mirzo Ulug'bekning (vaf. 1449 y.) "Tarixi arba' ulus" ("To'rt ulus tarixi") kabi asarlarida qimmatli ma'lumotlar berilgan.

Dissertatsiyaning "Abu Barakot Nasafiyning fiqh ilmlari rivojiga qo'shgan hissasi" deb nomlangan ikkinchi bobida Abu Barakot Nasafiy hayoti va

---

<sup>8</sup> Maxsudov D. Abu-l-Barakot an-Nasafiyning tafsir ilmida tutgan o'rni. Tar. fan. nom. ... dis. – T.: TIU, 2008.; Nosir M. Nasaf va Kesh allomalari. – T.: G'afur G'ulom nomidagi nashriyot-matbaa ijodiy uyi, 2009. – B. 6.

tafsir, aqida, fiqh sohalaridagi faoliyati hamda uning hanafiy mazhabi asoschisi Abu Hanifagacha bo'lgan shajarasi borasidagi ma'lumotlar keltirib o'tilgan.

Ikkinchi bobning *“Mo'g'ullar hukmronligi davrida Movarounnahrda diniy ilmlar rivojida olimning o'rni”* deb nomlangan birinchi paragrafida Nasafiy yashab o'tgan davrdagi ijtimoiy va siyosiy tanazzul, Movarounnahr ijtimoiy-siyosiy bosqinlar girdobida qolgani, ilmiy-ma'naviy faollik keskin pasayganiga doir voqealar yoritilgan. Jumladan, mo'g'ullarning Movarounnahrda bosqinchilik yurishlari hududdagi taraqqiyotni tubdan izdan chiqargan. Bu inqiroz qariyb yuz ellik yil davom etgan. XIII asrning 60-yillaridan boshlab, Movarounnahrda o'rnatilgan birmuncha ijtimoiy-siyosiy barqarorlik ko'plab sohalarning qayta tiklanishiga turtki bergan. Ayniqsa, Movarounnahr taxtini boshqargan so'nggi mo'g'ul xonlaridan Kebek va Tarmashirin davrida nisbatan mo'tadil vaziyat kuzatiladi. Kebekxon Nasaf shahrida o'zi uchun saroy qurdirib, uni Qarshi deb nomlagan. Shahar XIV asrgacha Naxshab, Nasaf nomlari bilan atalar edi. Nasafning Buyuk Ipak yo'li chorrahasida joylashishi shaharning savdo-sotiq, hunarmandchilik, dehqonchilik, chorvachilik sohalarida rivojlanib, tez oyoqqa turib olishiga sabab bo'lgan.

Alloma Abu Barakot Nasafiy mana shunday davrda ilmiy faoliyat olib borgan. Nasafiy ismi zikr qilinganda, unga “Abu Barakot”, “Hofiziddin” degan nom ham qo'shib aytiladi. Albatta, bu so'zlarning o'z ma'nosi bo'lib, bu ham olimning yuqori ilmga ega ekanligiga dalolat qiladi. “Hofiziddin” nomi “dinni himoya qiluvchi” ma'nosini anglatadi. Mazkur sharafli nomga muyassar bo'lishda uning sof islom dinini himoya qilgani, mo'g'ullar istilosi natijasida zaiflashib qolgan islom ilmlariga hayot bag'ishlagani hamda ilm tarqatishdagi jiddu jahdini, sa'y-harakatlarini zamonasining olimlari e'tirof etib, olimlar tarafidan shu e'tirofga sazovor bo'lgan. Uning asarlarida naqliy dalillar aqliy misollar yordamida boyitilgani, diniy, ijtimoiy, ma'naviy va ilmiy qarashlari hozirgi kunga hamohangligi bilan ahamiyatli hisoblanadi.

Mazkur bobning ikkinchi paragrafi *“Abu Barakot Nasafiy faoliyatida fiqh ilmining ahamiyati”* deb nomlanib, unda olimning hanafiy faqihlar silsilasidagi o'rni ochib berilgan. Jumladan, Abu Barakot Nasafiyning hanafiy mazhabi asoschisi Abu Hanifagacha bo'lgan shajarasi: Shamsul aimma Kardariy – Hasan ibn Ali Marg'inoniy – Abuaziz ibn Umar ibn Moza – Mahmud ibn Abdulaziz O'zgandiy – Abu Bakr Muhammad Shamsul aimma Saraxsiy – Shamsul aimma Halvoniy – Abu Ali Nasafiy – Abu Bakr Fazl – Abdulloh Subazmuniy – Abu Hafs Sag'ir – uning otasi Abu Hafs Kabir – Imom Muhammad Shayboniy – Abu Hanifa tarzida keltirilgan.

Nasafiyning fiqh sohasidagi iqtidori, salohiyati asarlarida ko'zga tashlanadi. Fiqhiy masalalarni matn va sharh yo'nalishida bayon qilishi olimning mohir faqih sifatida e'tirof etilishiga zamin yaratgan. Abu Barakot Nasafiyning “al-Mustasfo” asari ularning orasida eng mashhuri va mukammalidir. “Al-Mustasfo” asarining muqaddimasida kitobning ustoz Hamididdin Romishiy tavsiyasi bilan yozilgani qayd etilgan. Tarixiy manbalarda, olimning madrasalarda hanafiy fiqhiga oid “al-

Hidoya” va o‘zining “al-Vofiy” kitoblaridan talabalarga ta’lim bergani keltirib o‘tilgan. Shuningdek, Nasafiy islom ilmlaridan aqida va tafsirga doir kitoblar ham yozgan.

Olimning fiqh borasida amalga oshirgan ishlari alohida e’tiborga sazovor. Ilmiy merosi orasida fiqh va fiqhiy asarlarga yozgan sharhlari boshqa ilmiy asarlardan ko‘proqligi olimning fiqh ilmiga bo‘lgan e’tiborini ko‘rsatadi. Nasafiyning hayotini o‘rganish davomida olimning dars berish jarayonlarida ham fiqhiy asarlardan sharhlar keltirganini uchratish mumkin. Olimlar orasida ham u ko‘proq faqih bo‘lib tanilgan. Misol uchun “al-Kanz” kitobi hozirgi kungacha hanafiy fiqhi bo‘yicha yozilgan asarlar ichida eng mo‘tabar kitoblar sarasiga kiradi va talabalar o‘rtasida eng ko‘p qo‘llaniladigan fiqhiy kitob sanaladi. Nasafiy asarlarini chuqur o‘rganish turli qarashlarga sabab bo‘layotgan masalalarga javob topishda yordam beradi.

Ushbu bobning uchinchi paragrafi “*Nasafiyning fiqhiy asarlaridagi mavzular va uslubiy xususiyatlar tahlili*” deb nomlanib, unda olimning fiqh sohasidagi furu’ al-fiqh va usul al-fiqh yo‘nalishidagi ilmiy merosi tahlil etilgan. Olimning fiqh ilmiga oid “Kanz ad-daqiq” (“Nozik masalalar xazinasi”) asari islom huquqi bo‘yicha “al-Hidoya”dan keyingi o‘ringa qo‘yiladi. Mazkur kitobda hanafiy fiqhiga doir masalalar shofeiyy va molikiy mazhabiga qiyosan yoritilgan bo‘lib, unda, asosan, Abu Hanifa, Abu Yusuf, Imom Muhammad, Imom Zufar, Imom Molik va Imom Shofeiyy kabi mujtahid olimlarning qarashlari keltirilgan. “Kanz ad-daqiq”ning 7 ta qo‘lyozma nusxasi O‘zbekiston Respublikasi Fanlar akademiyasi Sharqshunoslik instituti fondida saqlanadi. Ushbu asarga o‘ndan ortiq sharhlar yozilgan bo‘lib, ular orasida Imom Faxriddin Abu Muhammad Zaylaiy (vaf. 743/1342-3 y.)ning “Tabyin al-haqoiq lima fihi ma intaza minad-daqiq” (“ad-Daqqiqdan olingan masalalar haqiqatini yoritish”) nomli sharhi mashhur hisoblanadi.

Nasafiyning “al-Mustasfo” asari Abuqosim Nosiruddin Muhammad ibn Yusuf Samarqandiy (vaf. 1161-y.) qalamiga mansub “al-Fiqh an-nofe” asariga yozilgan sharh hisoblanadi. “Al-Fiqh an-nofe” asari Nosiruddin Samarqandiyning furu’ al-fiqh ilmiga oid asosiy kitobi hamda hanafiy fiqhiga oid mo‘tabar manbalardan biri sifatida e’tirof etiladi. “Al-Mustasfo” asari, uning muqaddimasida yozilishicha, ustoz Hamididdin Romishiy tavsiyasi bilan 1266-yilda yozilgan. Hofiziddin Nasafiyning: “al-Vofiy”, “Kashf al-asror”, “Sharh al-Muntaxab”, “al-Musaffo” kabi asarlarida mazkur asardan iqtiboslar keltirgan. Kitobda ibodat, muomalot kabi ko‘plab fiqhiy masalalar berilgan. Olim unda har bir masalaning dalillarini keltiravermaydi, balki ularni mujtahidlarning fikrlari orasida berib o‘tadi. U “Tahorat kitobi” bilan boshlanib, “Meros kitobi” bilan yakunlangan.

“Al-Musaffa fi sharhi al-manzumati Nasafiya fil-hilof” (“Qiyosiy huquqshunoslikka oid Nasafiy nazmining sharhidagi aniqliklar”) olimning fiqh ilmiga oid yana bir asari hisoblanadi. Mazkur kitob 670/1272-yilda, Sha’bon oyining 20 sanasi (22-mart)da yozilgan bo‘lib, Umar Nasafiyning “Manzuma”siga sharhdir. Umar Nasafiyning ushbu asari 10 ta bob va 2669 ta baytdan iborat. Manba o‘zida fiqhiy masalalar bo‘yicha mazhab mujtahid olimlarining ixtilofli qarashlarini aks

ettirgan. Uning 2834 (1110/1699-yilda ko‘chirilgan, nasta’liq xatida) va 4669/II (boshi va oxiridagi varaqlar yo‘q) raqamli ikki qo‘lyozma nusxasi O‘zbekiston Respublikasi Fanlar akademiyasi Sharqshunoslik instituti qo‘lyozmalar fondida saqlanadi<sup>9</sup>.

Asarda dalillar va ixtiloflarga to‘xtalmaydi, balki mashhur mujtahidlarning ismlariga belgi qilib, bosh harflari berilgan xolos. Masalan, «ح» – «ho» harfi Abu Hanifa, «س» – «sin» Abu Yusuf, «م» – «mim» Muhammad, «ز» – «zo» Zufar, «ف» – «fo» Shofeiyy, «ك» – «kof» Molik, «و» – «vov» hanafiy mazhabi olimlari rivoyatlari uchun belgi qilib olingan. Unda ibodat (namoz, ro‘za, zakot, haj), muomalot (savdo, ijara, qarz kabi odamlar o‘rtasidagi munosabatlar), hadlar (jazo) kabi turli masalalar bayon etilgan. U fiqhga oid eng mo‘jaz kitoblardan sanaladi. Shu sabab ham unga mutaaxxir olimlar e’timod qiladilar va hanafiy olimlari orasida ko‘p mutolaa qilinadi. Olimlar uni mashhurlikda «Muxtasar al-Quduriy»dan keyingi o‘ringa qo‘yadilar va mo‘tabar kitoblar sirasiga kiritadilar.

Dissertatsiyaning uchinchi bobi **“al-Vofiy” asarida hanafiy fiqhi qoidalarining qo‘llanishi**” deb nomlanib, unda Abu Barakot Nasafiyning fiqhiy masalalarni fatvo berilgan matnlar orqali yoritish uslubi hamda nikoh, oilaviy masalalar, ommaviy madaniyat kabi ijtimoiy mavzularni hal etishdagi ahamiyati ko‘rsatib berilgan.

Mazkur bobning birinchi paragrafi *“al-Vofiy” asari mavzularining tahlili va manbada fiqhiy qoidalar qo‘llanishi*” deb nomlanib, unda manbaning tarkibiy tuzilishi va mavzular tasnifi amalga oshirilgan. Nasafiyning asari tarkiban beshta bo‘limdan iborat. Birinchi bo‘limda fatvo asoslari va hanafiy faqhidagi istilohlar: “imom”, “sohibayn” va “tarofayn” kabi hanafiy mazhaboshilariga hamda hanafiy fiqhiy kitoblariga ishora qiluvchi istilohlar: “Asl”, “Mutun” va “al-Mabsut” hamda mazhabdagi olimlar so‘zlariga va mazhabda rojih masalarga ishora qiluvchi istilohlar keltirib o‘tilgan. Ikkinchi bo‘limda - uzunlik miqdori, kilo, vazn va pul o‘lchamlari zikr qilingan. Uchinchi bo‘limda hanafiy mazhabida “Hukm at-taklif” – “amallarning zimmadagi ko‘rinishlari (taklifiy hukmlar)”ning qismlari: sahih, fosid, botil, ruxsat va azimat keltirilgan. Shuningdek, azimatning yetti qismi: farz, vojib, sunnat, nafl, muboh, makruh va haromga bo‘linishi ochib berilgan.

Asarning asosiy mavzularining taqsimoti ikki bo‘lim: Abu Barakot Nasafiyning hayoti, faoliyati va shaxsiyati haqida va “al-Vofiy” asari bilan tanishishdan iborat. Nasafiy fiqhiy masalalarni mazhab asoschisi Abu Xanifa (vaf. 767-y.) qarashlari asosida bayon qilib o‘tadi. Mazhab imomlarining ba’zi masalalardagi farqli qarashlari yuzaga kelgan o‘rinlarda ham olim, asosan, Abu Xanifaning so‘ziga tayanadi.

Shular qatorida olimning asarida fiqhiy qoidalarning mazmuni aks etadi. Ular qisqacha quyidagilardan iborat:

*“Laa savaaba illa bin-niyya” – “Savoblar niyatga ko‘radir”*. Bu barcha ibodatlarining avvalidagi niyat va ixlos mavzusini o‘z ichiga oladi. Nasafiy ushbu



qoidaga binoan tahoratning sunnatlari mavzusida niyatni ham keltirib o‘tadi.<sup>10</sup> Shu kabi barcha mavzuda niyat masalasiga to‘xtalib o‘tgan.

“*Al-Umur bi maqosidiha*” – “*Ishlar niyatga ko‘radir*”. Nasafiy “al-Vofiy” asarida ushbu qoidadan kelib chiqqan holda muhim jihatga urg‘u berib, nikoh paytida so‘zlarini ishlatishda ba‘zi bir xarflarda nuqsonga yo‘l qo‘ysa, misol uchun “زواجك” so‘zida “زوزتك” jim tovushi o‘rnida zal tovushini talaffuz qilsa, buni boshqa biron tilga qiyos qilganda ham inson o‘z tilida ba‘zi bir xarflar talaffuzida nuqsoni bo‘lsa bu ko‘zlangan maqsadning amalga oshishiga xalaqit bermasligini asoslab keltiradi. Ya’ni nikohda asosiy maqsad ikki rishtani bog‘lash bo‘lgani sababli nikoh bog‘lanaveradi.<sup>11</sup>

“*Al-Yaqin la yazulu bish-shak*” – “*Aniq narsa shubha bilan yo‘q bo‘lmaydi*”. Ushbu qoidaga to‘g‘ri keluvchi masalalarni tahorat va poklik mavzularida yoritib o‘tadi. Ushbu qoidadan kelib chiqib, Nasafiy musofir odam suvi borligini unutib, tayammum bilan namoz o‘qisa, ushbu namozini qaytadan o‘qimaydi, deb keltiradi. Safarda ko‘p hollarda suv bo‘lmasligi e‘tiboridan o‘zidagi ishonch bilan ado etgan ibodati qabul bo‘ladi.

“*Al-Mashaqqat tajlib at-taysir*” – “*Mashaqqat yengillikni taqozo qiladi*”. Tahorat va safarga chiqish masalalarida ushbu qoida asosida amal qilinadigan mavzular yoritiladi.

Uchinchi bobning “*Asarda oila munosabatlarini tartibga solish bilan bog‘liq fiqhiy masalalar tahlili*” deb nomlangan ikkinchi paragrafida islom huquqida oila masalasiga ibodat darajasida e‘tibor qaratilgani, nikoh va uning shartlariga amal qilish insonlarga poklik, iffat, muhabbat, o‘zaro ishonch va hurmatda yashash, nasabini muhofaza qilishga sabab bo‘lishi bilan bir qatorda, Alloh taoloning buyrug‘i ekanligi borasidagi qarashlar yoritilgan.

Nasafiyning “al-Vofiy” kitobida nikoh masalasiga katta e‘tibor berilgan. Asarning “Nikoh kitobi” 5 ta bobdan iborat bo‘lib, mavzuga oid 160 dan ziyod masala bayon etilgan. Asarda sovchilik odobidan boshlab, mahr, oila qurish, nikoh va undan keyingi jarayonlarga oid eng daqiq savollarga javob berilgan. Oila muqaddasligi, islomdagi huquqiy maqomi, kishilar o‘rtasidagi hissiy munosabatlar va mustahkam oila qurish shariatning muhim sharti ekanligi haqida keng va batafsil ma’lumotlar berilgan. Shuningdek, nikohlanayotgan tomonlarning huquq va majburiyatlari, er-xotin o‘rtasidagi mulkiy munosabatlarning huquqiy asoslari, farzandlar tarbiyasi bilan shug‘ullanishdagi haq-huquqlar va har bir zamonda dolzarb bo‘lgan nafaqaga oid hukmlar bayon etilgan. Oila vujudga kelishining asoslaridan bo‘lgan nikohga azaldan alohida e‘tibor qaratilgan. Nikoh insonlarni iffat, muhabbat, o‘zaro ishonch va hurmatda yashashlari hamda naslu nasab pokligining muhofazasi uchun zarurdir.

Nikohsiz bog‘langan rishtada o‘rtada farzand dunyoga keladigan bo‘lsa, uning muammosi ham paydo bo‘ladi. Buning salbiy oqibatini atrofdagi hatto rivojlangan davlatlarning misolida ham ko‘rish mumkin. Inson bu yerda faqat nafsoniy

<sup>10</sup> Abu Barakot Nasafiy. Al-Vofiy. – Damashq: Dirasat al-ilmiya, 2020. – J. I. – B. 163.

<sup>11</sup> O‘sha joyda. – B. 382.

xohishlarini amalga oshirish uchun emas, balki shu yer yuzini obod qilish va osuda hayot barpo qilish uchun ham yashaydi. Bu mas'uliyatli vazifaga barcha dinlar kabi islom dini ham katta ahamiyat qaratadi. Nikoh mana shunday ma'nolarni o'zida namoyon etadi.

Nikoh so'zining ma'no va mazmuniga qaralsa ham, shunga olib boradi. O'zbek tilining izohli lug'atida: "Nikoh bu ikki jinsdagi shaxslarning o'zaro rozilik, ixtiyoriylik, tenglik, belgilangan nikoh yoshiga yetganlik asosida ahdlashib tuziladigan ittifoqdir", - deyilgan<sup>12</sup>. Demak, nikoh – bu erkak bilan ayol o'rtasidagi muayyan ittifoq bo'lib, hayotning abadiyligini ta'minlaydi, farzandlar ota-onalari boshlagan ishning davom etishini amalga oshiruvchi rishta hisoblanadi.

Asarda yana bir urf-odatdagi so'zlarning ishlatilish holatiga to'xtalib o'tilgan. Asosiy matnda kelgan ba'zi bir so'zlarga "al-Kofiy" nomli boshqa bir asar sharhida alohida izoh berib o'tilgan. Ushbu lafzlardan biri - "al-batil", "al-fasid" so'zlari bo'lib, "al-batil" so'zi o'zbek tilida "noto'g'ri, xato" degan ma'nolarni anglatib, nikohning bog'lanishi uchun shart bo'lgan narsalardan birining yo'q bo'lishi, ya'ni nikoh, aslida, bog'lanmaganini anglatuvchi so'z sifatida qo'llanilishi ta'kidlangan.

"Al-fosid" so'zi esa, "buzilgan, aynigan" degan ma'nolarni anglatib, nikohning davom etishiga monelik qilib turgan narsaga aytiladi. Misol uchun balog'atga yetmagan qizning nikohi durust bo'lishi uchun qizning valiylari ruxsati lozim bo'lishi kabi.

Uchinchi bobning uchinchi paragrafi "*Muallif fiqhiy qarashlarining zamonaviy-ijtimoiy muammolarni hal etishdagi ahamiyati*" deb nomlanib, asarda bayon etilgan ijtimoiy masalalarning zamonaviy ahamiyati ochib berilgan. Xususan, asarning 23-bo'limi "Istehson" – "Ma'qullangan ishlar" deb nomlanib, unda ayni bugungi kunda ijtimoiy hayotda yuzaga kelayotgan masalalarning yechimi borasida tavsiya etish mumkin bo'lgan javoblar ko'zga tashlanadi. Ayniqsa, kiyinish madaniyati, erkak va ayollarga xos bo'lgan kiyimlar hamda taqinchoqlar masalasi batafsil bayon etilgan. Erkaklar uchun ipak matodan bo'lgan liboslar kiyish halol emasligi, aksincha, ipak matodan tikilgan liboslar kiyish ayollar uchun mumkin bo'lib, ularga ziynat bo'lishi ta'kidlangan<sup>13</sup>. Bunga esa, Rasululloh (s.a.v.)ning: "Ipak matodan libos kiyish va tilla (taqinchoqlar taqish) ummatimning erkaklariga harom, ayollariga esa haloldir", – degan hadis dalil qilib keltirilgan.

Undan so'ng mazhabboshilarning ipak yostiqdand foydalanish borasidagi qarashlari bayon etiladi. Abu Hanifa ipak yostiqdand foydalanishga ruxsat bergan bo'lsa, uning shogirdlari Abu Yusuf va Imom Muhammad ipak yostiqdand foydalanish erkak kishi uchun makruh, deb hisoblashgan<sup>14</sup>. Abu Hanifaning erkak kishi ipak yostiqdand foydalanishiga ruxsat berganiga ikkita sabab keltirilib, birinchisi – yostiqdand kiyimlik belgisi yo'qligi, ikkinchisi – «A'rof» surasining: "**Ayting: «Bandalari uchun chiqargan Allohning ziynatini va pok rizqlarni kim haromga chiqardi?»**" deyilgan 32-oyati dalil qilingan.

<sup>12</sup> O'zbek tilining izohli lug'ati // Madvaliev A .tahriri ostida. – T.: O'zbekiston milliy ensiklopediyasi, 2008. – J. 3. – B. 38.

<sup>13</sup> Абу Баракот Насафий. Ал-Вофий. – Дамашк: Дирасат ал-илмия, 2020. Ж. III. – Б. 243.

<sup>14</sup> O'sha manba. – B. 887-888.

Hozirgi kunda, afsuski, “ommaviy madaniyat”ga ergashgan yoshlar orasida milliy anʼanalarga beeʼtiborlik kuzatilmoqda. Bu esa jamiyat aʼzolari orasida nooʻrin kiyinish madaniyati bilan birga, gʻarbna urf-odatlarining tarqalishiga ham sabab boʻlmoqda.

Xususan, turli xil shakl va koʻrinishdagi taqinchoqlar taqishning erkaklar orasida tarqalishi milliy va diniy qadriyatlarga zid hisoblanadi.

Alloma bu haqida alohida toʻxtalib, erkak kishilarga tilla va kumushdan yasalgan taqinchoqlarni taqish man etilishi, ayollarga esa ruxsat, berilganini aytib oʻtgan<sup>15</sup>. Shuningdek, erkak kishilarga faqat kumush uzuk, kamar (belbogʻ) va qilichning dastasi kumushdan boʻlishiga ruxsat berilgan.

Bugungi kunda nikoh marosimida uchraydigan tillodan boʻlgan nikoh uzuklarini taqish ham gʻarbdan kirib kelgan madaniyatlardan biri ekani, milliy va diniy qadriyatlarda erkaklarga tillodan uzuk taqishga ruxsat berilmasligi taʼkidlangan. Lekin ayollarga tillo va kumush taqinchoqlarni mahr sifatida berish odati asrlar mobaynida shakllangan hamda ulamolar bunga ruxsat bergani keltirilgan.

Abu Barakat oʻgʻil bolalarga, hatto chaqaloq boʻlsa ham, ipak libos kiydirish va tillodan boʻlgan taqinchoqlar taqishni makruh<sup>16</sup>, deb aytadi. Bu bilan olim farzandlarni yoshlik paytidan boshlab shaʼriy tarbiya qilish lozimligini, yoshligidan chiroyli tarbiya topgan bola, katta boʻlganida ham adashmasligini nazarda tutgan.

Ammo hozirgi vaqtda yoshu kattalar orasida kundalik turmush tarzi va marosimlarda zebu ziynatga berilish, dabdababozlik, hashamkorlik kabi illatlar kuchayib bormoqda. Bu esa, ularning milliy qadriyatlardan uzoqlashib, boshqa madaniyatlarga koʻr-koʻrona taqlid qilishi natijasidir.

## XULOSA

Abu Barokat Nasafiyning «al-Vofiy» asarining ilmiy-nazariy tadqiqi va tadqiqotning maqsad hamda vazifalaridan kelib chiqib, quyidagi xulosalarga kelindi:

1. Movarounnahrda hanafiy mazhabi ikki yoʻl orqali kirib kelgan. Birinchi yoʻl, Abu Hanifaning shogirdi Imom Muhammad Shayboniydan saboq olgan Abu Hafs Kabir orqali Buxoroga kirib kelgan boʻlsa, ikkinchisi, Balxda hanafiy olimlardan taʼlim olib, oʻz yurtiga qaytgan Abu Bakr Juzjoniy orqali Samarqandda tarqalgan. Abu Hafs Ahmad ibn Hafs Kabir Buxoriy (768-832) birinchi boʻlib, IX asr boshlarida ushbu mazhab taʼlimotining ilk vakili boʻlib oʻz vataniga qaytib kelgan hamda Buxoro shahrini hanafiylikning muhim markazlaridan biriga aylantirgan. Uning tarbiyasi ostida bir guruh faqihlar, jumladan, oʻz davrida hanafiy mazhabining shayxi va salohiyatli vakili boʻlgan uning oʻgʻli Abu Hafs Sagʻir yuksak darajali faqih martabasiga chiqqan.

2. Movarounnahrda faoliyat olib borgan olimlar qatorida faqihlarning merosini oʻrganish katta ahamiyatga ega. Burhoniddin Margʻinoniy hanafiy mazhabining koʻplab huquqiy masalalarni hal qilish yoʻllarini topishga muvaffaq

<sup>15</sup> Oʻsha manba. – B. 248.

<sup>16</sup> Abu Barakat Nasafiy. Al-Koʻfiy sharh al-voʻfiy. – Damashk: Dor risalat al-ʼaʼlamia, 2020. – B. 248.

bo'ldi. U to'g'ridan-to'g'ri mustaqil sur'atda ijtimod qilish vakolatiga ega bo'lmasa ham, o'z ilmiy-huquqiy asarlarini yaratishda qiyosdan (qiyosi jaliydan), ayniqsa, qiyosning ikkinchi turi: "qiyosi xafiy" yoki "istihson"dan keng ko'lamda foydalandi. Shuning uchun ayrim olimlar Marg'inoniyni "al-Mujtahid fil-mazhab", ya'ni mazhab bo'yicha mujtahid deb bilgan. O'sha davrning faqihlaridan biri – Alouddin Kosoniy (vaf. 587 h.y.)ning "Badoi' as-sanoi' fiy tartib ash-sharoi'" asari ustoz Alouddin Samarqandiyning "Tuhfat al-fuqaho" kitobining sharhi sifatida mashhurlikka erishgan.

3. Abu Barakot Nasafiy tafsir, aqida va fiqh sohalarida yetuk malakali olim bo'lgan. Uning 13 ta kitobi bo'lib, ulardan: 5 tasi - fiqhga, 4 tasi - kalom ilmi, 3 tasi - usul al-fiqh va 1 tasi tafsirga oid asarlari ekanligi aniqlangan. Ushbu asarlarning qo'lyozma nusxalari dunyoning turli qo'lyozma fondlarida saqlanmoqda. Jumladan, birgina O'zbekiston Respublikasi Fanlar akademiyasi Sharqshunoslik instituti qo'lyozmalar fondida Nasafiy qalamiga mansub 40 dan ziyod qo'lyozmalar borligi aniqlandi. Olimning olti nomdagi asarining zamonaviy nashri Bayrut, Qohira, Istanbul, Dehli, London shaharlarida chop etilgan. Abu Barakot asarlarida ko'tarilgan diniy-ijtimoiy masalalarning dolzarbligi bois ularga bugungi kunga qadar ko'plab sharhlar yozilgan.

4. Abu Barakot Nasafiy o'z asarlarida hanafiy mazhabining bag'rikenglik tamoyilidan kelib chiqib, ijtimoiy, diniy, g'oyaviy masalalar javobini shariat manbalari asosida topish, odamlarga ilohiy ma'nolarni sof holda yetkazish bilan birga, mo'g'ullar istilosi natijasida vujudga kelgan ilmiy bo'shliqni to'ldirishga xizmat qilgan. Tafsir, fiqh va aqidaga oid kitoblari mintaqada ilm-fan taraqqiyotiga katta hissa qo'shib, ushbu bilimlarni keyingi avlodlarga yetkazib berdi. Olimning asarlarida bayon etilgan va tahlil qilingan masalalar bugungi kunda ham ulkan ahamiyatga ega ekanini alohida ta'kidlash lozim. Shu bois ham, olimning asarlari nafaqat yurtimiz, balki xorijdagi olimlar va tadqiqotchilar tomonidan ham e'tibor bilan mutolaa qilinadi.

5. Hanafiy faqihi va muhaddis olim Abu Barakot tarixiy manbalarda – ulug' imom, faqih, usul al-fiqh olimlari yetakchisi, aqliy va naqliy masalalar bilimdoni sifatida qayd etiladi. Olimning "Al-Vofiy" ("Mukammal") kitobi "al-Hidoya" qatoridagi manbalar sirasiga kiradi. Kitobga fatovo va voqiyot masalalari ham kiritilgan. "Al-Vofiy" asari islom huquqshunosligining: "al-Jomi as-sag'ir", "al-Jomi al-kabir", "az-Ziyodot" ("Ziyoda masalalar"), "Muxtasar al-Quduriy" ("Quduriyning qisqartirilgani"), "Manzumat al-xilofiyat" ("Qiyosiy huquqshunoslikka oid nazm") va fatvo kitoblaridagi turli masalalarni o'zida jamlagan. Shunga ko'ra, ushbu asar hanafiy fiqhi kitoblari mazmunini o'zida jamlagan hamda turli masalalar borasida asos bo'lib xizmat qilgan. U fiqhga oid barcha kitoblar kabi tahoratdan boshlangan. Lekin "al-Hidoya", "Muxtasar al-viqoya" ("Viqoyaning qisqartirilgani") kabi asarlardan farqli o'laroq, kitob "al-faroiz", ya'ni "Meros ilmi" bobi bilan xotimalangan. Allomaning o'zi "al-Vofiy" kitobiga "al-Kofiy sharh al-Vofiy" nomli mukammal sharh yozgan.

6. Tarixiy manbalarda XIII asrning oxirigiga kelib, Nasafda mo‘tazila va karromiya oqimining ta’siri ancha kuchaygani ta’kidlanadi. Shu o‘rinda, ularga raddiya sifatida Hofiziddin Nasafiyning “Musaffo” nomli Abu Hafs Nasafiyning (vaf. 1142-y.) “Manzuma al-fiqh fil-xilofiyot” asariga sharh yozgan. Asar “Sharh manzuma al-fiqh” (Fiqhga oid manzuma sharhi) nomi bilan ham yuritiladi. U nasriy uslubda yozilgan bo‘lib, unda islom dinidagi mazhablar, ularning o‘ziga xos jihatlari yoritilib, hanafiy mazhabining masalalari keng sharhlangan. Asarning keyingi asrlarda ancha mashhur bo‘lganligini unga XVII asrda bitilgan sharhdan ham bilish mumkin. Bu sharh “Irshod at-tolib ala sharh al-manzuma” (“Sharhi manzuma” asarini o‘rganuvchilar uchun to‘g‘ri yo‘l ko‘rsatish”) deb nomlangan. Asar Halab shahrining muftiysi, mashhur olim Muhammad ibn Hasan ibn Ahmad ibn Abu Yahyo Kavokibiy tomonidan sharhlangan.

7. Nasafiyning “al-Vofiy” kitobida nikoh masalasiga katta e’tibor berilgan. Asarning “Nikoh kitobi” 5 ta bobdan iborat bo‘lib, mavzuga oid 160 dan ziyod masala bayon etilgan. Asarda sovchilik odobidan boshlab, mahr, oila qurish, nikoh va undan keyingi jarayonlarga oid eng daqiq savollarga javob berilgan. Oila muqaddasligi, islomdagi huquqiy maqomi, kishilar o‘rtasidagi hissiy munosabatlar va mustahkam oila qurish shariatning muhim sharti ekanligi haqida keng va batafsil ma’lumotlar berilgan. Shuningdek, nikohlanayotgan tomonlarning huquq va majburiyatlari, er-xotin o‘rtasidagi mulkiy munosabatlarning huquqiy asoslari, farzandlar tarbiyasi bilan shug‘ullanishdagi haq-huquqlar va har bir zamonda dolzarb bo‘lgan nafaqaga oid hukmlar bayon etilgan.

8. Islom huquqi nikoh va uning huquqiy oqibatlari masalasiga alohida e’tibor qaratgan. Shu bois Nasafiyning “al-Vofiy” asarida oila, nikoh, taloq va nafaqa masalalari batafsil yoritilgan. Mazkur masalalarni o‘rganish, tadqiq qilish, ommaga, ayniqsa, oila qurish bo‘lag‘asida turgan yoshlarga ta’lim berish orqali bugungi kunda dolzarb ahamiyat kasb etayotgan oilaviy ajrimlarning oldini olishga erishish mumkin. Asarda yana bir urf-odatdagi so‘zlarning ishlatilish holatiga to‘xtalib o‘tgan. Asosiy matnda kelgan ba’zi bir so‘zlarga “al-Kofiy” nomli boshqa bir asar sharhida alohida izoh berib o‘tilgan.

9. Bugungi kunda jamiyat hayotida yuzaga kelgan diniy-ijtimoiy masalalarga javob topishda “al-Vofiy” asarining o‘rnini ochib berish tadqiqotning asosiy vazifalaridan biri sanalib, bu borada asarning “Istehson” bo‘limida bayon etilgan “erkak va ayollarga xos kiyinish odoblari”, “ipak matodan foydalanish”, “tillo va kumush taqinchoq, idishlardan foydalanish” kabi masalalar “ommaviy madaniyat” va uning ko‘rinishlarining yoshlar ta’lim-tarbiyasiga salbiy ta’sirining oldini olishda muhim ahamiyatga ega ekani ko‘rsatib berilgan.

**Tadqiqot jarayonida olingan natija va xulosalardan kelib chiqib, quyidagi taklif va tavsiyalar ilgari surildi:**

1. O‘zbekiston Respublikasida amalga oshirilayotgan yosh oilalarni qo‘llab-quvvatlash, ijtimoiy himoyani kuchaytirish va oilaviy ajrimlarning oldini olishga qaratilgan chora-tadbirlarni nazariy jihatdan boyitish hamda islom huquqi manbalaridagi ijtimoiy himoya institutining o‘ziga xos jihatlarni keng ommaga

yetkazish maqsadida, “Islom huquqida nikoh masalalari” nomli ilmiy-ommabop kitob tayyorlash.

2. Abu Barakat Nasafiyning Movarounnahr fiqh ilmi rivojida o‘rnini hisobga olib, O‘zbekiston xalqaro islom akademiyasi hamda O‘zbekiston musulmonlari idorasi tasarrufidagi oliy va o‘rta maxsus diniy bilim yurtlarida o‘tiluvchi “Markaziy Osiyodan yetishib chiqqan buyuk mutafakkirlar hayoti va ilmiy faoliyati” faniga ushbu tadqiqot mavzusini alohida mavzu sifatida kiritish.

3. Jamiyatimizdagi ijtimoiy himoya bilan bog‘liq muammolar yechimida islom huquqi manbalaridagi nikoh masalasiga oid xulosalarni amaliyotga tatbiq etish bo‘yicha qo‘llanma yaratish.

**SCIENTIFIC COUNCIL UNDER  
DSc.35/30.12.2019.IsI/Tar/F.57.01 FOR AWARDDNG SCIENTIFIC DEGREES AT THE  
INTERNATIONAL ISLAMIC ACADEMY OF UZBEKISTAN**

---

**INTERNATIONAL ISLAMIC ACADEMY OF UZBEKISTAN**

**AKHMEDOV SAYKHAL ABDURAKHMONOVICH**

**THE CONTRIBUTION OF ABU BARAKAT AL-NASAFI TO THE  
DEVELOPMENT OF HANAFI LAW  
(BASED ON THE WORK OF AL-WAFI)**

**24.00.03 – Science of Fiqh and Kalom. Theology**

**ABSTRACT OF DISSERTATION OF THE DOCTOR OF PHILOSOPHY (PhD) ON  
HISTORICAL SCIENCES**

**TASHKENT – 2024**

**The theme of doctor of philosophy degree (PhD) was registered at the Supreme Attestation Commission of the Republic of Uzbekistan under number №B2020.4.PhD/Tar838.**

The dissertation was carried out at the international Islamic Academy of Uzbekistan.

The dissertation abstract in three languages (Uzbek, English, Russian) (resume) is available at the Scientific Council Web site ([www.iiau.uz](http://www.iiau.uz)) and Ziyonet information portal ([www.ziyonet.uz](http://www.ziyonet.uz)).

<b>Scientific adviser:</b>	<b>Maksudov Davronbek Rustamovich</b> Doctor of historical sciences, Professor
<b>Official opponents:</b>	<b>Rajabova Mavjuda Abdullayevna</b> Doctor of juridical sciences, Professor <b>Kasimov Mirjalol Abdug'affarovich</b> PhD on islamic sciences
<b>Leading organization:</b>	<b>Center of Islamic Civilization in Uzbekistan</b>

The defense of the dissertation will be held at the meeting of Scientific Council under the number DSc.35/30.12.2019.IsI/Tar/F.57.01 for awarding academic degrees under International Islamic Academy of Uzbekistan at \_\_\_:\_\_\_ o'clock, on Avgust \_\_\_, 2024 (Address: 11, A.Kadiri street, Tashkent 100011, Telephone: (99871) 244-00-56; fax: (99871) 244-00-65; e-mail: [info@iiau.uz](mailto:info@iiau.uz)).

The dissertation can be found at the information Resource Center of the International Islamic Academy of Uzbekistan (Registered number 159). (Address: 100011, Tashkent, A.Kadiri street, 11. Telephone: (99871) 244-00-56; fax: (99871) 244-00-65; e-mail: [info@iiau.uz](mailto:info@iiau.uz)).

The dissertation abstract is disseminated on “\_\_\_\_\_” July, 2024.  
(Protocol registered №07 on 02 July, 2023)

**I.I. Bekmirzaev**  
Chairman of scientific council for awarding academic degrees, doctor of historical sciences, professor

**S.A. Rustamiy**  
Secretary of scientific for awarding academic degrees, doctor of philological sciences, professor

**Z.M. Islamov**  
Chairman of scientific seminar under the scientific council for awarding academic degrees, doctor of philological sciences, professor



## INTRODUCTION (Doctor of Philosophy (PhD) dissertation annotation)

**The relevance and necessity of the dissertation topic.** Many scholarly works have been written on practical-legal issues of Islamic law – the science of "furu al-fiqh" (فروع الفقه) – in regions where the Hanafi school of thought is widely spread around the world. In the Middle Ages, hundreds of jurists authored books in this field. Among them, Abu Barakot Nasafi (died 710/1310) held a special place, as he made a significant contribution to the development of the Hanafi "furu al-fiqh" in the 13th century in Maverannar through his systematic approach in his work "Al-Wafi" (الوافي). Moreover, his commentaries on the work, namely "Al-Kafi" (الكافي) and "Kanz ad-Daqa'iq" (الدقائق كنز), have been accepted as textbooks on the science of "furu al-fiqh" in the Islamic world. In this regard, it is of current importance to shed light on the issues specific to Hanafi jurisprudence as presented in Abu Barakot Nasafi's work "Al-Wafi."

Many research institutions around the world specializing in Islamic studies are conducting a series of scientific investigations into the science of "furu al-fiqh" (فروع الفقه) and the understanding of legal issues within it, as well as revealing their specific characteristics. These studies focus on the history and stages of the formation of "furu al-fiqh" science, the interconnection of Islamic law with national values and customs, and the analysis of the unchanging and changing issues of Islamic law. These studies also emphasize the exploration of primary sources and the development of legal principles from them to address modern issues while shedding light on the historical roots of these principles.

In New Uzbekistan, the reforms being implemented in the religious field have created ample opportunities for research on sources related to Muslim law and the humanitarian ideas within the scholarly heritage of this country's scholars. As a result, a school of jurisprudence was established in the city of Margilan, and notable works such as Abu Hafs Umar Nasafi's "Tahsil Usul al-Fiqh" (Learning Usul al-Fiqh) and Nizamuddin Shoshi's "Usul al-Fiqh" (Principles of Usul) were published in Uzbek with explanatory translations, as well as books such as "Fiqhi Directions and Books." Exploring the scientific works of Maverannar jurist Abu Barakot Nasafi and their importance to the development of science in the region serves as a continuation of the ongoing reforms in the field.

The dissertation work serves a certain purpose in the implementation of the tasks outlined in the Presidential Decree No. PF-5416 dated April 16, 2018, on "Measures for the Fundamental Improvement of Activities in the Religious and Educational Sphere," the Presidential Decree No. PF-60 dated January 28, 2022, on "The Strategy for the Development of New Uzbekistan for 2022-2026," the Presidential Resolution No. PQ-2995 dated May 24, 2017, on "Measures to Further Improve the System for Preserving, Studying, and Promoting Ancient Written Sources," and the Cabinet of Ministers Resolution No. 519 dated June 24, 2019, on "Enriching the Library Fund of the International Scientific-Research Center of Imam Bukhari under the Cabinet of Ministers of the Republic of Uzbekistan with Foreign Literature."

**Compliance of the research with the main priorities in the field of the development of science and technology in the republic.** The dissertation was carried out in accordance with the priority direction of republican science and technology development entitled "Formation of the system of innovative ideas in the social, legal, economic, cultural, spiritual, and educational development of the information society and the democratic state and ways of their implementation."

**The level of study of the issue.** Abu Barakot Nasafi's scholarly legacy and the topics he addressed have been the focus of attention for both Eastern and Western scholars.

Among Arab scholars, Abu Muhammad Shafiq Ghirbal (1894-1961), Abdulhay Laknawi (1848-1887), Mawlana Toshkopruzoda, Haji Khalifa (1609-1657), Shamsuddin Dawudi (1535-1598), Muhammad Hussein Zahabi (1915-1977), Amir Abdulaziz, and Manna' ibn Khalil Qatton (1925-1999) have provided important information about Nasafi's academic lineage, his scientific travels abroad, his scholarly and political activities, his contemporaries, and his works in their bibliographic works<sup>1</sup>. Among contemporary Arab researchers, Muhammad Nazar Tamim studied the work "Al-Wafi" and published a modern edition in Arabic.

Western scholars such as C. Brockelmann (1868-1956)<sup>2</sup> and F. Müller (1823-1900) conducted research on past Muslim jurists and their works, as well as the existing manuscript copies of these works<sup>3</sup>. They provided information about Nasafi's life and scholarly legacy in their research.

Among Uzbek scholars, D. Maksudov defended a candidate dissertation on the topic "The Role of Abu Barakot Nasafi in Tafsir Science" and published a booklet titled "Abu Barakot Nasafi."<sup>4</sup> U. Uvatov and A. Saidov have provided information about the author, while N. Nasrullaev, R. Obidov, and A. Abdullaev have partially covered information related to Nasafi's tafsir<sup>5</sup>. A. Mansur, in his publication "Translation and Tafsir of the Meanings of the Holy Quran," emphasized the use of Abu Barakot Nasafi's "Madorik at-Tanzil" tafsir as a primary source<sup>6</sup>. However, Abu Barakot Nasafi's work "Al-Wafi" has not been comprehensively studied separately. Unlike the above-mentioned studies, this dissertation reveals the role of Abu Barakot

---

<sup>1</sup> Ibid: Нажмуддин Насафий. Китоб ал-қанд фи зикри уламаи Самарқанд. – Ар-Риёд: 1991; Абдулкарим Самъоний. Китоб ал-Ансоб. – Ж. II. – Қоҳира. Мактаба Ибн Таймия, 1980.; Ёқут Ҳамавий. Мўъжам ал-булдон. – Байрут: Дор ас-садр, 1977; Шамсуддин Заҳабий. Сияр аълам ан-нубала. – Тошкент: Ҳилол нашр, 2017; Абдулқодир Қураший. Ал-Жавоҳир ал-музия фи табақот ал-ҳанафия. – Ж II. – Қоҳира: Ҳижр, 1993; Абдулқодир Тамимий. Табақот ас-сания. – Ар-Риёд: Дор ар-Рифоий, 1989.; Ҳожи Халифа. Қашф аз-зунун ан асоми ал-кутуб вал-фунун. – Ж I. – Байрут: Дор ихё ат-турос ал-арабий, 2008; Абдулхай Лакнавий. Ал-Фавоид ал-бахийй фий тарожим ал-ҳанафия. – Миср: Матбаат ас-саодат, 1324/1906.

<sup>2</sup> Carl Brockelmann. An orientalist, linguist, and specialist in Semitic and Turkish languages. In 1900, he became a professor of Eastern history, Semitic philology, and wrote scientific works on Turkic linguistics in Beslau, Kenigsberg, Galle, Berlin, etc.

<sup>3</sup> Look: К.Броккельман. Тарихул адаб ал-араби // араб тилига таржимон Доктор Абдулҳалим Нажжор /. – Ж. VI. – Қоҳира: Дор ал-маъориф, 1989.

<sup>4</sup> Махсудов Д. Буюк аждодларимиз. Абул Баракот Насафий ҳаёти ва илмий ижоди. – Т.: ТИУ, 2013.; Мовароуннаҳр Ҳанафий мазҳаби тафсирларининг қиёсий таҳлили (XIII-XV асрлар). – Т.: 2020.

<sup>5</sup> Уватов У. Қашқадарё воҳасининг алломалари // Тошкент ислом университети илмий-таҳлилий ахбороти.– Тошкент, 2005. – № 3. – Б. 12-13; Насруллаев Н. Лутфуллох Насафийнинг илмий-маънавий мероси. Тафаккур, 2020; Абдуллаев А. Абул Лайс ас-Самарқандийнинг Мовароуннаҳр тафсиршунослигида тутган ўрни: Тар. фан. ном. ... дисс. автореф. – Т.: ТИУ, 2007.

<sup>6</sup> Ibid: Мансур А. Қуръони карим маъноларининг таржима ва тафсири. – Т.: Ўқитувчи, 2021. – 624 б.

Nasafi's work "Al-Wafi" in the development and strengthening of the Hanafi legal system - "furu al-fiqh" - and the scientific and practical importance of the issues in the work for correctly understanding and analyzing the fundamentals of religion today.

**The dissertation research is related to the scientific research plans of the higher education or research institution where the dissertation was conducted.** The research was carried out within the framework of the scientific project topic "Creation of a multimedia program and mobile application that contains the educational and instructional foundations for combating destructive ideas based on the works of Central Asian thinkers" (FZ-202002146) at the International Islamic Academy of Uzbekistan for the years 2020-2022.

**The purpose of the research** is to reveal Abu Barakot Nasafi's role in the development of Hanafi jurisprudence based on the work "Al-Wafi."

**The tasks of the research include:**

- Analyzing approaches and methods in studies dedicated to the science of "furu al-fiqh";
- Revealing the specific characteristics of the development of jurisprudence in the 13th century in Maverannar;
- Showing the impact of Nasaf scholars on the development of Islamic sciences and their role in the field's progress;
- Determining Abu Barakot Nasafi's role in the development of religious sciences during the Mongol rule in Maverannar;
- Highlighting the importance of jurisprudence within Abu Barakot Nasafi's activities and scientific legacy;
- Investigating the classification of topics and methodological features in Nasafi's legal works;
- Analyzing the topics of the "Al-Wafi" work and justifying the application of legal principles in the source;
- Showing the modern significance of legal issues related to regulating family relations in the work;
- Revealing the importance of the source's legal views on social issues in solving today's religious and social problems, and developing suggestions and recommendations based on the conclusions obtained.

**The object of the research** is Abu Barakot Nasafi's work "Al-Wafi."

**The subject of the research** consists of the significance of Abu Barakot Nasafi's works in Hanafi jurisprudence, the factors influencing the scholar's legal views, and the role of the legal views in "Al-Wafi" in solving today's religious and social issues.

**Research methods.** In the dissertation research methods such as a complex approach, historical, logical, analysis and comparative analysis of scientific knowledge were used.

**The scientific novelty of the research** includes the following:

- In the introduction to "Al-Wafi," the phrase “كلامه يرد لا ممن إلتماس بعد” ("after requests from those whose words cannot be refused") uses the word "iltimos"

(request), which is not found in Arabic literature but is widely used by Turkish scholars, proving that Abu Barakot Nasafi is a scholar of Turkish origin.

- It was found that in "Al-Wafi," Abu Barakot Nasafi introduced a method of using conditional abbreviations in the legal works system by using the initials of leading scholars from four schools of thought.

- At the end of the chapters in the work, the section titled "various issues" – المتفرقة المسائل – presents potential questions that may arise in the future within the topic, providing legal answers and establishing the source's importance both historically and for future periods.

- The scholar, different from the usual traditions of writing books (in which each topic in hadith books is called "kitab" (book) and in legal works "bab" (chapter)), named the chapters in his legal work "Al-Wafi" under the title of "kitab" (book), thus incorporating methods characteristic of some hadith sources into the system of legal books.

**The practical results of the research** include the following:

- The research has proven that Nasafi's work "Al-Wafi," which covers legal issues, perspectives among the schools of thought, and the opinions of the founders of Hanafi jurisprudence, is a source for the genres of "furu al-fiqh," "usul al-fiqh," "fatwa," and "waqi'at."

- It was discovered that in "Al-Wafi," whenever there are views from Hanafi scholars or other schools of thought on any issue, it suffices to mention the initial of the school or scholar, while also discussing possible interpretations of the legal issues presented in the work.

- The research systematically analyzed the development of the science of jurisprudence, its entry into Maverannar, the scholars primarily responsible for the widespread application of Hanafi jurisprudence in the region, the place and unique aspects of the work "Al-Wafi" in Hanafi jurisprudence, and information about the manuscript copies of the work.

- As a result of examining Nasafi's scholarly legacy based on historical sources and modern research, it was found that the scholar had 13 scientific works, including 5 on jurisprudence, 4 on theology, 3 on usul al-fiqh, and 1 on tafsir, all of which have survived to the present day.

**The reliability of the research results** is substantiated by the application of approaches and methods recognized in contemporary Islamic studies (jurisprudence/law), the use of primary sources relevant to the topic, and the reliance on manuscript copies of "Al-Wafi" in the Al-Azhar Library in Egypt (5351/244), the Suleymaniye Library in Turkey (592), the Harvard University Library in the USA, and the University of Michigan Library (196), as well as the modern Arabic edition of the work prepared by Muhammad Nazar Tamim in 2020. The results obtained during the research have been verified by competent state and non-state institutions. Furthermore, the reliability of the research results is evidenced by their publication in collections of materials from national and international scientific and practical conferences and in scientific publications listed in the Higher Attestation Commission (HAC).

**The scientific and practical significance of the research results.** The scientific significance of the research results lies in enriching the scientific and theoretical knowledge on the specific criteria and characteristics of regulating the legal system in Hanafi legal doctrine, particularly in Muslim legal practice, and potentially shaping new theories and research.

The practical significance of the research results is grounded in their potential use in supplementing the content of subjects such as "History and Source Studies of Islam," "Islamic Studies," "Usul al-Fiqh," "Fundamentals of Islamic Law," and "Classic Legal Texts" taught in higher and secondary special religious educational institutions with new theoretical developments. They can also be utilized in developing elective courses, seminar sessions, and specialized courses related to the field.

### **The implementation of research results.**

Based on the scientific results obtained from research on Abu Barakat Nasafi's contribution to the development of Hanafi jurisprudence in Maverannah:

I wrote the book after the requests of the saints, whose sentence used in the introduction of "al-Wafy" (الوافي) cannot be turned back - the word request in the sentence "بعد التماس" *mmn læ yrd kləmħ* is not found in Arabic literature, but is widely used by Turkic scholars. Abu Barakat Nasafi, a scholar of Turkic origin. "Encyclopedia of Middle Eastern Scholars" prepared to order from the conclusions of the evidence of the fact that it is included in the content of the books (Reference No. 02/58 of the Imam Bukhari International Research Center under the Cabinet of Ministers of the Republic of Uzbekistan dated February 16, 2024). As a result, Abu Barakat served to provide valuable information about Nasafi's biography to the scientific community;

Scientific conclusions about the fact that Abu Barakat Nasafi introduced the method of using conditional abbreviations into the system of fiqh works by using the initials of the names of the leading scholars of the four schools of thought in his work "al-Wafi" were included in the content of the book "Commentary of Sunan Tirmidhi" prepared on order (Imam Tirmidhi International Research Center Reference No. 01-05/9 dated May 21, 2024). As a result, knowledge about concepts and the content of reforms, which are common in the literature and manuals in the fields of usul al-fiqh and hadith science reforms, was brought to the attention of students;

At the end of the chapters of the work, various issues - *almsaql almtfrqah* are mentioned, and Shariah answers to possible issues that may arise in the future within the scope of the topic are given, and scientific conclusions about the importance of the source both historically and for the next period are substantiated in the content of the "Encyclopedia of Islam" book prepared on order (Reference No. 02-03/3198 dated January 11, 2024 of the Committee on Religious Affairs of the Republic of Uzbekistan). As a result, the general public was informed about the specific merits of the works of Movarounnahr jurists and the reflection of the scientific and social conditions of this period;

In contrast to two different traditions of writing books, the scholar named the

chapters of al-Wafi's fiqh work under the title of book-kitab, and some of his hadiths are different from the two different traditions of writing books. The findings of the fact that the methods specific to the sources of science were also introduced into the system of fiqh books were used in the cultural and educational promotion activities conducted among the students of educational institutions under the slogan "Let's be a generation worthy of our ancestors" (06 of February 28, 2024 of the Center of Islamic Civilization in Uzbekistan under the Cabinet of Ministers of the Republic of Uzbekistan - reference No. 07/38). As a result, the population's knowledge about the scope and content of the issues in fiqh books has been increased.

**The testing of the research results.** The research results have been presented at seven scientific conferences, including four international and three national scientific and practical conferences.

**Publication of research results.** A total of 14 scientific papers have been published on the dissertation topic. This includes seven scientific papers published in scientific journals recommended by the Higher Attestation Commission of the Republic of Uzbekistan for publishing the main scientific results of doctoral dissertations. Of these, four were published in national scientific journals and three in foreign scientific journals.

**Structure and length of the dissertation.** The dissertation consists of an introduction, three chapters, a conclusion, a list of sources and literature used, and appendices. The dissertation is 135 pages long.

## THE MAIN CONTENT OF THE DISSERTATION

**The introduction** substantiates the relevance and necessity of the dissertation topic, specifies the research goals and tasks, and outlines the object and subject of study. The alignment of the research with the priority areas of development in science and technology is presented, along with the scientific novelty and practical results of the work. The reliability of the results obtained is substantiated, and their theoretical and practical significance is revealed. Information is provided on the implementation of the research results in practice, the testing of the work, the published works, and the structure of the dissertation.

The first chapter, titled "**Scientific and Theoretical Foundations for Studying the Development of the Science of Furu al-Fiqh in Maverannar,**" explains how the Hanafi school entered Maverannar through two pathways: through Abu Hafs Kabir, who learned from Imam Muhammad Shaibani, a student of Abu Hanifa, and brought the teachings to Bukhara; and through Abu Bakr Juzjani, who studied under Hanafi scholars in Balkh and returned to his homeland, introducing the teachings to Samarkand.

The first paragraph of the first chapter, titled "*Analysis of Approaches in Studying the Science of Furu al-Fiqh,*" examines the studies and approaches to exploring the works of Maverannar jurists related to Islamic law and briefly provides information on them. Modern research on Islamic jurisprudence constitutes a substantial body of work. Therefore, special attention is given to the analysis of

works written in the field of furu al-fiqh. Specifically, within the scope of the topic, important research and their directions in the field include:

- "Fiqh"
- "The Role of Alauddin Samarqandi in the Development of Maverannar's Fiqh Science and the Importance of His Work 'Tuhfat al-Fuqaha'"
- "The Status of Imam Bukhari in the Cultural Life of Maverannar in the 9th Century and the Legal Issues in His Work 'Al-Jami al-Sahih'"
- "The Role of Majduddin Ustrushani in the History of Maverannar's Fiqh Science"
- "The Role of Abu Zayd Dabusi's Legacy in the Development of Fiqh Science in Maverannar"
- "Burhanuddin Mahmud Bukhari's Work 'Muhit' and His Role in the Qazis of Maverannar"
- "The Role of Central Asian Jurists in the Development of Islamic Jurisprudence and the Hanafi School of Thought"
- "An Analysis of Lutfullah Nasafi's Work 'Fiqh-i Qayda' and the Commentaries and Marginalia Written on It"
- "Burhanuddin Marginali's Work 'Hidaya' – A Significant Legal Source"
- "Procedural and Notarial Documents on Social Relations in Maverannar from the 10th-13th Centuries"
- "Abu Hafs Kabir Bukhari and Hanafi Fiqh"
- "Alauddin Bukhari and the Role of His Work 'Hayrat al-Fuqaha' in Islamic Source Studies"

These topics represent key studies and their directions in the field.

The second paragraph of the first chapter, titled "*Specific Characteristics of the Development of Jurisprudence in Maverannar in the 13th Century*," reveals the formation of legal schools and the activities of the leading mujtahid scholars in Islamic history. It places special emphasis on the factors behind the formation and development of the Hanafi school, which was established based on the early legal schools of Kufa and Basra (Iraq).

Notably, the Hanafi school was developed rapidly by Abu Hanifa and his students Abu Yusuf, Muhammad ibn Hasan Shaibani, and Zufar. This school entered Maverannar in the mid-8th century. One of the primary reasons for the entry and widespread adoption of the Hanafi school in Maverannar was its role as a protector of the interests of the local population newly embracing Islam in the region. Additionally, the strong connections between Balkh, the center of the Hanafi school, and Maverannar contributed to the success of the school in the region.

Abu Hafs Ahmad ibn Hafs Kabir Bukhari (768-832) was the first to bring the teachings of the school to his homeland in the early 9th century. He played a significant role in transforming the city of Bukhara into one of the key centers of Hanafi thought. Furthermore, the training of a group of capable jurists under his tutelage and the political support of the Qarakhanid rulers contributed to the increase in the number of jurists in Maverannar and the development of the Hanafi school. Notably, around 300 scholars engaged in both theoretical and practical aspects of

jurisprudence during this period, creating over twenty collections of fatwas and more than 350 legal works. By the 13th century, the majority of the population across Khorasan cities, as well as all regions of Maverannar and Turkestan, were adherents of the Hanafi school.

Another distinctive aspect of the position of the Maverannar school of jurisprudence in Islamic history is the transmission of its rich scholarly heritage and practical experience to other Muslim countries, including Arab nations, and its significant contribution to the development of the Hanafi school in those countries.

In the development of jurisprudence in Maverannar in the 13th century, the scholar Abu Barakot Nasafi held a prominent place. His unique methods in the science of jurisprudence and his work "Al-Wafi" are notable for incorporating topics from legal works such as "Jamiayn," "Ziyadat," "Mukhtasar al-Quduri," and "Manzumat al-Khilafiyat." Mastery of Nasafi's "Al-Wafi" work enables students to grasp these three works comprehensively.

The third paragraph of the first chapter is entitled "Influence of scholars of Nasaf on the development of jurisprudence", and it reveals the history of Nasaf and the contribution of the scientific heritage of scholars from there to the development of Hanafi jurisprudence.

In the late 7th and early 9th centuries, significant centers of hadith and jurisprudence emerged in Nasaf and Kesh. Students from various regions would study at these schools. In the 9th century, scholars like Muaz ibn Ya'qub and Sulayman ibn Dirizdahi, in the 10th century, Asab ibn Hamdawi, in the 11th century, Abdulaziz ibn Muhammad Nakshabi, in the 12th century, Abu Bakr Nasafi, and in the 13th and 14th centuries, Aziziddin Nasafi and Lutfullah Nasafi, were renowned in the Islamic world. This scholarly tradition continued successfully in later centuries<sup>7</sup>.

Thus, scholars from places affiliated with Nasaf, such as Urufon, Kojar, Balad (Puloti), and Fudina, left significant impacts on the development of science during their time. Among the scholars who contributed greatly to the development of hadith in Nasaf were Abu Zayd Tufail ibn Zayd Nasafi (died 892), a mufassir and muhaddith, author of works such as "Al-Musnad al-Kabir" and "At-Tafsir"; Abu Ishaq Ibrahim ibn Maqil Nasafi (died 906), a judge, jurist, muhaddith, linguist, and historian; and Abu Abbas Ja'far ibn Muhammad Mustaghfiri, known for his extensive knowledge of hadith and other disciplines.

Since the city of Nasaf was also one of the centers of knowledge and scholarship in Movarounnahr, scholars with the epithet "Nasafiy" gained fame not only in their homeland but also throughout the entire Islamic world with their works. Nasaf raised many prominent scholars who mastered various sciences of Islam comprehensively. According to historical scholars, Nasaf, which has a 2700-year history, is referred to as "Nashebo" in Chinese chronicles and as "Navkata" in the

---

<sup>7</sup> Махсудов Д. Абул-Баракот ан-Насафийнинг тафсир илмида тутган ўрни. Тар.фан.ном. ... дисс. – Т.: ТИУ, 2007. – Б. 40.



records of Greek historians. In addition, Arab historians who lived in different periods wrote valuable information about this city in their works<sup>1</sup>.

Notably, such works include:

- Yaqut al-Hamawi (d. 1229) with "Mu'jam al-Buldan" ("Dictionary of Countries"),
- Sibt ibn al-Jawzi (d. 1256) with "Mir'at az-Zaman" ("Mirror of the Time"),
- Ibn Khallikan (d. 1282) with "Wafayat al-A'yan" ("Deaths of Notables"),
- Alauddin Ata Malik ibn Bahauddin Muhammad Juvayni (d. 1283) with "Tarikh-i Jahan-Gusha" ("History of the World Conqueror"),
- Ibn al-Ibri (d. 1286) with "Tarikh Mukhtasar ad-Duwal" ("Brief History of States"),
- "Jami' at-Tawarikh" created with the initiative and direct participation of Rashid al-Din Fazlallah (d. 1320),
- Banakati (d. 1330) with "Rawzat al-Albab fi Tawarikh al-Akabar wa al-Ansab" ("The Garden of the Wise in the Histories of the Great and the Nobles"),
- Hamidullah Mustawfi Qazvini (d. 1350) with "Nuzhat al-Qulub" ("The Awakening of Hearts"),
- Ibn Kathir (d. 1373) with "al-Bidaya wa an-Nihaya" ("The Beginning and the End"),
- and Mirza Ulugh Beg (d. 1449) with "Tarikh-i Arba' Ulus" ("The History of Four Nations"). These works provide valuable information.

The second chapter of the dissertation, titled "**Abu Barakot Nasafi's Contribution to the Development of Jurisprudential Sciences**," provides information about Abu Barakot Nasafi's life and his activities in the fields of tafsir, aqidah, and fiqh, as well as his genealogy back to Abu Hanifa, the founder of the Hanafi school.

In the first paragraph of the second chapter, titled "*The Scholar's Role in the Development of Religious Sciences in Maverannar during the Mongol Rule*," the social and political decline during Nasafi's lifetime, Maverannar's entrapment in a whirlpool of social and political invasions, and the sharp decline in scientific and spiritual activity are highlighted. In particular, the Mongol invasions of Maverannar fundamentally disrupted the region's development. This crisis lasted for nearly 150 years. However, from the 1260s onwards, the relative social and political stability established in Maverannar stimulated the revitalization of many areas.

Abu Barakot Nasafi conducted his scholarly work during this period. Nasafi is often referred to as "Abu Barakot" and "Hafizuddin," both of which have specific meanings that indicate his high level of knowledge. The name "Hafizuddin" translates to "protector of the faith." His attainment of this honorable title is attributed to his defense of pure Islam, his dedication to the revitalization of Islamic sciences weakened by the Mongol invasions, and his tireless efforts in spreading knowledge, which were recognized and praised by his contemporaries. His works

---

<sup>1</sup> Maxsudov D. Abu-l-Barakot an-Nasafiyning tafsir ilmida tutgan o'rni. Tar. fan. nom. ... dis. – T.: TIU, 2008.; Nosir M. Nasaf va Kesh allomalari. – T.: G'afur G'ulom nomidagi nashriyot-matbaa ijodiy uyi, 2009. – B. 6

are significant for their inclusion of transmitted evidence enriched by rational examples, as well as for the relevance of his religious, social, spiritual, and scientific views to modern times.

The second paragraph of this chapter is titled "*The Importance of Jurisprudence in Abu Barakot Nasafi's Work*," and it highlights the scholar's place in the chain of Hanafi jurists. It outlines Abu Barakot Nasafi's genealogy back to Abu Hanifa, the founder of the Hanafi school, as follows: Shams al-A'imma Kardari – Hasan ibn Ali Marginali – Abu Aziz ibn Umar ibn Mozah – Mahmud ibn Abdulaziz Uzgandi – Abu Bakr Muhammad Shams al-A'imma Sarakhsi – Shams al-A'imma Halwani – Abu Ali Nasafi – Abu Bakr Fazl – Abdullah Subazmuni – Abu Hafs Saghir – his father Abu Hafs Kabir – Imam Muhammad Shaibani – Abu Hanifa.

Nasafi's capability and expertise in jurisprudence are evident in his works. His ability to explain legal matters in both text and commentary highlights his recognition as a skilled jurist. Abu Barakot Nasafi's "Al-Mustasfo" is the most famous and comprehensive work among them. In the introduction of "Al-Mustasfo," it is noted that the book was written on the recommendation of his mentor Hamid al-Din Rameshi. Historical sources mention that the scholar taught students the Hanafi fiqh using "Al-Hidaya" and his own "Al-Wafi" books in madrasahs. Additionally, Nasafi also authored books on Islamic sciences such as aqidah and tafsir.

The third paragraph of this chapter is titled "*Analysis of Topics and Methodological Characteristics in Nasafi's Legal Works*," and it analyzes the scholar's scientific legacy in jurisprudence, particularly in the fields of "furu al-fiqh" and "usul al-fiqh." His work "Kanz ad-Daqa'iq" ("The Treasure of Subtle Issues") is considered second only to "Al-Hidaya" in Islamic law. This book discusses issues related to Hanafi jurisprudence in comparison to the Shafi'i and Maliki schools, and primarily includes the views of jurists such as Abu Hanifa, Abu Yusuf, Imam Muhammad, Imam Zufar, Imam Malik, and Imam Shafi'i. Seven manuscript copies of "Kanz ad-Daqa'iq" are preserved in the Institute of Oriental Studies of the Academy of Sciences of the Republic of Uzbekistan. More than ten commentaries have been written on this work, with Imam Fakhr al-Din Abu Muhammad Zayla'i's (died 743/1342-3) "Tabyin al-Haqa'iq Lima Fihi Ma Intaza Minad-Daqa'iq" ("Clarification of the Truth of Issues Derived from Daqa'iq") being the most well-known.

Nasafi's "Al-Mustasfo" is considered a commentary on the work "Al-Fiqh an-Nafi" authored by Abu Qasim Nasiruddin Muhammad ibn Yusuf Samarqandi (died 1161). "Al-Fiqh an-Nafi" is recognized as Nasiruddin Samarqandi's primary work on "furu al-fiqh" and one of the authoritative sources on Hanafi jurisprudence. "Al-Mustasfo" is noted in its introduction to have been written in 1266 on the recommendation of his mentor Hamid al-Din Rameshi. Hafizuddin Nasafi cites excerpts from "Al-Mustasfo" in his works such as "Al-Wafi," "Kashf al-Asrar," "Sharh al-Muntakhab," and "Al-Musafo." The book covers many legal issues such as worship and transactions. The scholar does not present evidence for each issue but rather offers them among the views of the jurists. It begins with "The Book of Purification" and ends with "The Book of Inheritance."

"Al-Musaffa fi Sharh al-Manzumah Nasafiyah fil-Hilaf" ("Clarifications in the Commentary on Nasafi's Poetic Work on Comparative Jurisprudence") is another work of the scholar on jurisprudence. The book was written on the 20th of Sha'ban in the year 670/1272 (March 22) and is a commentary on Umar Nasafi's "Manzuma." Umar Nasafi's work consists of 10 chapters and 2,669 verses. The source reflects differing views of the madhhab's mujtahid scholars on legal issues. Two manuscript copies of the work, numbered 2834 (copied in 1110/1699 in nasta'liq script) and 4669/II (missing the beginning and end pages), are preserved in the manuscript collection of the Institute of Oriental Studies of the Academy of Sciences of the Republic of Uzbekistan.

The work does not dwell on evidence and disagreements but simply marks the names of the well-known mujtahids with their initials. For example, "ح" ("ha") stands for Abu Hanifa, "س" ("sin") for Abu Yusuf, "م" ("mim") for Muhammad, "ز" ("za") for Zufar, "ف" ("fa") for Shafi'i, "ك" ("kaf") for Malik, and "و" ("waw") serves as a marker for the narrations of Hanafi scholars. It addresses various issues such as worship (prayer, fasting, zakat, hajj), transactions (like trade, leasing, loans, and other interpersonal relationships), and punishments (hudud). It is considered one of the most concise books on Islamic jurisprudence (fiqh). Therefore, it is highly trusted by later scholars and is widely studied among Hanafi scholars. Scholars rank it second in popularity after "Mukhtasar al-Quduri" and include it among the esteemed books.

The third chapter of the dissertation is titled "**Application of Hanafi Jurisprudential Principles in the Work 'Al-Wafi'**," and it examines Abu Barakot Nasafi's method of explaining legal issues through texts of issued fatwas and his role in resolving social issues such as marriage, family matters, and mass culture.

The first paragraph of this chapter is titled "*Analysis of the Topics in 'Al-Wafi' and the Application of Legal Principles in the Source*," and it focuses on the scholar's emphasis on family matters in Islamic law as being akin to worship. His views on adhering to marriage and its conditions promote purity, chastity, love, mutual trust and respect, and the preservation of lineage among individuals, in addition to adhering to Allah's command.

Nasafi pays great attention to the issue of marriage in his work "Al-Wafi." The chapter titled "The Book of Marriage" consists of five sections, covering over 160 issues related to the topic. The work provides answers to the most precise questions regarding marriage customs, including engagement etiquette, mahr, establishing a family, and the processes following marriage. There is extensive and detailed information on the sanctity of the family, its legal status in Islam, the emotional relationships between people, and the importance of building a strong family as a key condition in Sharia. Additionally, the rights and obligations of the parties getting married, the legal basis of property relations between husband and wife, the rights and responsibilities in raising children, and judgments on sustenance, which have been relevant in all times, are presented.

In addition, the scholar's work reflects the essence of legal (fiqh) principles. They are briefly as follows:

“Laa savaaba illa bin-niyya” – “Rewards are according to intentions”. This encompasses the subject of intention and sincerity at the beginning of all acts of worship. In line with this principle, Nasafiy includes the concept of intention in the topic of the sunnahs of ablution<sup>2</sup>. He has also addressed the issue of intention in all relevant topics in a similar manner.

“Al-Umur bi maqosidiha” – “Matters are according to their intentions”. In his work "al-Wafi," Nasafiy emphasizes the importance of this principle by illustrating that if, during a marriage contract, there are mistakes in pronouncing some letters, such as pronouncing "زوزتك" instead of "زوجتك" (using a "z" sound instead of a "j" sound), comparing it to other languages, he argues that if a person has defects in pronouncing some letters in their own language, it does not hinder the realization of the intended goal. That is, since the primary goal in marriage is to bind two relationships, the marriage contract remains valid<sup>3</sup>.

“Al-Yaqin la yazulu bish-shak” – “Certainty is not removed by doubt”. Issues that correspond to this principle are highlighted in the topics of ablution and purity. Based on this principle, Nasafiy explains that if a traveler forgets that they have water and performs the prayer with tayammum (dry ablution), they do not need to repeat the prayer. Considering the frequent lack of water during travel, the worship performed with confidence in the absence of water is accepted.

“Al-Mashaqqat tajlib at-taysir” – “Hardship calls for ease”. This principle is applied in matters concerning ablution and traveling, where topics that are acted upon according to this rule are elucidated.

In the second paragraph of the third chapter titled "*Analysis of Legal Issues Related to Regulating Family Relationships in the Work*," Islamic law's treatment of marriage and its legal consequences is explored. The work also touches upon the usage of certain customary terms. Some words in the main text are specifically explained in a commentary on another work titled "Al-Kafi." One such term is "al-batil" and "al-fasid," where "al-batil" in Uzbek means "incorrect, wrong" and is used to describe a lack of one of the conditions necessary for the binding of a marriage, indicating that the marriage was not properly established.

The term "al-fasid" means "corrupted, spoiled" and refers to something that hinders the continuation of a marriage. For example, the marriage of an underage girl is considered valid only with the permission of her guardians.

The third paragraph of the third chapter is titled "*The Importance of the Author's Legal Views in Solving Contemporary Social Issues*," and it discusses the modern relevance of the social issues presented in the work. Specifically, the 23rd section of the work is titled "Istihsan" - "Approved Matters," where potential solutions to contemporary social issues are observed. Detailed explanations are provided on modern dress culture, the attire and accessories appropriate for men and women. It is emphasized that it is not permissible for men to wear silk fabrics, whereas wearing silk garments is allowed for women and serves as an adornment<sup>8</sup>. This is

---

<sup>2</sup> Abu Barakot Nasafiy. Al-Vofiy. – Damashq: Dirasat al-ilmiya, 2020. – J. I. – B. 163

<sup>3</sup> O'sha joyda. – B. 382

<sup>8</sup> Абул Баракот Насафий. Ал-Вофий. – Дамашк: Дирасат ал-илмия, 2020. Ж. III. – Б. 243.

substantiated by the hadith of the Prophet (peace be upon him): "Wearing silk garments and gold (ornaments) is forbidden for the men of my community, but permissible for the women".

Since ancient times, special attention has been given to marriage, which is one of the foundations of family formation. Marriage is essential for people to live with chastity, love, mutual trust, and respect, and to preserve the purity of lineage. If a relationship is formed without marriage and a child is born, problems arise. The negative consequences of this can be seen even in developed countries. A person does not live here just to fulfill their personal desires, but also to make this world a better place and to establish a peaceful life. Like all religions, Islam also places great importance on this responsible duty. Marriage embodies such meanings.

When looking at the meaning and essence of the word "marriage," it leads to the same conclusion. According to the explanatory dictionary of the Uzbek language: "Marriage is an agreement formed between individuals of the opposite sex based on mutual consent, voluntary participation, equality, and having reached the stipulated age for marriage<sup>4</sup>." Therefore, marriage is a specific union between a man and a woman, ensuring the continuity of life and serving as a bond that allows children to continue the work initiated by their parents.

Then, the views of the leading scholars of the school regarding the use of silk pillows are described. While Abu Hanifa permitted the use of silk pillows, his students Abu Yusuf and Imam Muhammad considered the use of silk pillows to be disliked (makruh) for men<sup>9</sup>. Two reasons are cited for Abu Hanifa's permission for men to use silk pillows: first, there is no sign of clothing in pillows; and second, the 32nd verse of Surat Al-A'raf, which states: "Say, 'Who has forbidden the adornment of Allah which He has produced for His servants and the good [lawful] things of provision?'".

Unfortunately, nowadays, among young people who follow "popular culture," there is a growing trend of disregarding traditional national customs when it comes to clothing choices and opting for Western-style clothing. This leads not only to inappropriate dressing among members of society but also to the spread of Western customs.

Another manifestation of "popular culture" is the wearing of various types and styles of jewelry. The spread of such items among men is considered contrary to national and religious values.

The scholar specifically addresses this matter, stating that men are prohibited from wearing gold and silver jewelry, while women are allowed<sup>10</sup>. Furthermore, men are only permitted to wear a silver ring, belt, and sword hilt made of silver.

It is emphasized that the tradition of wearing gold wedding rings during marriage ceremonies is one of the cultural influences that has been imported from the West and is not permitted for men according to national and religious values. However, it is noted that the tradition of giving gold and silver jewelry as mahr to

---

<sup>4</sup> O'zbek tilining izohli lug'ati // Madvaliev A .tahriri ostida. – T.: O'zbekiston milliy ensiklopediyasi, 2008. – J. 3. – B. 38.

<sup>9</sup> Ibid: – B. 887-888.

<sup>10</sup> Ibid: – B. 248.

women during marriage has been established over centuries and has been permitted by scholars.

Abu Barakot also mentions that it is makruh (disliked) to dress young boys, even infants, in silk clothing and to adorn them with gold jewelry<sup>11</sup>. The scholar's point is that children should be properly raised from a young age, as a child who receives good upbringing early on will not go astray as they grow older.

However, nowadays, among both young and old, there is an increasing tendency toward excessive adornment, ostentation, and extravagance in daily life and ceremonies. This is a result of their blind imitation of other cultures, distancing them from their national values.

## CONCUSION

Based on the scientific-theoretical study of Abu Barakot Nasafi's work "Al-Wafi" and the goals and objectives of the research, the following conclusions were reached:

1. The Hanafi school of thought entered Maverannar through two paths. The first path came through Abu Hafs Kabir, who studied under Imam Muhammad Shaibani, a student of Abu Hanifa, and brought the teachings to Bukhara. The second path came through Abu Bakr Juzjani, who studied under Hanafi scholars in Balkh and returned to his homeland, introducing the teachings to Samarkand. Abu Hafs Ahmad ibn Hafs Kabir Bukhari (768-832) was the first to bring these teachings to his homeland in the early 9th century and played a significant role in transforming the city of Bukhara into one of the key centers of Hanafi thought. Under his tutelage, a group of jurists, including his son Abu Hafs Saghir, who became a prominent Hanafi scholar of his time, emerged as skilled jurists.

2. Studying the legacy of the jurists active in Maverannar is of great importance. Burhanuddin Marghinani successfully found solutions to many legal issues within the Hanafi school. Although he did not have the authority to practice independent ijtihad, he extensively used analogy (qiyas), particularly the second type, "qiyas khafi" or "istihsan," in creating his scientific-legal works. Some scholars have regarded Marghinani as "al-Mujtahid fil-Madhab," or the mujtahid of the school. One of the scholars of that time was Alauddin Kasani (d. 587 AH) whose work "Badai' as-Sana'i fi Tartib ash-Shara'i" became famous as a commentary on his teacher Alauddin Samarqandi's "Tuhfat al-Fuqaha."

3. Abu Barakot Nasafi was a highly skilled scholar in the fields of tafsir, aqidah, and jurisprudence. He authored 13 books, including five on fiqh, four on kalam, three on usul al-fiqh, and one on tafsir. The manuscript copies of these works are preserved in various manuscript collections worldwide. For instance, the Institute of Oriental Studies of the Academy of Sciences of the Republic of Uzbekistan houses over 40 manuscripts attributed to Nasafi. Six of his works have been published in modern editions in cities such as Beirut, Cairo, Istanbul, Delhi, and London. Due to the contemporary relevance of the religious and social issues addressed in his works,

---

<sup>11</sup> Абу Баракот Насафий. Ал-Кофий шарх ал-вофий. – Дамашк: Дор рисалат ал-аъламия, 2020. – Б. 248.

many commentaries have been written on them over the years.

4. In his works, Abu Barakot Nasafi addressed social, religious, and ideological issues from the perspective of the Hanafi school's principles of tolerance. His efforts to provide answers to social, religious, and ideological questions based on Sharia sources, and to fill the scientific void resulting from the Mongol invasions, have been invaluable. His works on tafsir, fiqh, and aqidah made significant contributions to the development of knowledge in the region and were passed down to later generations. It is important to note that the issues addressed and analyzed in his works remain highly relevant today. For this reason, his works are studied attentively not only by scholars and researchers in our country but also abroad.

5. The Hanafi jurist and muhaddith Abu Barakot Nasafi is recognized in historical sources as a great imam, jurist, leader among usul al-fiqh scholars, and an expert in both rational and transmitted sciences. His book "Al-Wafi" is one of the primary sources alongside "Al-Hidaya." The work includes issues related to fatwa and waqiyat. "Al-Wafi" combines various issues found in works such as "Al-Jami' as-Saghir," "Al-Jami' al-Kabir," "Az-Ziyadat," "Mukhtasar al-Quduri," "Manzumat al-Khilafiyat," and fatwa books. As such, it encompasses the content of Hanafi fiqh books and serves as a foundation for various matters. Like all books on fiqh, it begins with purification and, unlike works such as "Al-Hidaya" and "Mukhtasar al-Wiqaya," ends with the science of inheritance. The scholar himself wrote a comprehensive commentary on "Al-Wafi" titled "Al-Kafi Sharh al-Wafi".

6. Historical sources indicate that by the end of the 13th century, the influence of the Mu'tazilah and Karramiyyah movements had increased significantly in Nasaf. In response to this, Hafizuddin Nasafi wrote a commentary on Abu Hafs Nasafi's (d. 1142) work "Manzumat al-Fiqh fil-Khilafiyat" titled "Al-Musaffa." This work is also known as "Sharh Manzuma al-Fiqh" (Commentary on the Manzuma on Jurisprudence). It is written in prose and explains the schools of thought in Islam, their distinctive features, and extensively discusses the issues of the Hanafi school. The work's later popularity can be seen in a 17th-century commentary on it. This commentary is titled "Irshad at-Talib ala Sharh al-Manzuma" (Guidance for the Student on the Commentary on Manzuma) and was written by the mufti of Halab, the famous scholar Muhammad ibn Hasan ibn Ahmad ibn Abu Yahya Kawakibi.

7. Nasafi's "Al-Wafi" book places significant emphasis on marriage issues. The chapter titled "The Book of Marriage" consists of five sections and covers over 160 issues related to the topic. The work provides answers to precise questions on engagement etiquette, mahr, establishing a family, and post-marriage processes. There is extensive information on the sanctity of the family, its legal status in Islam, the emotional relationships between people, and the importance of building a strong family as a key condition in Sharia. Additionally, the rights and obligations of the parties entering into marriage, the legal basis of property relations between husband and wife, the rights and responsibilities in raising children, and judgments on sustenance, which have been relevant in all times, are discussed.

8. Islamic law places special emphasis on the issue of marriage and its legal consequences. Thus, Nasafi's "Al-Wafi" work extensively covers topics such as

family, marriage, divorce, and sustenance. Studying and researching these issues and providing education, especially to young people on the threshold of marriage, can help prevent contemporary issues such as family breakdowns. The work also touches upon the usage of certain customary terms, and some words in the main text are specifically explained in another commentary titled "Al-Kafi."

9. The main objective of the research is to explore the role of "Al-Wafi" in providing answers to contemporary religious and social issues. It focuses on the "Istihsan" section of the work, which covers "manners of dressing for men and women," "use of silk fabric," "use of gold and silver jewelry and utensils," and how these issues can help prevent the negative impact of "popular culture" and its manifestations on the upbringing of young people.

**Based on the results and conclusions obtained during the research, the following suggestions and recommendations are proposed:**

1. Prepare a popular science book titled "Problems of Marriage in Islamic Law" to theoretically enhance the measures being implemented in the Republic of Uzbekistan to support young families, strengthen social protection, and prevent family breakdowns, as well as to convey the distinctive aspects of the social protection institution in Islamic law to the general public.

2. In consideration of Abu Barakot Nasafi's role in the development of Maverannar jurisprudence, include a dedicated topic on his life and scholarly work in the course "Lives and Scholarly Activities of Great Thinkers from Central Asia" in higher and secondary special religious educational institutions under the jurisdiction of the International Islamic Academy of Uzbekistan and the Muslim Board of Uzbekistan.

3. Create a practical guide or informational materials to apply the conclusions on marriage and sustenance issues in Islamic law sources to the practice of resolving social protection-related problems in our society.



**НАУЧНЫЙ СОВЕТ DSc 35/30.12.2019.Isl/Tar/F.57.01 ПО  
ПРИСУЖДЕНИЮ УЧЕНЫХ СТЕПЕНЕЙ ПРИ  
МЕЖДУНАРОДНОЙ ИСЛАМСКОЙ АКАДЕМИИ УЗБЕКИСТАНА**  

---

**МЕЖДУНАРОДНАЯ ИСЛАМСКАЯ АКАДЕМИЯ УЗБЕКИСТАНА**

**АХМЕДОВ САЙКАЛ АБДУРАХМОНОВИЧ**

**ВКЛАД АБУ БАРАКАТА НАСАФИ В РАЗВИТИЕ ХАНАФИТСКОГО  
ПРАВА  
(НА ОСНОВЕ ТРУДА АЛЬ-ВАФИ)**

**24.00.03 – Учение фикха и калама. Теология**

**АВТОРЕФЕРАТ  
ДИССЕРТАЦИИ ДОКТОРА ФИЛОСОФИИ (PhD) ПО ИСТОРИЧЕСКИМ  
НАУКАМ**

**ТАШКЕНТ – 2024**

**Тема диссертации доктора философии (PhD) зарегистрирована в Высшей аттестационной комиссии Республики Узбекистан за номером В2020.4.PhD/Tar838.**

Диссертация выполнена в Международной исламской академии Узбекистан.

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

<b>Научный руководитель:</b>	<b>Махсудов Давронбек Рустамович</b> доктор исторических наук, профессор
<b>Официальные оппоненты:</b>	<b>Ражабова Мавжуда Абдуллаевна</b> доктор юридических наук, профессор <b>Косимов Миржалол Абдугафорович</b> доктор философии по исламоведению (PhD)
<b>Ведущая организация:</b>	<b>Центр исламской цивилизации в Узбекистане</b>

Защита диссертации состоится «\_\_» \_\_\_\_\_ 2024 года в \_\_\_ часов на заседании Научного совета по присуждению ученых степеней DSc.35/30.12.2019.Isl/Tar/F.57.01 при Международной исламской академии Узбекистана (Адрес: 100011, г.Ташкент, ул. А.Кадыри, 11. Тел.: (99871) 244-00-56 Факс: (99871) 244-00-65, e-mail: [info@iiau.uz](mailto:info@iiau.uz)).

С диссертацией можно ознакомиться в Информационно-ресурсном центре Международной исламской академии Узбекистана (зарегистрирована за №159) (Адрес: 100011, г. Ташкент, ул. А.Кадыри, 11. Тел.: (99871) 244-00-56. Факс: (99871) 244-00-65, e-mail: [info@iiau.uz](mailto:info@iiau.uz)).

Автореферат диссертации разослан «\_\_» июля 2024 года.  
(протокол реестра рассылки №07 от 02 июля 2024 года)

**И.И. Бекмирзаев**

Председатель Научного совета по присуждению ученых степеней, доктор исторических наук, профессор

**С.А. Рустамий**

Ученый секретарь Научного совета по присуждению ученых степеней, доктор филологических наук, профессор

**З.М. Исламов**

Председатель Научного семинара при Научном совете по присуждению ученых степеней, доктор филологических наук, профессор

## **ВВЕДЕНИЕ (аннотация диссертации доктора философии (PhD))**

**Целью исследования** является определение места и роли Абу Бараката Насафи в развитии ханафитского правоведения на основе изучения его труда «Ал-Вафи».

**Задачи исследования** заключаются в следующих:

анализ подходов и методов в исследованиях, посвященных изучению науки «Фуруъ ал-фикх» (“Разделы фикха”);

установление особенностей развития науки фикх в Маверауннахре в XIII веке;

определение роли и места ученого Насафи в развитии исламских наук;

определение роли Абу Бараката Насафи в развитии религиозных наук в период монгольского владычества в Маверауннахре;

обоснование значения юриспруденции в деятельности и научном наследии Абу Бараката Насафи;

изучение методов классификации тем и методологических особенностей трудов Насафи по фикху;

анализ тематики произведения «аль-Вафи» и обоснование правил применения фикха в источнике;

обоснование актуальности вопросов фикха, связанных с регулированием семейных отношений;

установление значения юридических аспектов в источнике по социальным вопросам в решении современных религиозных и социальных проблем, а также разработка предложений и рекомендаций на основе полученных выводов.

**Объектом исследования** является произведение Абу Бараката Насафи «Аль-Вафи».

**Предметом исследования** является установление значения и роли трудов Абу Бараката Насафи в ханафитском правоведении, а также факторов, повлиявших на знания ученого по фикху, роль его правоведческих воззрений в труде «Ал-Вафи» в решении современных религиозных и социальных вопросов.

**Методы исследования.** В диссертации были использованы такие методы исследования, как комплексный подход, исторический, логический анализ и сравнительный анализ научных знаний.

**Научная новизна** исследования заключается в следующих:

обосновано то, что использование фразы «Я написал книгу после просьб дорогих (мне людей), которым невозможно отказать» во введении к произведению «ал-Вафи» (الوافي) «بعد إلتماس ممن لا يرد كلامه» не встречается в арабской литературе, но было широко использовано тюркскими учеными, что говорит о тюркском происхождении Абу Бараката Насафи;

установлено, что Абу Баракат Насафи в своем труде «ал-Вафи» создал метод использования условных сокращений в произведениях по фикху путем применения начальных букв имен ведущих ученых четырех мазхабов;

обосновано, что использование в конце каждой главы произведения раздела “Различные вопросы – المسائل المتفرقة”, а также предоставление обоснованных ответов по шариату по данной тематике, которые могут возникнуть в будущем, доказывают значимость источника как для его современников, так и будущих поколений;

определено, что в отличие от двух разных традиций написания книг ( в книгах по хадису каждая тема именуется как *китаб* – كتاب, а в книгах по фикху – как *баб* – باب) учёный дал наименования главам своего труда ал-Вафи - *китаб* – كتاب, что свидетельствует о привлечении им методов, используемых в источниках по хадису при написании книг по фикху.

### **Внедрение результатов исследования.**

На основании научных результатов изучения вклада Абу Бараката Насафи в развитие ханафитской юриспруденции в Маверауннахре было внедрено следующие:

выводы о том, что использование фразы «Я написал книгу после просьб дорогих (мне людей), которым невозможно отказать» во введении к произведению «ал-Вафи» (الوافي) «بعد إلتماس ممن لا يرد كلامه» не встречается в арабской литературе, но было широко использовано тюркскими учеными, что говорит о тюркском происхождении Абу Бараката Насафи, были использованы при создании книг «Знаменитые самаркандские ученые, жившие в средние века» и «Энциклопедия средневековых восточных ученых», подготовленных по заказу (Справка № 02/152 Международного исследовательского центра Имама Бухари при Кабинете Министров Республики Узбекистан от 4 февраля 2024 года). Это послужило доведению ценной информации о биографии Абу Бараката Насафи до научного сообщества;

научные выводы о том, что Абу Баракат Насафи в своем труде «ал-Вафи» создал метод использования условных сокращений в произведениях по фикху путем применения начальных букв имен ведущих ученых четырех мазхабов были включены в содержание учебного пособия «Правила хадисоведения согласно ханафитским правоведам» (Справка Управления мусульман Узбекистана» № 1623 от 18 февраля 2024 года). В результате информация о терминах и понятиях, широко использованных в источниках по усул ал-фикху и хадисоведению, были доведены до внимания студентов;

научные выводы о том, что использование в конце каждой главы произведения раздела “Различные вопросы – المسائل المتفرقة”, а также предоставление ответов по шариату по данной тематике, которые могут возникнуть в будущем, доказывающих значимость источника как для его современников, так и будущих поколений, были использованы в “Энциклопедии ислама”, подготовленной по заказу (Справка № 02-03/3198 от 11 января 2024 года Комитета по делам религии Республики Узбекистан). В результате информация об особенностях произведений факихов Маверауннахра, а также о том, что они отражали научные и социальные условия того времени, была доведена до широкой общественности;

выводы о том, что в отличие от двух разных традиций написания книг (в книгах по хадису каждая тема именуется как *китаб* – كتاب, а в книгах по фикху – как *боб* – باب) учёный дал наименования главам своего труда ал-Вафи *китаб* – كتاب, и это свидетельствует о привлечении им методов, используемых в источниках по хадису при написании книг по фикху были включены в содержание книги «Абу-л Уср Насафи», подготовленной по заказу Международного исследовательского центра Имама Матуриди (Справка №01/161 от 16 января 2024 г. Международного исследовательского центра Имама Матуриди при Международной исламской академии Узбекистана). В результате достигнуто повышение знаний населения о тематике и содержании вопросов, рассматриваемых в книгах по фикху.

**Апробация результатов исследования.** Результаты исследований были одобрены на 7 научных совещаниях и конференциях, в том числе 4 – в международных и 3 – в республиканских научно-практических конференциях.

**Опубликованность результатов исследования.** Всего по теме диссертации опубликованы 14 научных работ. В том числе 7 из них – в научных изданиях, рекомендованных ВАК Республики Узбекистан для публикации основных научных результатов докторских диссертаций, из них 4 – в республиканских и 3 – в зарубежных научных журналах.

**Структура и объем диссертации.** Диссертация состоит из введения, трех глав, заключения, списка источников и литературы и приложений. Объем диссертации составляет 135 страницы.

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

**I bo'lim (I часть; part I)**

1. Ahmedov S. Abu Barakat Nasafiy ilmiy merosi / Imom Buxoriy saboqlari. – Samarqand, 2019. 3-son. – B. 22-24. (24.00.00 №13)
2. Ahmedov S. Abu Barakat Nasafiyning hanafiy fiqhi rivojiga qoshgan hissasi / Imom Buxoriy saboqlari. – Samarqand, 2021. № 3. (24.00.00 №13)
3. Ahmedov S. Movarounnahrda Hanafiy fiqhining rivojlanishi va taraqqiyoti / O'zMU xabarлари. – Toshkent. 2022. № 2. (24.00.00 №18)
4. Ахмедов С. Мовароуннахр муғуллар ҳукмронлиги даврида / Мотуридийлик. – Toshkent, 2023. 2-сон. (28.02.2019. 262/9.2-қ.)
5. Ahmedov S. Thanker Abu Barakat Nasafiy / Amerikan journal of social and humanitarian research. 2021, № 7. (SJIF 2024: Impact factor: 7.754)
6. Ahmedov S. Movarounnahr during the Mongol Rule / International Journal of Culture and Modernity. ISSN 2697-2131, Volume 24 |Jan-2023. (Impact factor: 6.925)
7. Ahmedov S. Movarounnahrlik allomalar // Ubaydullo Uvatov – manbashunoslik va hadishunoslik darg'alari Respublika ilmiy-amaliy konferensiyasi to'plami. – Toshkent: 2021.
8. Ahmedov S. Abu Barakat Nasafiy buyuk hanafiy fiqhi // International Conference Science And Education Uluslararası Konferans Bilim Ve Egitim April. 2021. Antalya, Turkey.

**II bo'lim (II часть; part II)**

9. Ahmedov S. Abu Barakat Nasafiy “al-Vofiy” asarining iqtidosi//Zamonaviy ta'lim tizimini rivojlantirish va unga qaratilgan kreativ goyalar, takliflar va yechimlar Respublika ilmiy onlayn konferensiya to'plami. – T.: 01.04.2022.
10. Ahmedov S. Abu Barakat Nasafiy “al-Vofiy” asarining o'ziga hos xususiyatlari //O'zbekiston diniy-ma'rifiy soha rivoji va istiqbolli rejalari. 2022. 5-f. 03-07/711.
11. Ahmedov S. The Book Al-Wafi by the Scholar Abu Barakat Nasafi and Features of the Work//International simposium of young scholars. – USA. 10-october, 2022.
13. Ahmedov S. The life and scientific herit age of Abu Barakat Nasafi // Science and innovation. – USA. 30.03.2023.
14. Ahmedov S. The Analysis of the Fiqh (Islamic Jurisprudence) Works of Abu Barakat // Periodica. Journal of modern Philisophy. Sokial Scencand Humanitars. Volume 5, April, 2022.

Avtoreferat «Jamiyat va boshqaruv» jurnali tahririyatida tahrirdan o‘tkazilib,  
o‘zbek, rus va ingliz tillaridagi matnlar o‘zaro muvofiqlashtirildi.

**Bosmaxona litsenziyasi:**



**9338**

Bichimi: 84x60 <sup>1</sup>/<sub>16</sub>. «Times New Roman» garniturasida.  
Raqamli bosma usulda bosildi.  
Shartli bosma tabog‘i: 2,75. Adadi 100 dona. Buyurtma № 31/24.

Guvohnoma № 851684.  
«Tipograff» MCHJ bosmaxonasida chop etilgan.  
Bosmaxona manzili: 100011, Toshkent sh., Beruniy ko‘chasi, 83-uy.