

**O‘ZBEKISTON XALQARO ISLOMSHUNOSLIK AKADEMIYASI
HUZURIDAGI ILMIY DARAJALAR BERUVCHI
DSc.15/2025.27.12.IsI/Tar.01.01 RAQAMLI ILMIY KENGASH**

O‘ZBEKISTON XALQARO ISLOMSHUNOSLIK AKADEMIYASI

ABDURAXMANOVA NARGIZA TAXIROVNA

**ABUL BARAKOT NASAFIY “AL-MUSTASFO” ASARINING
MOVAROUNNAHR FIQH ILMIDAGI O‘RNI**

24.00.01 – Islom tarixi va manbashunosligi

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

Toshkent – 2026

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

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KIRISH (falsafa doktori (PhD) dissertatsiyasi annotatsiyasi)

Dissertatsiya mavzusining dolzarbligi va zarurati. Jahon tarixida islom huquqi (الفقه – al-fiqh)ning ijtimoiy, iqtisodiy va huquqiy masalalarni hal etishdagi oʻrni muhim ahamiyat kasb etadi. Oʻrta asrlarda movarounnahrlik faqihlar islom huquqining amaliy-huquqiy masalalari – furuʼu-l-fiqh (فروع الفقه) ilmiga bagʻishlangan tayanch manbalarni yaratganlar. Abul Barakot Nasafiy (vaf. 710/1310-y.) oʻzining “Nozik masalalar xazinası” (“كنز الدقائق”), “Mukammal” (“الوافى”) hamda “Kifoya qiluvchi” (“الكافى”) asarlari bilan hanafiy fiqhi rivojida oʻziga xos oʻringa ega. Uning “Foydali fiqh”ning saralangan sharhi (“المستصفى فى شرح الفقه النافع”) asari dalillarga alohida eʼtibor qaratilgani va sharhlanayotgan masalalarning asl negizi ochib berilgani bilan dolzarb ahamiyatga ega.

Dunyoning islomshunoslikka ixtisoslashgan ilmiy-tadqiqot muassasalarida hanafiy fiqhining manbalarini oʻrganish va oʻziga xos jihatlarini yoritib berishga alohida eʼtibor qaratilmoqda. Usulu-l-fiqhga oid izlanishlarda uning shakllanishi, rivojlanish tarixi, usul olimlari hamda usul qoidalariga eʼtibor qaratilayotgan boʻlsa, furuʼu-l-fiqhdagi tadqiqotlarda manbalarni alohida mavzularga tasniflash, ularda uchraydigan masalalarni dalillash, ahlu-s-sunna va-l-jamoaning toʻrt mazhabiga doir masalalarni qiyoslash hamda mavzular yuzasidan tahlil qilishga alohida ahamiyat berilmoqda. Abul Barakot Nasafiyning fiqhiy asarlari XIII–XIV asrlardagi Movarounnahr fiqh ilmining holati, yangi ijtimoiy muammolarga javob berishdagi oʻziga xos yondashuvlarni qamrab olgani bilan ahamiyatlidir. Shu nuqtayi nazardan olimning “Saralangan” (“المستصفى”) asarini tadqiq qilish furuʼu-l-fiqh sohasidagi tadqiqotlarning yangi bosqichga koʻtarilishida dolzarb ahamiyat kasb etadi.

Yangi Oʻzbekistonda diniy-maʼrifiy sohada amalga oshirilayotgan islohotlar natijasida hanafiy fiqhi va mazhab ulamolarining ilmiy-maʼnaviy merosini tadqiq etish hamda uni jamoatchilikka yetkazishda keng imkoniyatlar yaratilmoqda. Buning natijasida Burhoniddin Margʻinoniyning “al-Hidoya” (الهداية – “Toʻgʻri yoʻl”), Alouddin Samarqandiyning “Tuhfatu-l-fuqaho” (تحفة الفقهاء – “Faqihlarning tuhfası”), Abul Husayn Quduriyning “Muxtasar” (مختصر – “Qisqa matn”), Alouddin Kosoniyning “Badoeʼu-s-sanoe” (بدائع الصنائع – “Nodir fatvolarning hayratlanarli yechimlari”) hamda Abul Barakot Nasafiyning “Kanzu-d-daqiq” (كنز الدقائق – “Nozik masalalar xazinası”) kabi kitoblari ilmiy-izohli tarjima qilinib, nashr etildi. Lekin mazkur sohaga oid tadqiqotlarga keng jalb qilinmagan koʻplab manbalar ham mavjud. Shu oʻrinda Movarounnahr hanafiy fiqh ilmi rivojida oʻziga xos mavqega ega boʻlgan Abul Barakot Nasafiy hayoti va ilmiy merosini tahlil etish hamda “al-Mustasfo” asarining fiqh ilmi taraqqiyotidagi ahamiyatini koʻrsatib berish sohadagi tadqiqotlarning mantiqiy davomi boʻlib xizmat qiladi.

Oʻzbekiston Respublikasi Prezidentining 2018-yil 16-apreldagi PF-5416-son “Diniy-maʼrifiy soha faoliyatini tubdan takomillashtirish chora-tadbirlari toʻgʻrisida”, 2022-yil 28-yanvardagi PF-60-son “2022-2026-yillarga moʻljallangan Yangi Oʻzbekistonning taraqqiyot strategiyasi toʻgʻrisida”, 2025-yil 21-apreldagi PF-68-son “Fuqarolarning vijdon erkinligi huquqi kafolatlarini yanada mustahkamlash hamda diniy-maʼrifiy sohadagi islohotlarni yangi bosqichga olib

chiqish chora-tadbirlari to'g'risida"gi farmonlari, 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, O'zbekiston Respublikasi Vazirlar Mahkamasining 2018-yil 22-iyundagi 466-son "O'zbekiston xalqaro islom akademiyasi faoliyatini tashkil etish va qo'llab-quvvatlash chora-tadbirlari to'g'risida", 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 qarorlari hamda mazkur sohaga tegishli boshqa me'yoriy-huquqiy hujjatlarda belgilangan vazifalarni amalga oshirishda ushbu dissertatsiya ishi muayyan darajada xizmat qiladi.

Tadqiqotning respublika fan va texnologiyalari rivojlanishining ustuvor yo'nalishlariga mosligi. Dissertatsiya respublika fan va texnologiyalar rivojlanishining I. "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. Movarounnahrda fiqh ilmining paydo bo'lish tarixi va uning rivojlanish bosqichlari hamda faqihlar borasida turli yo'nalishda tadqiqotlar amalga oshirilgan. Abul Barakot Nasafiyning hayoti, faoliyati, ilmiy merosi G'arb va Sharq sharqshunoslari, islomshunos olimlari tomonidan tadqiq etilgan. G'arb olimlaridan: K. Brokkelman, F. Myuller o'z tadqiqotlarida Nasafiyning hayoti va ilmiy merosi to'g'risidagi birlamchi ma'lumotlarni bayon etganlar¹.

Abul Barakot Nasafiyning hayoti va asarlari haqida sharq olimlaridan: Abdulhay Laknaviy, Mavlono Toshko'prizoda, Muhammad Shafiq G'irbol, Shamsiddin Dovudiy, Hoji Xalifaning tabaqot-bibliografik kitoblarida muhim ma'lumotlar keltirilgan². Hozirgi davr arab tadqiqotchilaridan: Abdulloh Ali Abul Vafo, Amir Abdulaziz, Ahmad Muhammad Sa'd G'omidiy, Muhammad Rushdiy Ahmad Mansur, Muhammad Husayn Zahabiy, Yusuf Ali Badyaviy olimning ayrim asarlarini tadqiq etganlar³. Xususan, Ahmad Muhammad Sa'd G'omidiy 2010-yil Makkaning "Ummu-l-quro" universitetida "al-Mustasfo" asarining ibodatlar qismi bo'yicha doktorlik dissertatsiyasini himoya qilgan.

Abul Barakot Nasafiyning hayoti va ayrim asarlari bo'yicha turkiyalik olimlardan: Akman Gulsum va Nurulloh Denizler, Ali Ero'g'lu, Ahmet Duman,

¹ Brockelman C. Geschichte der arabischen litteratur. 2. Band. – Berlin: Verlag, 1902; Muller F.M. The sacred books of the East. Volume VI. The Qur'an. Translated by Palmer E.H. Motilal Banarsidass; Muller F.M. The sacred books of the East. Volume IX. The Qur'an. Translated by Palmer E.H. Motilal Banarsidass.

² عبد الحى اللكنوي. الفوائد البهية في تراجم الحنفية. – بيروت: دار الأرقم، 1998. – ص. 172-174؛ مولانا طاشكبري زاده. طبقات الفقهاء. الموصول: المطبعة الزهراء الحديثة، 1961. – ص. 113؛ محمد شفيق غريال. الموسوعة العربية الميسرة. دار الجيل والجمعية المصرية، 1995. ج. II. – ص. 1833؛ شمس الدين محمد بن علي الداوودي. طبقات المفسرين. – بيروت: دار الكتب العلمية، 2002. – ص. 458؛ حاجي خليفة مصطفى بن عبد الله. كشف الظنون عن أسامي الكتب والفنون. – بيروت: دار إحياء التراث العربي، 1941. ج. II. – ص. 1169-1168، 1641-1640.

³ عبد الله علي أبو الوفا. الإمام أبو البركات النسفي وآراؤه الكلامية. رسالة دكتوراه في العقيدة والفلسفة. – القاهرة: الأزهر، 2019. – ص. 646؛ أمير عبد العزيز. دراسات في علوم القرآن. – بيروت: دار الفرقان، 1983؛ أحمد محمد سعد الغامدي. المستصفى (قسم العبادات). رسالة دكتوراه في الفقه. – مكة: جامعة أم القرى، 2011. – ص. 1122؛ محمد رشدي أحمد منصور. جهود أبي البركات النسفي في أفعال الله وأفعال العباد // كلية الدراسات الإسلامية والعربية بنات القارن. العدد III. – مصر، 2022. – ص. 611-655؛ محمد حسين الذهبي. التفسير والمفسرون. – القاهرة: دار الحديث، 2012. ج. I. – ص. 260-264؛ يوسف علي البديوي. أبو البركات النسفي. تفسير النسفي / تحقيق. في III مجلدات. – بيروت: دار ابن كثير، 1999. ج. I. – ص. 5-12.

Baysal Siddik va Muhammad Bahouddin Yuksel, Kilich Aslan, Muhammad Murtazo Guvesh, Rejep O'nal, Ulugo'l Fatih, Yunus Akcha, Hasan Uvzar va Muhammad Jaba kabilar tadqiqotlar olib borishgan⁴. "Al-Mustasfo" ning uch jildlik zamonaviy nashrini Hasan Uvzar va Muhammad Jaba 2017-yili Istanbulda tadqiq qilganlar. Unda mualliflar asarning beshta qo'lyozma nusxasini qiyosiy tahlil qilish orqali matndagi farqli jihatlarni aniqlab, uning uslubi hamda manbalari haqida ma'lumot berganlar.

O'zbekistonlik olimlardan: A. Abdullayev, S. Ahmedov, A. Mallaboyev, D. Maxsudov, B. Muxtarov, N. Muhammad, R. Obidov, A. Saidov va S. Is'hoqov, U. Uvatov allomaning ilmiy faoliyati hamda yozgan asarlari bo'yicha bir qator tadqiqotlarni amalga oshirishgan⁵. Xususan, islomshunos olim D. Maxsudov Nasafiyning hayoti hamda tafsir ilmida tutgan o'rniga oid monografiya chop ettirgan. B. Muxtarov tadqiqotida esa, Nasafiy va uning "al-Mustasfo" asari haqida ma'lumot berilgan. A. Mallaboyev o'z maqolasida "al-Mustasfo" asarining yozilish tarixi hamda o'ziga xos xususiyatlari haqida muhim ma'lumotlarni keltirgan. S. Ahmedov Nasafiyning "al-Vofiy" asarini tadqiq etish asosida unda hanafiy fiqhi qoidalarining qo'llanilishini yoritib bergan.

Yuqoridagi izlanishlarda "al-Mustasfo" asariga oid ayrim masalalar yoritilgan bo'lsa-da, uni kompleks tarzda tadqiq etish zarurati saqlanib qolmoqda. Mazkur dissertatsiya Abul Barakot Nasafiy "al-Mustasfo" asarining Movarounnahr hanafiy fiqhi tarixidagi o'rnini va uning zamonaviy fiqhiy masalalarni hal etishdagi ilmiy-amaliy ahamiyatini ochib berishga qaratilgani bilan dolzarbdir.

Dissertatsiya tadqiqotining dissertatsiya bajarilgan oliy ta'lim muassasasining ilmiy-tadqiqot ishlari rejaları bilan bog'liqligi. Dissertatsiya O'zbekiston xalqaro islom akademiyasining 2020-2022-yillarga mo'ljallangan FZ –

⁴ Akman Gülsüm, Nurullah Denizer. Dirâyet tefsirinde esbâb-ı nüzûlün yeri. Medârikü't-tenzîl örneği. İlahiyat Dergisi 3, 2019. – S. 159-177; Ali Eroğlu. Şiirle İstişad ve İstişâd Açısından Medarik Tefsiri. Atatürk üniversitesi ilahiyat fakültesi dergisi 12, 1995. – S. 149-173; Ahmet Duman. Neseî'nin siyer rivâyetlerine yaklaşımı - Medârikü't-tenzîl ve hakâikü't-te'vîl örneği. Diyanet ilmi dergi 57/2, 2021. – S. 561-594. Baysal Siddik, Muhammed Bahaeddin Yüksel. Klasik Osmanlı dönemi ufuk eserlerinden Neseî'nin Medârik'inde te'vîl olgusu ve Osmanlı düşüncesine katkıları. Osmanlı Düşüncesi: Kaynakları ve Tartışma Konuları, 2019. – S. 583-612; Kılıç Aslan. Bir Hanefî-Mâtürîdî Âlimi Ebü'l-Berekât en-Neseî. T.C. Uludağ Üniversitesi İlahiyat Fakültesi Dergisi, sayı: 1. 2013. – S. 57-83; Muhammed Murtazâ Cüveys. Ebü'l-Berekât en-Neseî ve Medârikü't-Tenzîl'de Nahiv Metodu. 2021. – S. 304; Recep Önal. Ebü'l-Berekât en-Neseî'nin ilahî isim ve sıfatlara yaklaşımı. Mayıs Üniversitesi İlahiyat Fakültesi Dergisi, sayı: 42. 2017. – S. 135-161; Ulugöl, Fatih. Neseî'nin Medârikü't-tenzîl adlı tefsirinde arap gramer ve belâgatıyla ilgili konulara yapılan işaretler. Diyanet İlmi Dergi 59, 2023. – S. 285-316; Yunus Akça. Medârikü't-tenzîl ve hakâikü'r-te'vîl tefsirinde teşbih sanatı. Şırnak üniversitesi ilahiyat fakültesi dergisi 11/24, 2020. – S. 393-425; Hasan Uzar, Muhammed Caba. El-Mustasfâ fî Şerhi'n-Nâfi'. – İstanbul: Mektebetü'l-İrşad, 2017. – S. 1759.

⁵ Abdullayev A. Abu-l-Lays as-Samarqandiyning Movarounnahr tafsirshunosligida tutgan o'rnini: tar.fan.nomz. ... diss. avtoref. – Toshkent: TIU, 2007. – B. 28; Ahmedov S. Abu Barakot Nasafiyning Movarounnahr hanafiy fiqhi rivojiga qo'shgan hissasi ("al-Vofiy" asari asosida): tar.fan.b.fals.dok. (PhD) ... diss. avtoref. – Toshkent: O'zbekiston xalqaro islom akademiyasi, 2024. – B. 47; Mallabayev A. Abul Barakot Hofiziddin Nasafiyning "al-Mustasfo" asari – muhim fiqhiy manba // "Infolib" axborot-kutubxona xabarnomasi. № 4(16), 2018. – B. 68–69; Maxsudov D. Abul Barakot an-Nasafiy va uning "Madorik at-Tanzil va haqiqi at-ta'vil" asari (monografiya). – Toshkent: Movarounnahr, 2014. – B. 198; "Abu-l-Barakot an-Nasafiyning tafsir ilmida tutgan o'rnini". – Toshkent, 2008; Muxtarov B. Nosiruddin Samarqandiyning "al-Fiqh an-Nofe'" asari hanafiy fiqhiga oid muhim manba: tar.fan.b.fals.dok. (PhD) ... diss. – Toshkent: O'zbekiston xalqaro islom akademiyasi, 2021. – B. 70–76; Muhammad N. Nasaf va Kesh allomalari. – Toshkent: G'. G'ulom nomidagi nashriyot-matbaa ijodiy uyi, 2006. – B. 51–54; Obidov R. Qur'on mavzularining ma'naviy-tarixiy ahamiyati. – Toshkent: Toshkent islom universiteti, 2006. – B. 348; Saidov A., Is'hoqov S. Hofiz ad-din Nasafiy // Qonun himoyasida. – Toshkent, 2001. – № 2. – B. 23–25; Uvatov U. Qashqa vohasining allomalari // Toshkent islom universiteti ilmiy-tahliliy axboroti. – Toshkent, 2005. – № 3. – B. 12–13.

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 Abul Barakot Nasafiy “al-Mustasfo” asarining hanafiy fiqh ilmi tarixidagi ahamiyatini ochib berishdan iborat.

Tadqiqotning vazifalari:

XIII–XIV asrlarda Movarounnahr fiqh ilmining rivojlanishi va ilmiy muhitini yoritish;

Abul Barakot Nasafiyning fiqh sohasidagi faoliyati: asarlari va ularning mintaq huquqshunosligi rivojiga qo‘shgan hissasini tahlil qilish;

zamonaviy tadqiqotlarda Abul Barakot Nasafiy merosining tarixshunosligi, ulardagi yondashuvlar hamda o‘ziga xos jihatlarini ochib berish;

“al-Mustasfo” asari qo‘lyozma nusxalarining kodikologik tahlili va ilmiy tavsifini amalga oshirish;

asar mavzularini tahlil qilish orqali muallif tayangan manbalarni ko‘rsatib berish;

muallifning fiqhiy masalalarni sharhlashdagi o‘ziga xos uslubini yoritish;

asarda an’anaviy hanafiy fiqhi atamalarini qo‘llashdagi yondashuvlarni aniqlash;

“al-Mustasfo” asaridagi nikoh, taloq, nafaqa bilan bog‘liq oilaviy munosabatlarga oid masalalarni alohida tadqiq etish;

bugungi kunda jamiyat hayotida yuzaga kelayotgan ijtimoiy-maishiy muammolarga javob topishda “al-Mustasfo” asarining ahamiyatini ko‘rsatish hamda ulardan unumli foydalanish yuzasidan taklif va tavsiyalar ishlab chiqish.

Tadqiqotning obyekti sifatida XIII–XIV asrlar Movarounnahrda fiqh ilmining holati etib belgilangan.

Tadqiqotning predmetini Abul Barakot Nasafiy “al-Mustasfo” asarining hanafiy fiqhi rivojidagi o‘rni tashkil etadi.

Tadqiqotning usullari. Dissertatsiyada kompleks yondashuv, ilmiy bilishning dialektik, tarixiylik, mantiqiylik, analiz, sintez va kodikologik tahlil kabi usullaridan foydalanilgan.

Tadqiqotning ilmiy yangiligi quyidagilardan iborat:

Abu Ali ibn Sino nomidagi Buxoro viloyati axborot-kutubxona markazida saqlanayotgan Abul Barakot Nasafiy “al-Mustasfo” asarining № 20-qo‘lyozma nusxasi 1286-yil, muallif hayotligi davrida ko‘chirilgani hamda unda Xo‘ja Porso shaxsiy muhrlarining mavjudligi uning yuqori manbashunoslik qiymatiga ega noyob manba ekanini ko‘rsatishi ochib berilgan;

Abul Barakot Nasafiy “al-Mustasfo” asarida furu‘u-l-fiqhning sohalari ibodat (العبادات), muomalot (المعاملات), jazo (العقوبات) kabi uch asosiy qism doirasida bayon qilingan bo‘lsa-da, e’tiqod (الاعتقادات) hamda odob (الاداب) masalalarining ham alohida sharhlanishi fiqhiy tasnif doirasini kengaytirib, asarni insonning diniy-axloqiy kamolotiga oid jihatlarini ham qamrab olgan mukammal manba sifatida talqin etishga asos bo‘lgani isbotlangan;

Imom G‘azzoliyga nisbat berilgan “Aqliy mezonlarga ko‘ra to‘g‘ri deb topilgan va sog‘lom tabiat (qalb) tomonidan qabul qilingan narsa” (ما استقر في النفوس من جهة قضايا العقول و تلقته الطباع السليمة بالقبول) mazmunidagi urf ta‘rifi Abul Barakot Nasafiyning “al-Mustasfo” asarida keltirilgan bo‘lib, keyingi davr olimlaridan Muhammad Salom, Saloh Muhammad Abul Haj kabi mualliflar ham uni o‘z asarlarida naql qilganlari aniqlangan;

“al-Mustasfo” asarining “Ijaralar” bobida “Vaqt o‘tishi (sharoit o‘zgarishi) bilan hukmlarning o‘zgarib turishi ehtimoldan xoli emas” (لا يبعد ان يختلف الحكم باختلاف الاوقات) degan qoida Faxriddin Zayla‘iyning “Tabyinu-l-haqoiq” va Muhammad Shalabiyning “Ta‘liylu-l-ahkom” asarlarida diniy ishlarda sustlik paydo bo‘lmasligi uchun Qur‘onga haq olish joizligi masalasiga nisbatan tatbiq qilingani bilan dalillangan.

Tadqiqotning amaliy natijasi quyidagilardan iborat:

XIII–XIV asrlar mo‘g‘ullar bosqini davri bo‘lishiga qaramay, Abul Barakot Nasafiy kabi olimlar yetishib chiqqani hamda uning qalamiga mansub: tafsir ilmiga oid – 1 ta, kalom ilmiga oid 3 – ta, fiqh ilmiga oid 11 ta – jami 15 ta asari aniqlangan;

Berlin davlat elektron kutubxonasi ma‘lumotida Najmiddin Umar Nasafiyga nisbat berilgan “Oxirat ilmlari haqida ajoyib marvaridlar” (اللالى الفاخرة فى علوم الاخرة) asari Berlindagi qirolik kutubxonasi katalogida № 2750-raqam ostida saqlanayotgani hamda uning Abul Barakot Nasafiyga tegishli ekani isbotlangan;

Abul Barakot Nasafiyga nisbat berilgan axloqqa oid “Amallarning fazilatlar” (فضائل الاعمال) nomli asarning Nyu-Jersidagi Prinston nomli islomiy qo‘lyozmalar saqlanadigan raqamli kutubxonada mavjudligi aniqlanib, uning kodikologik tahlili amalga oshirilgan hamda asar mazmuni yoritilgan;

“al-Mustasfo” asarining respublika va xorijda saqlanayotgan 53 ta qo‘lyozma nusxasi aniqlanib, ulardan muallif zamoniga eng yaqin bo‘lgani, noyobligi e‘tiboridan 6 ta qo‘lyozmaning manbashunoslik tahlili amalga oshirilgan hamda ilmiy iste‘molga kiritilgan.

Tadqiqot natijalarining ishonchliligi uning “al-Mustasfo” asarining O‘zRFASHI qo‘lyozmalar fondida № 3215 hamda Turkiyaning Millet genel kutubxonasida

№ 847-raqamlari ostida saqlanayotgan qo‘lyozma nusxalari, shuningdek, 2017-yili Istanbulda Hasan Uvzar va Muhammad Jaba tomonidan amalga oshirilgan zamonaviy nashriga tayanilgani, dalillar bilan asoslangani, zamonaviy qiyosiy-tarixiy hamda Sharq va G‘arb islomshunoslik maktablarida shakllangan qator ilmiy tadqiqot usullaridan foydalanilgani, tadqiqot natijalarining amaliyotga joriy etilgani hamda vakolatli tashkilotlar tomonidan tasdiqlangani bilan izohlanadi.

Tadqiqot natijalarining ilmiy va amaliy ahamiyati. Tadqiqot natijalarining ilmiy ahamiyati unda bayon etilgan Abul Barakot Nasafiyning “al-Mustasfo” asari Movarounnahr fiqh ilmi rivojini o‘rganishda muhim manba ekanligi borasidagi ilmiy-nazariy xulosalar sohaga oid kelgusi ilmiy tadqiqotlarga asos bo‘lib xizmat qilishi bilan izohlanadi.

Tadqiqot natijalarining amaliy ahamiyati ulardan oliy va o‘rta maxsus diniy ta‘lim muassasalarida o‘qitiladigan: “Islom tarixi va manbashunosligi”,

“Islomshunoslik”, “Islom huquqi”, “Islom huquqi metodologiyasi”, “Islom huquqi asoslari”,

“Furu’u-l-fiqh” kabi fanlar mazmunini yangi nazariy ishlanmalar bilan boyitish, oliy o’quv yurti talabalari uchun ma’ruzalar o’qish va maxsus kurslar tayyorlash jarayonida Movarounnahrning XIII–XIV asrlardagi fiqh ilmi rivojiga oid bo’limlarini yozish, sohaga oid fakultativ darslar, seminar mashg’ulotlari va maxsus kurslarni ishlab chiqishda foydalanish mumkinligi bilan asoslanadi.

Tadqiqot natijalarining joriy qilinishi. Abul Barakot Nasafiy “al-Mustasfo” asarining Movarounnahr fiqh ilmidagi o’rnini tadqiq etish bo’yicha ishlab chiqilgan takliflar asosida:

Abu Ali ibn Sino nomidagi Buxoro viloyati axborot-kutubxona markazida saqlanayotgan Abul Barakot Nasafiy “al-Mustasfo” asarining № 20-qo’lyozma nusxasi 1286-yil – muallif hayotligi davrida ko’chirilgani hamda unda Xo’ja Porso shaxsiy muhrlarining mavjudligi uning yuqori manbashunoslik qiymatiga ega noyob manba ekanini ko’rsatishi ochib berilgani haqidagi xulosalardan O’zbekiston Respublikasi Din ishlari bo’yicha qo’mitasi tomonidan o’tkazilgan ma’naviy-ma’rifiy sohadagi tadbirlarni tashkil etish va amalga oshirish hamda targ’ibotchilar uchun qo’llanmalar ishlab chiqishda foydalanilgan (O’zbekiston Respublikasi Din ishlari bo’yicha qo’mitasining 2026-yil 21-maydagi 02-02/02/1/1790-son ma’lumotnomasi). Natijada ushbu qo’lyozmaning muallif hayotligi davrida ko’chirilgani hamda unda Xo’ja Porso shaxsiy muhrlarining mavjudligiga oid manbashunoslik jihatdan muhim ma’lumotlar keng jamoatchilikka yetkazilib, asarning noyob ilmiy-ma’naviy meros sifatidagi ahamiyati haqidagi tasavvurlarni yanada boyitishga xizmat qilgan;

Abul Barakot Nasafiy “al-Mustasfo” asarida furu’u-l-fiqhning sohalari: ibodat (العبادات), muomalot (المعاملات), jazo (العقوبات) kabi uch asosiy qism doirasida bayon qilingan bo’lsa-da, e’tiqod (الاعتقادات) hamda odob (الاداب) masalalarining ham alohida sharhlanishi fiqhiy tasnif doirasini kengaytirib, asarni insonning diniy-axloqiy kamolotiga oid jihatlarni ham qamrab olgan mukammal manba sifatida talqin etishga asos bo’lgani to’g’risidagi xulosalardan “Ajodlarga 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 2026-yil 24-apreldagi 01-03-126-son ma’lumotnomasi). Natijada ilmiy jamoatchilikni fiqhiy kitoblardagi masalalarning yoritilishi to’g’risidagi bilimlarini yanada rivojlantirishga hissa qo’shilgan;

Imom G’azzoliyga nisbat berilgan “Aqliy mezonlarga ko’ra to’g’ri deb topilgan va sog’lom tabiat (qalb) tomonidan qabul qilingan narsa” (ما استقر في النفوس من جهة قضايا العقول و تلقته الطباع السليمة بالقبول) mazmunidagi urf ta’rifi Abul Barakot Nasafiyning “al-Mustasfo” asarida keltirilgan bo’lib, keyingi davr olimlaridan Muhammad Salom, Saloh Muhammad Abul Haj kabi mualliflar ham uni o’z asarlarida naql qilganlari haqidagi ilmiy xulosalardan Imom Moturidiy xalqaro ilmiy-tadqiqot markazi tomonidan o’tkazilgan ma’naviy-ma’rifiy sohadagi tadbirlarni tashkil etish va amalga oshirish hamda targ’ibotchilar uchun uslubiy qo’llanmalar ishlab chiqishda foydalanilgan (O’zbekiston Respublikasi Vazirlar

Mahkamasi huzuridagi Imom Moturidiy xalqaro ilmiy-tadqiqot markazining 2026-yil 18-maydagi 01/120-son ma'lumotnomasi). Natijada ushbu asar keng jamoatchilikda fiqhiy hukmlar to'g'risidagi bilimlarini yanada kengayishiga xizmat qilgan;

“Al-Mustasfo” asarining “Ijaralar” bobida “Vaqt o'tishi (sharoit o'zgarishi) bilan hukmlarning o'zgarib turishi ehtimoldan xoli emas” (لا يبعد ان يختلف الحكم باختلاف الاوقات) degan qoida Faxriddin Zayla'iyning “Tabyinu-l-haqoiq” va Muhammad Shalabiyning “Ta'liylu-l-ahkom” asarida diniy ishlarda sustlik paydo bo'lmashligi uchun Qur'onga haq olish joizligi masalasiga nisbatan tatbiq qilingani haqidagi ilmiy xulosalardan Imom Buxoriy xalqaro ilmiy-tadqiqot markazi tomonidan (buyurtma asosida) tayyorlangan “O'rta asr Sharq allomalari va mutafakkirlarining tarixiy-falsafiy merosi” nomli ensiklopedik kitobning mazmuniga singdirilgan (O'zbekiston Respublikasi Vazirlar Mahkamasi huzuridagi Imom Buxoriy xalqaro ilmiy-tadqiqot markazining 2026-yil 23-apreldagi 02/191-son ma'lumotnomasi). Natijada kitobxonlarning fiqhiy atama va qoidalarga oid bilimlarini yanada rivojlantirishga erishilgan.

Tadqiqot natijalarining aprobatsiyasi. Mazkur tadqiqot natijalari jami 6 ta: 2 ta xalqaro va 4 ta respublika ilmiy-amaliy anjumanlarida aprobatsiyadan o'tkazilgan.

Tadqiqot natijalarining e'lon qilinganligi. Tadqiqot mavzusi bo'yicha 14 ta ilmiy ish, shulardan, O'zbekiston Respublikasi Oliy attestatsiya komissiyasining doktorlik dissertatsiyalari asosiy ilmiy natijalarini chop etish uchun tavsiya etilgan ilmiy nashrlarda 8 ta maqola, ulardan 6 tasi respublika va 2 tasi xorijiy ilmiy jurnallarda chop etilgan.

Dissertatsiyaning tuzilishi va hajmi. Dissertatsiya tarkibi kirish, uchta bob, xulosa, foydalanilgan adabiyotlar ro'yxati hamda ilovalardan iborat. Dissertatsiyaning hajmi 130 betni tashkil etadi.

DISSERTATSIYANING ASOSIY MAZMUNI

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

Dissertatsiyaning birinchi bobi **“Movarounnahr fiqh ilmi tarixini o'rganishning ilmiy-nazariy asoslari”** deb nomlangan bo'lib, uning birinchi bandi *“XIII–XIV asrlar Movarounnahrda fiqh ilmining rivojlanishi”* deb atalgan. Unda o'lkaga islom dini kirib kelgan vaqtdan boshlab, tafsir, hadis, kalom, mantiq, axloq, nahv, tasavvuf va boshqa ilmlar qatori fiqh ilmining ham rivojlanishi, hanafiy fiqh ilmining usul va furu' yo'nalishlari yoritilgan. Movarounnahr fiqh tarixi davrlarga bo'linib, ushbu davrlashtirishni amalga oshirgan olimlarning fikrlari bayon etilgan.

XIII–XIV asrlar Movarounnahrdagi mo‘g‘ullar istilosi natijasida ilm-fan, shu bilan bir qatorda, fiqh sohasida ham o‘zgarishlar yuzaga kelgan. Mazkur davr muxtasar asarlar davri bo‘lib, ijthod asri kabi ijod asri emas, naql, jamlash, tahqiq, tahrir, tas’hih (korrektura) hamda sayqallash davri bo‘lgan. Shuningdek, fiqh ilmi oqsab qolishi natijasida, qiymatsiz rivoyatlar, asossiz fatvolar, zaif hadislardan foydalanish, e’tiqodga oid shar’iy masalalarga jiddiy e’tibor bermaslik holatlari kuzatilib, ijtimoiy-siyosiy hayotga oid fatvolar chiqarish, arab tilida ilmiy asarlar yaratish holatlari kamaygan.

Biroq shunday mushkul davrda ham o‘z mas’uliyatini his qilgan hamda ijtimoiy mavqeini to‘g‘ri baholay olgan bir qancha olimlar yetishib chiqqan. Ular ilm-fan va ta’limning ahamiyatini chuqur anglab, uning tarqoq qismlarini tizimlashtirish, xalq merosini asrab-avaylash hamda qayta ishlash ustida qattiq bel bog‘laganlar. Mazkur davrlar Buxoroda Sadrush shahid (vaf. 616/1219-y.), Hamiduddin Zarir Romushiy Buxoriy (vaf. 666/1268-y.), Hofizuddin Kabir Buxoriy (vaf. 693/1295 y.), Muhammad ibn Tohir Karmaniy (vaf. 698/1299-y.), Gulobodiy (Kalobodiy) Buxoriy (vaf. 700/1301-y.), Abdulaziz ibn Ahmad ibn Muhammad Buxoriy (vaf. 730/1331-y.), Muhammad ibn Muhammad Buxoriy Koki (vaf. 749/1348-y.) kabi o‘ttizdan ortiq faqihlar yetishib chiqqan.

Farg‘onalik Sharofiddin Ahmad Farg‘oniy (vaf. 750/1349-y.), Abdulloh ibn Muhammad Xo‘jandiy (vaf. 750/1349-y.), Qozi Xo‘jandiy (vaf. 750/1349-y.), nasaflik Abul Barakot Nasafiy (vaf. 710/1310-y.), Ali ibn Muhammad ibn Ali Abu Bakr Ali Nasafiy (719/1319-yili hayot bo‘lgan), Lutfulloh Nasafiy (vaf. 749/1349-y.), Jaloliddin Ahmad ibn Yusuf Tuboniy (vaf. 793/1391-y.), samarqandlik Kabir ibn Kabir Dizaqiy, Mas‘ud Samarqandiy, jizzaxlik Majduddin Ustrushaniy (vaf. 637/1240-y.), Badriddin Shibliy (vaf. 769/1367-y.) kabi hanafiy mazhabining yirik namoyandalari fiqh sohasiga salmoqli hissa qo‘shganlar.

Mazkur davr faqihlarining asarlari fiqhiy masalalarni tizimlashtirish hamda ijtimoiy munosabatlarni tartibga solishda muhim manba bo‘lib xizmat qilgan. Ularning merosi nafaqat mintaqa ilmiy muhiti, balki butun musulmon madaniyati rivojiga katta hissa qo‘shgan.

“Abul Barakot Nasafiyning fiqh ilmi rivojiga qo‘shgan hissasi” deb atalgan ikkinchi badda Nasafiyning hayoti, ustoz va shogirdlari, olimlarning unga bergan ta’riflari, ilmiy faoliyati hamda asarlariga oid ma’lumotlar jamlanib, tahlil etilgan.

Abul Barakot Nasafiy tug‘ilgan yil Muhammad Shafiq G‘irbolning *“al-Mavsuatu-l-arabiyatu-l-muyassara”* (*“Arabiy oson qomus”*) asarida 629/1232-yil deb ko‘rsatilgan⁶. Uning mashhur olim bo‘lib yetishishida Shamsul aimma Abdusattor ibn Muhammad Kardariy (vaf. 643/1245-y.), o‘z asrining taniqli imomi Hamiduddin Zarir Romushiy Buxoriy (vaf. 666/1268-y.) hamda Xoharzoda nomi bilan tanilgan Abdulkarim Kardariy (vaf. 651/1253-y.)larning o‘rni katta bo‘lgan. Nasafiy o‘z zamonasining yetuk olimlari hisoblangan hanafiy faqih Hisomuddin Sig‘noqiy (vaf. 714/1315-y.), faqih, adabiyotshunos Muzaffaruddin Ahmad ibn Ali ibn Tag‘lib (vaf. 694/1295-y.), fiqh va usulda ilm ummoni bo‘lgan imom Alouddin

⁶ محمد شفيق غربال. الموسوعة العربية الميسرة. دار الجيل والجمعية المصرية، 1995. ج. II. – ص. 1833

Muhammad Buxoriy (vaf. 730/1330-y.) hamda hanafiy mazhabining olimi Muhammad Xo‘jandiy Kokiy (vaf. 749/1349-y.) kabilarning ustozlari hisoblangan.

Abul Barakot Nasafiy Buxoroda ta‘lim olib, ko‘plab mamlakatlarga sayohat qilib, bir muddat Kirmon shahridagi “al-Qutbiyatu-s-sultoniya” madrasasida mudarrislik qilgan. Talabalarga Imom Moturidiy, Marg‘inoniy va o‘z asarlaridan saboq bergan. So‘ngra Bag‘dodga kelib, dars berish bilan birga, ko‘plab mashhur olimlarning asarlariga sharhlar yozgan⁷. Abul Barakot Nasafiyning ustozlari, ilmiy faoliyati, shogirdlari hamda keyingi davr hanafiy olimlarining u haqidagi e‘tiroflari uning Movarounnahr ilmiy muhitida alohida o‘ringa ega bo‘lganini ko‘rsatadi. U 710/1310-yili Bag‘dodning Izaj shahrida vafot etgan.

Tadqiqot davomida Nasafiydan ko‘plab matn va sharhlar qolgani, olimning ilm tahsili, asar tasnifi, tanqid hamda tahlil bo‘yicha o‘z yo‘nalishiga ega bo‘lgani qayd etilib, tafsir, aqida, axloq, usul hamda furu‘u-l-fiqh sohalarida bo‘yicha jami 15 ta asar yozgani aniqlangan. Alloma ilmiy merosining asosiy qismini fiqh ilmiga oid asarlari tashkil etib, ular Movarounnahr huquqshunosligi rivojida muhim ahamiyatga ega. Usul hamda furu‘u-l-fiqh yo‘nalishlarida faoliyat olib borgan Nasafiy asarlaridagi masalalar matn va sharh uslubida bayon qilingan.

Abul Barakot Nasafiyning fiqh ilmiga oid asarlari orasida “al-Vofiy”, “al-Kofiy”, “al-Mustasfo”, “al-Musaffo”, “al-Mustavfo”, “Kanzu-d-daqiq”lar – furu‘u-l-fiqh, “Manoru-l-anvor”, “Kashfu-l-asror”, “Doiratu-l-vusul ila ilmi-l-usul” hamda “al-Muntaxab fi usuli-l-mazhab li-l-Axsikatiy”lar esa usulu-l-fiqh yo‘nalishida yozilgan. Mazkur asarlar nomlanishidagi o‘zaro uyg‘unlik, qofiyadoshlik, ma‘no jihatidan ixchamlik muallifning yuqori darajadagi badiiy mahoratiga ishora qiladi. Shu bilan birga, Nasafiyning til, adabiyot va balog‘at ilmidagi mukammal bilim sohibi bo‘lganini anglatadi.

Abul Barakot Nasafiyning asarlari boshqa fiqhiy kitoblardan qisqa bo‘lishi bilan bir qatorda, foydali hamda ma‘no jihatidan juda keng va sarmazmunligi bilan ajralib turadi. Uning fiqhiy asarlari asrlar davomida o‘z qiymatini saqlab, bugungi kunda ham ta‘lim muassasalarida darslik sifatida o‘qitilmoqda.

“Zamonaviy tadqiqotlarda Abul Barakot Nasafiy asarlarining o‘rganilishi” deb nomlangan uchinchi badda Abul Barakot Nasafiy tomonidan yaratilgan ulkan ma‘naviy merosning olim va tadqiqotchilar tomonidan asl qo‘lyozma manbalari asosida tadqiq etilgani yoritilgan. Ushbu tadqiqotlar xorijlik hamda mahalliy olimlar tomonidan amalga oshirilgan ishlarga ajratilgan holda ikki turkumga bo‘lib o‘rganilgan.

Xorijlik olimlardan Shamil Shahin Abul Barakot Nasafiyning “Manoru-l-anvor fi usuli-l-fiqh” asari zamonaviy nashrini chop etgan. Tadqiqot qismida Nasafiyning hayoti va ilmiy faoliyati yoritilib, asarlari haqida ma‘lumotlar berilgan. Asosiy qismida “Manoru-l-anvor” asarining ahamiyati, yozilish sababi, muallif tayangan manbalar, uslubi, sharh va tarjimalari bayon etilgan. Said Bektoshning “Kanzu-d-daqiq” tadqiqotida asarning oltita qadimiy qo‘lyozma nusxalarini solishtirish orqali asosiy manbaning o‘xshash va farqli tomonlari ko‘rsatib berilgan.

⁷ Nosir M. Nasaf va Kesh allomalari. – Toshkent: G‘afur G‘ulom nomidagi nashriyot-matbaa ijodiy uyi, 2006. – B. 40.

Abdulloh Ismoil olimning “al-E’timod fi-l-e’tiqod” sharhini dunyoning turli hududlarida mavjud bo‘lgan to‘rtta qadimiy nusxalarini qiyoslash orqali tadqiq qilgan.

Turkiyalik Hasan Uvzar va Muhammad Jaba “al-Mustasfo fi sharhi-n-Nofe” asarini uch jildda tadqiq etishgan. Mualliflar asarning beshta qo‘lyozma nusxasini solishtirish orqali asosiy manbaning o‘xshash va farqli tomonlarini ko‘rsatib berishgan. Shuningdek, Sa’d al-G‘omidiyning “Abul Barakot Nasafiy “al-Mustasfo” asari (ibodat qismi)”, Ahmad Alhanash Asiriyning “Abul Barakot Nasafiy “al-Mustasfo” asarining “Savdo” bobi” kabi ilmiy izlanishlari muhim tadqiqotlar sirasiga kiradi. Mualliflar tomonidan asarning qo‘lyozma manbalariga tayangan holda amalga oshirilgan tahlillar Nasafiyning fiqhiy qarashlari va islom huquqi rivojidagi o‘rnini ochib berishga xizmat qilgan.

Mahalliy olimlardan Maxsudov Davronbekning “Abu-l-Barakot an-Nasafiyning tafsir ilmida tutgan o‘rni” tadqiqotida Abul Barakot Nasafiyning hayoti va ilmiy merosi hamda “Tafsiru-n-Nasafiy” asarining tafsirshunoslikdagi o‘rni bayon etilgan. Mazkur tafsir Abu Mansur Moturidiy, Imom Bayzoviy, Mahmud Zamaxshariy, Jaloliddin Suyutiy, Jaloliddin Mahalliy va Ibn Kasirning tafsirlari bilan qiyosiy o‘rganilib, asarning bugungi kundagi ahamiyati ochib berilgan. Axmedov Sayqalning “Abu Barakot Nasafiyning Movarounnahr hanafiy fiqhi rivojiga qo‘shgan hissasi (“al-Vofiy” asari asosida)” tadqiqotida “al-Vofiy” asaridagi mavzular, manbada qo‘llanilgan fiqhiy qoidalar yoritilib, Nasafiy fiqhiy qarashlarining zamonaviy ijtimoiy muammolarni hal etishdagi ahamiyati ochib berilgan.

Muxtarov Bekzodbekning “Nosiruddin Samarqandiyning “al-Fiqh an-nofe” asari hanafiy fiqhiga oid muhim manba” tadqiqotida “al-Mustasfo” asarining o‘ziga xos uslublari yoritilib, manbalari va iboralari haqida ma’lumotlar berilgan hamda dunyoning ko‘plab kutubxonalarida saqlanadigan “al-Mustasfo” asarining qo‘lyozma nusxalari aniqlangan. Abdulloh Mallaboyevning “Abul Barakot Hofiziddin Nasafiyning “al-Mustasfo” asari muhim fiqhiy manba” maqolasida “al-Mustasfo” asarining ahamiyati, Nasafiyning hanafiy mazhabi faqihlari orasida tutgan o‘rni yoritilib, asarning vujudga kelish sabablari, qo‘lyozma nusxalarda kelgan turli nomlari haqida ma’lumotlar berilgan. Asarning muhim fiqhiy manbalardan sanalishiga sabab unda fiqhiy dalillarga alohida urg‘u berilgani, dalil keltirish uslublari aniq bayon qilingani hamda masalalarning asl negizi ochib berilgani bilan izohlangan.

Xorijlik olimlar o‘z tadqiqotlarida asosiy e’tiborni qo‘lyozma manbalarni o‘zaro solishtirish, matnshunoslik va ilmiy tahlilga qaratadilar. Mahalliy olimlar esa asl manbalardagi g‘oya va masalalarni bugungi kun bilan bog‘liq holda amaliy jihatdan talqin qilishga ahamiyat beradilar. Bu ikki yondashuv esa Abul Barakot Nasafiy merosini har tomonlama chuqur anglashga xizmat qiladi. Olimning asarlarini o‘rganish, tadqiq etilmaganlari ustida ilmiy tadqiqot va izlanishlar olib borish, zamonaviy nashrini amalga oshirish hamda kelgusi avlodga uning boy merosini tanitish muhim vazifalardan hisoblanadi.

Dissertatsiya tarkibidagi **“Abul Barakot Nasafiy “al-Mustasfo” asarining**

manbashunoslik tahlili” nomli ikkinchi bobning birinchi bandi *“Al-Mustasfo” asari qo‘lyozma nusxalarining tavsifi*” deb nomlangan bo‘lib, unda “al-Mustasfo” asarining qo‘lyozma nusxalari, ularning o‘ziga xos xususiyatlari va manbashunoslik tahlili tadqiq etilgan.

Bugungi kunda Amerika, Angliya, Irlandiya, Turkiya, Saudiya Arabistoni, Birlashgan Arab Amirliklari, Iroq, Suriya, Misr, Jazoir, Damashq, Livan, Tunis hamda O‘zbekistonda asarning 53 ta qo‘lyozma nusxasi saqlanadi. Tadqiqotda “al-Mustasfo” asari 6 ta qo‘lyozmasining muallif zamoniga yaqinligi, noyoblighi e‘tiboridan manbashunoslik tahlili amalga oshirilgan. Birlashgan Arab Amirliklari davlatidagi “Juma al-majid” markazi fondida Abul Barakot Nasafiy asarlarining 62 ta elektron qo‘lyozma nusxasi mavjud bo‘lib, ulardan 4 tasi “al-Mustasfo” asari.

Abu Ali ibn Sino nomidagi Buxoro viloyati axborot-kutubxona markazida Abul Barakot Nasafiyning № 20-raqam ostida saqlanadigan “al-Mustasfo” asarining noyob qo‘lyozma nusxasi mavjud. Mazkur nusxaning alohida qimmatini uning muallif hayotligi davrida, aniqrog‘i, 1286-yilda ko‘chirilgani bilan belgilanadi. Bu holat qo‘lyozmaning ilmiy qiymati hamda manbashunoslik ahamiyatini yanada oshiradi. Qo‘lyozma nasx xatida bitilgan. Asarning turli sahifalarida Muhammad ibn Mahmud Hofiz Buxoriyning shaxsiy muhrlari uchraydi. Unda: “vafq Xoja Porso ibn Mahmud al-Buxoriy” degan yozuvni o‘qish mumkin. Bu esa qo‘lyozma o‘z davrida Xo‘ja Porsoning shaxsiy kutubxonasida saqlangan eng mo‘tabar va murojaat etiluvchi manbalardan biri bo‘lganini anglatadi.

Qo‘lyozmalarning aksariyatida “al-Mustasfo” asari to‘liq saqlanib qolgan. Asardagi bo‘lim, bob va fasllarning nomi alohida ajratib ko‘rsatilgan. Matnlardagi bob va fasllarning nomlari qizil yoki qalin qora siyoh bilan ajratib ko‘rsatilgan. Aksariyat nusxalarda mundarija qismi ham mavjud. Asarning mashhur qisqartma – “al-Mustasfo” (المستصفى) nomi turli nusxalarda “al-Mustasfo sharhu-n-Nofe” (شرح نافع فى الفروع), “Sharhu Nofe’ fi-l-furu” (المستصفى فى شرح الفقه النافع) hamda “al-Mustasfo fi sharhi-l-fiqhi-n-Nofe” (المستصفى فى شرح الفقه النافع) kabi shakllarda uchradi. Askariyat nusxalarda asar ko‘chirilgan yil va xattot nomi yozilgan. Ayrim qo‘lyozmalardagi muhrning mavjudligi uning qimmatini yanada oshirishga xizmat qiladi.

“Al-Mustasfo” asarining ko‘plab qo‘lyozma nusxalarining bugungi kunga qadar saqlanib qolgani uning ilmiy va amaliy ahamiyati yuqori bo‘lganini ko‘rsatadi. Asarning o‘z davrida keng tarqalgani undan ko‘plab hanafiy ulamolar va ilm toliblari foydalangani va ta’lim jarayonida muhim manba bo‘lib xizmat qilganini anglatadi.

“Asarda muallif tayangan manbalar tahlili” nomli ikkinchi bandeda Abul Barakot Nasafiy “al-Mustasfo” asarining manbalari tahlil etilgan. Ushbu asar olimning fiqh va usul bo‘yicha yozgan asarlari uchun poydevor sanalgan. Nasafiy “al-Mustasfo” asarini o‘zining “al-Mustavfo” asaridan keyin – 1266-yilda ta’lif etgan. Olim o‘zining “al-Vofiy”, “Kashfu-l-asror”, “Sharhu-l-Muntaxab”, “al-Musaffo” kabi keyingi asarlarida “al-Mustasfo”dan iqtiboslar keltirgan⁸. Asar 63

⁸ Mallabayev A. Abul Barakot Hofiziddin Nasafiyning “al-Mustasfo” asari – muhim fiqhiy manba // “Infolib” axborot-kutubxona xabarnomasi. № 4(16), 2018. – B. 68–69.

ta kitob (bo'lim), 176 ta katta-kichik bob hamda fasllardan iborat. U "Kitobu-t-tahorat" (Poklik kitobi) bilan boshlanib, "Kitobu-l-xunasa" (Xunasa haqida kitob) bilan yakunlangan.

Abul Barakot Nasafiy mazkur asarni ta'lif etish jarayonida mashhur kitoblardan manba sifatida foydalangan. Olim tayangan masdarlar mazhabda ishonchli hamda ulamolar murojaat qilgan asarlar sirasiga kiradi. U nafaqat fiqhiy asarlar, balki aqida, tafsir, hadis, usul, grammatika hamda lug'at ilmi sohalaridagi taniqli va ishonchli manbalarga ham alohida ahamiyat bergan.

Nasafiy aqidaviy masalalarni sharhlashda Abu Mu'in Nasafiy (vaf. 508/1114-y.)ning "Tabsiratu-l-adilla" ("Dalillar bayoni"), oyatlarni tafsir etishda Zamaxshariy (vaf. 538/1144-y.)ning "al-Kashshof" ("Ochib beruvchi") va Alouddin Samarqandiy (vaf. 552/1157-y.)ning "Sharhu-t-ta'vilot" ("Ta'vilot sharhi") asarlariga ko'p o'rinlarda tayangan. Hadis va uning roviylarini sharhlashda Imom Abu Dovud (vaf. 275/888-89-y.)ning "Sunani Abu Dovud" ("Abu Dovud sunani"), Tahoviy (vaf. 321/933-y.)ning "Mushkilu-l-osor" ("Osor (sahoba va tobeiylar so'zi)ni tushunishdagi muammolar"), ibn Hibbon (vaf. 354/965-y.)ning "Kitobu-s-siqot" ("Buyuk insonlar haqida kitob"), Muhammad Kalobodiy (vaf. 384/994-y.)ning "Ma'oniyyu-l-axbor" ("Hadis ma'nolari"), imom Bag'aviy (vaf. 516/1122-y.)ning "al-Masobih" ("Chiroqlar") asarlaridan istifoda etgan.

Olim fiqh sohasida "al-Asl" ("Asl"), "az-Ziyodot" ("Ziyoda masalalar"), "al-Jome'u-s-sag'ir" ("Kichik majmua"), "al-Jome'u-l-kabir" ("Katta majmua"), "Navodiru ibn Samoa" ("Ibn Samoa' nodirliklari"), "Muxtasaru-t-Tahoviy" ("Muxtasari Tahoviy"), "Muxtasaru Abu Muso az-Zarir" ("Muxtasari Abu Muso az-Zarir"), "Sharhu muxtasari-t-Tahoviy" ("Muxtasari Tahoviy sharhi"), "Xizonatu-l-fiqh" ("Fiqh xazinasini"), "Muxtalifu-r-rivoya" ("Rivoyatlardagi qarama-qarshiliklar"), "al-Muxtalifat fi furu'i-l-hanafiya" ("Furu' al-hanafiyadagi qarama-qarshiliklar") kabi jami qirqa yaqin manbalardan foydalangan.

"Al-Mustasfo"da aqida, tafsir, hadis, fiqh, grammatika, lug'at va boshqa ilm sohalaridagi hanafiy fiqhi doirasida e'tirof etilgan, ulamolar tomonidan keng murojaat qilinadigan, mashhur va ishonchli ellikdan ziyod asarlardan istifoda etilgan. Abul Barakot Nasafiy asarni turli manbalarga tayanib, ilmiy an'analarni uyg'unlashtirgan holda yozishi uning ishonchlilik darajasi, ilmiy qiymatini yanada oshirgan hamda hanafiy huquq maktabi rivojida muhim o'rin tutgan.

"Abul Barakot Nasafiyning fiqhiy masalalarni sharhlashdagi uslubi" deb nomlangan uchinchi badda Abul Barakot Nasafiy "al-Mustasfo" asarining uslublari tahlil etilgan. Nasafiy sharhidagi masalalar Qur'oni karim oyatlari va hadisi shariflardagi dalillarga suyangani holda keltirilgan. U "al-Mustasfo" asarida Qur'onning 71 ta surasi, 347 ta oyatidan juda ko'p o'rinlarda istifoda etgan. Aksariyat holatlarda "Baqara", "Niso", "Moida", "An'om" suralariga murojaat qilgan. Nasafiy noaniq va tushunarsiz jummalarni ishlatmay, sharhda oson uslub, aniq ibora hamda tushunarli so'zlardan foydalanishga harakat qilgan. Nasafiy asarda ortiqcha jumla, mubolag'a hamda foydasi bo'lmagan qo'shimcha so'zlardan foydalanmagan.

Abul Barakot Nasafiy sharhida asardagi jumlalarning aniqligi, soʻzlarning bexatoligi, oʻzida mavjud boʻlgan nusxalarni solishtirish, tushunarsiz soʻz va iboralarga oydinlik kiritishga ahamiyat bergan. Bob va fasllarni sharhlashda uning mavzusi boʻlgan soʻzning lugʻaviy va sharʼiy maʼnolarini batafsil yoritgan. Qurʼoni karim oyatlari va hadisi shariflardan mavzuga doir misollar keltirib, olimlarning ham bunga oid fikrlarini bayon etgan.

Nasafiy biron masala yuzasidan vujudga kelgan mazhablar oʻrtasidagi turli fikrlarni tarfakashlik holatidan yiroq boʻlib, oʻsha masala boʻyicha hanafiy mazhabida qabul qilingan qavlni bayon qilgan. Muallif asardagi masalalarni oʻz davrining muhiti va unda yashagan insonlar bilan bogʻlagan. U asarda nafaqat muallifning soʻzlarini sharhlovchi, balki oʻz fikr, qarash va bilimlarini bayon qiluvchi faqih sifatida ham namoyon boʻlgan. Nasafiy fiqhiy masalalar yuzasidan oʻzidan oldingi hamda oʻzi bilan zamondosh olimlarning asar va fikrlaridan yaxshi xabardor boʻlib, har bir soʻzni egasi hamda har bir maʼlumotni manbasiga havola qilgan.

Hanafiy fiqhi olimlarining aksariyat kitoblari “al-Mustasfo” asaridan istifoda va naql qilingan. Masalan, Abdulhay Laknaviy hanafiy mazhabidagi moʻtabar asarlar ichida Nasafiyning “al-Mustasfo” sharhini zikr qilib: “Men uning “al-Vofiy”, “al-Kofiy” hamda “al-Mustasfo” asarlaridan foydalanganman”⁹, deb taʼkidlasa, Ibn Nujaym (vaf. 970/1563-y.) kitobining asosiy masdari sifatida “al-Mustasfo”ga ishora qilib: “Men koʻpgina sharh va fatvolardan foydalandim... “Al-Mustasfo” hamda “al-Musaffo” sharhlari shular jumlasidandir”¹⁰, deb aytgan. Shuningdek, Alouddin Buxoriy oʻzining “Kashfu-l-asror”, Faxriddin Zaylaʼiy “Tabyinu-l-haqoiq”, Akmaliddin Babartiy (vaf. 786/1384-y.) “al-Inoya sharhu-l-Hidoya” asarlarida “al-Mustasfo”dan matn va maʼnolarni naql qilishgan.

Tadqiqotning **“Al-Mustasfo” asarida fiqhiy masalalarning yoritilishi** nomli uchinchi bobining birinchi bandi *“Al-Mustasfo” asarida hanafiy fiqhi atamalarining qoʻllanilishi* deb nomlangan. Mazkur badda Abul Barakot Nasafiy “al-Mustasfo” sharhida oʻzidan oldingi asarlarda anʼanaviy fiqhiy atamalarni istifoda etgani, mazhab ulamolari, fatvo, rivoyat va qavllar, kitoblar hamda hukmlarga oid istilohlardan foydalanish xususiyatlari yoritilgan.

Nasafiy mazhab ulamolariga yuksak ehtirom va eʼtibor koʻrsatgan holda, tadqiqot matnida – alloma, shayx, shayxu-sh-shayx, shayxu-l-ustaz kabi oʻziga xos atamalardan foydalangan. Masalan, “al-Mustasfo” sharhining nihoyasida:

"ما وقع في هذا الكتاب من ذكر العلامة فالمراد منه الشيخ الامام العالم الزاهد الناسك الرباني الصمداني شمس الائمة الكردي رضي الله عنه و ما وقع فيه من ذكر الشيخ و الاستاذ مطلقا فالمراد منه الشيخ الامام العالم النحرير مولانا حميد الملة و الدين نور الله قبره "

“Ushbu kitobda “alloma” deb zikr qilingan oʻrin – shayx, imom, olim, zohid, taqvodor, xudojoʻy, shamsul aimma Kardariy (Alloh undan rozi boʻlsin) hamda “shayx” va “ustoz” lafzlari mutlaq keltirilgan joy – shayx, imom, olim, bilimdon,

⁹ عبد الحي الكوني. الفوائد البهية في تراجم الحنفية. – بيروت: دار الأرقم، 1998. – ص. 173.

¹⁰ البحر الرائق. ابن نجيم ¹⁰ Oʻzbekiston xalqaro islom akademiyasi, Manbalar xazinasi. Toshbosma. № 68. – B. 2.

mavloni Hamiduddin (Alloh uning qabrini munavvar qilsin)ni anglatadi”¹¹, deb aniqlik kiritgan.

Shorih matnda Zahiruddin, Xoharzoda, Badriddin kabi ulamolar nomlari, shamsul aimma, shayxul islom singari sharaflil unvonlar, al-Hasan, mashoyixuna, salaf, ulamauna-s-salasa, as'habuna, inda Abi Hanifa, al-mashoyix, ammatu-l-ulama, al-muhaqqiqun kabi an'anaviy iboralarni qo'llagan. Shuningdek, hukm va fatvoga oid az-zohir, al-muxtor, alayhi-l-fatva, as-sahih, al-ihtiyot, al-ittifoq, al-ijmo, kitoblarga oid zohiru-r-rivoyat, al-Asl, al-Jome'u-s-sag'ir, al-Jome'u-l-kabir, as-Siyaru-s-sag'ir, as-Siyaru-l-kabir, az-Ziyodot, al-Mabsut, al-Muxtasar, al-Muhit iboralaridan foydalangan. Nasafiy al-Matn hamda al-Kitob iborasini qo'llash orqali sharhning matni bo'lgan Nosiruddin Samarqandiyning “al-Fiqhu-n-nofe” asariga ishora qilgan.

Abul Barakot Nasafiy “al-Mustasfo” asarida hanafiy fiqhi atamalarini qo'llash orqali mavjud an'anani davom ettirib, uni mazmunan boyitgan. Uning uslubi keyingi davr ulamolari tomonidan qabul qilinib, keng qo'llanilgan. Shuningdek, olimning o'ziga xos atamalari ham bo'lib, ular hanafiy fiqh ilmining rivojida muhim ahamiyatga ega.

Uchinchi bobning “Asarda oilaviy munosabatlarga oid masalalar bayoni” deb nomlangan ikkinchi bandida mustahkam oila asoslari va oilaviy munosabatlarga oid masalalar yoritilgan. Mavzu borasida Abul Barakot Nasafiy “al-Mustasfo” asarining “Nikoh”, “Emizish”, “Taloq”, “Idda”, “Nafaqalar” kabi bo'limlarida nikohga oid ta'riflar, ikki nikohlanuvchi tomonlarning roziligi, nikoh vaqtida guvohlarning ishtiroki, mahramlik va nomahramlik, tenglik va mahr, er-xotinning huquq va majburiyatlari hamda ta'minot masalalarini atroflicha bayon etgan.

Nasafiy “Nafaqalar” bo'limida “nafaqa” tushunchasini bayon qilib, shariatda qaramog'idagilarni yetarli oziq-ovqat, kiyim-bosh va uy-joy bilan ta'minlash erining majburiyati ekanligini aytgan. Ayolning nafaqasi uning dini yoki moddiy holatidan qat'i nazar er zimmasidagi vazifa ekani “Baqara” surasidagi oyat bilan asoslangan. Shuningdek, nafaqa miqdori er va xotinning ijtimoiy-iqtisodiy holatiga qarab belgilanishi ta'kidlanib, asarda nafaqa qilinganda erining holatiga qaralishi, agar er va xotin boy bo'lsa, nafaqa boylarnikidek, agar xotin kambag'al bo'lsa, kambag'alnikidan yuqori, boylarnikidan pastroq, agar ikkisi ham kambag'al bo'lsa, kambag'alnikidek nafaqa berilishi aytilgan¹².

“Nafaqalar” masalasi an'anaviy fiqhiy manbalarda qayd etilgan bo'lishiga qaramay, Nasafiy tomonidan “al-Mustasfo” asarida unga alohida e'tibor qaratilishi va batafsil sharhlanishi uning dolzarbligi va ta'kidlash zarurati mavjudligini ko'rsatadi. Mazkur hukmlarni bilish er-xotin o'rtasida yuzaga kelishi mumkin bo'lgan turli kelishmovchilik va nizolarning oldini olish, mas'uliyatlarini ado etishda o'zaro hamkorlik qilib, oilani mustahkamlashga xizmat qiladi.

Uchinchi bobning “Manbaning zamonaviy fiqhiy masalalarni hal etishdagi ahamiyati” deb nomlangan uchinchi bandidagi “al-Mustasfo” asarida yoritilgan masalalar bugungi kunda ham o'z ahamiyatini yo'qotmagan. Jumladan, meros

¹¹ أبو البركات النسفي. المستصفى. - إسطنبول: مكتبة مآلت. مخطوط. رقم 847. - و. 245. ا.

¹² أبو البركات النسفي. المستصفى في شرح النافع. - تركيا: مكتبة الارشاد، 2017. ج. II. - ص. 298.

hukmlarini bilish, Qur'onga ajr olish, ihtikor, nikoh hukmlariga rioya qilish, ta'minot masalasiga e'tiborli bo'lish, oilada ajrimlarning oldini olish va tinch-osuda oilaviy munosabatlarni shakllantirish masalalari yuzasidan tavsiyalar berilgan. Keksa avlodni hurmat qilish, ularga ehtirom ko'rsatish bilan bir qatorda, ularning nafaqasi masalasiga ham e'tibor bilan yondashish kerakligi qayd etilgan.

Davlatimiz rahbari tomonidan 2021-yil 25-martda qabul qilingan "Keksalar va nogironligi bo'lgan shaxslarni ijtimoiy qo'llab-quvvatlash, "Saxovat" va "Muruvvat" internat-uylari tizimini yanada rivojlantirish to'g'risida"gi qaror aholining ijtimoiy himoyaga muhtoj qatlamlarini davlat tomonidan qo'llab-quvvatlashga qaratilgan muhim hujjat hisoblanadi. Mehr-oqibat va insoniylik tamoyillariga asoslangan o'zbek xalqi qadriyatlarida keksalar, xususan, ota-onalarga e'tiborli bo'lish, ularni asrab-avaylash, ehtirom ko'rsatish, duo va roziliklarini olish o'z ifodasini topgan.

Abul Barakot Nasafiy "al-Mustasfo" asarida farzand zimmasida ota-onasini nafaqa bilan ta'minlash majburiyati borligini alohida qayd etgan¹³. Muallifning ta'kidlashicha, farzandning ota-onasiga nisbatan nafaqa bilan ta'minlash majburiyati shariat nuqtayi nazaridan qat'iy belgilangan bo'lib, bu burch axloqiy va huquqiy jihatdan ham muhim ahamiyat kasb etadi. Mazkur majburiyat faqat ota-ona bilan cheklanib qolmay, balki ehtiyojmand bo'lgan holatlarda bobo va buvilarga ham tatbiq etiladi. Asarda agar ular moddiy yordamga muhtoj bo'lsa, farzand (yoki nevara) imkoniyati doirasida ularni ham nafaqa bilan ta'minlashi aytilgan. Bu hukmlarga rioya qilish orqali oilaviy bog'liqlik, qarindoshlik aloqalari va o'zaro mas'uliyat mustahkamlanib, jamiyatda ijtimoiy barqarorlikni ta'minlash, avlodlar o'rtasidagi uzviylikni saqlash hamda ijtimoiy himoya sohasini mustahkamlashda muhim nazariy-amaliy ahamiyatga ega bo'ladi.

Abul Barakot Nasafiyning "al-Mustasfo" asarida bayon etilgan ijtimoiy masalalar nafaqat muallif yashagan davr huquqiy va ijtimoiy ehtiyojlarini qamrab olgan, balki bugungi kunda ham o'z dolzarbligini saqlab qolgan. Asar zamonaviy fiqhiy masalalarni anglash va ularga yechim topishda muhim manba vazifasini bajaradi.

XULOSA

Abul Barakot Nasafiy "al-Mustasfo" asarining ilmiy-amaliy tadqiqi va tadqiqotning maqsad hamda vazifalaridan kelib chiqib, quyidagi xulosalarga kelindi:

1. Movarounnahr olimlari XIII–XIV asrlardagi mo'g'ullar davrida ham fiqh ilmining turli sohalarida yetuk bo'lib, ko'plab asarlar yozishga muvaffaq bo'lganlar. Ular ilm-fan va ta'limning ahamiyatini chuqur anglab, uning tarqoq qismlarini tizimlashtirish, xalq ma'naviy merosini asrab-avaylash va qayta ishlashga katta e'tibor qaratganlar. Bu davr muxtasar asarlar davri bo'lib, ijtihod asri kabi ijod asri emas, naql, jamlash, tahqiq, tahrir, tas'hih hamda sayqallash davri bo'lgan. Ularning hanafiy mazhabi sohasida yozgan asarlari fiqh ilmining taraqqiyotiga xizmat qilgan.

314-315.. ص. II ج. تركيا: مكتبة الارشاد، 2017. -المستصفى فى شرح النافع. ابو البركات النسفى¹³

Movarounnahr faqih olimlarining asarlari nafaqat mintaq, balki butun musulmon madaniyati rivojiga katta hissa qo'shgan.

2. Abul Barakot Nasafiy Movarounnahr ilmiy muhitida katta o'rin tutgan. Olim tafsir (1 ta), aqida (3 ta) va fiqh (11 ta) sohalariga oid jami – 15 ta asar yozgan. Fiqh ilmiga oid asarlari orasida “al-Vofiy”, “al-Kofiy”, “al-Mustasfo”, “al-Musaffo”, “al-Mustavfo”, “Kanzu-d-daqiq” asarlari furu'u-l-fiqh yo'nalishida, “Manoru-l-anvor”, “Kashfu-l-asror”, “Doiratu-l-vusul ila ilmi-l-usul” hamda “al-Muntaxab fi usuli-l-mazhab li-l-Axsikatiy” asarlari esa usulu-l-fiqh ilmiga oid bo'lgan. Olimning “Fazoilu-l-a'mol” asari esa fiqh va aqida masalalarini o'zida mujassam etgan asar hisoblanadi. Fiqhning har ikki yo'nalishida ijod qilgan olimning asarlari o'z davridagi diniy-ijtimoiy masalalarga yechim berishda muhim ahamiyat kasb etgan. Xususan, uning “al-Vofiy”, “Manoru-l-anvor” va “Kanzu-d-daqiq” kabi asarlari bugungi kunga qadar ta'lim maskanlarida darslik sifatida o'qitilmoqda.

3. Abul Barakot Nasafiyning ilmiy merosi zamonaviy tadqiqotlarda xorijiy va mahalliy olimlar tomonidan keng o'rganilgan. Xorijiy tadqiqotlarda asosiy e'tibor asarning uslubiy xususiyatlari, ilmiy-amaliy ahamiyati, unda bayon etilgan masalalar mazmuni hamda qo'lyozma manbalarni qiyosiy tahlil qilishga qaratilgan. Bu yo'nalishda Shamil Shahin, Hasan Uvzar, Muhammad Jaba, Abdulloh Ismoil, Said Bektosh, Sa'd G'omidiy kabi tadqiqotchilar Nasafiy asarlarining turli qo'lyozma nusxalarini qiyosiy tahlil qilishgan. Maxsudov Davronbek, Axmedov Sayqal, Muxtarov Bekzodbek, Mallaboyev Abdulloh kabi mahalliy olimlarning tadqiqotlarida esa asarlarning mazmuniy-g'oyaviy jihatlari, fiqhiy qarashlari, o'ziga xos uslublari, zamonaviy masalalar bilan bog'liqligi, bugungi kundagi ahamiyati asosiy o'rin egallagan. Bu ikki yo'nalish Nasafiy ilmiy merosini har tomonlama o'rganish imkonini yaratadi.

4. “Al-Mustasfo” asarining bugungi kunda mavjud bo'lgan qo'lyozma nusxalari hamda ularning manbashunoslik tahlilini amalga oshirish natijasida, asarning dunyo kutubxona va fondlaridagi mavjud 53 ta qo'lyozma nusxasi aniqlangan. Tadqiqotda qadimiyligi va muallif zamoniga yaqinligi e'tiboridan 6 ta qo'lyozma asar nusxalarining kodikologik tahlili amalga oshirilgan. Qo'lyozmalarning aksariyatida asarning to'liq saqlangani, bob va fasllarining alohida tartibda ajratib ko'rsatilgani hamda mundarijaning mavjudligi ularning puxta va tizimli tarzda tuzilganini ko'rsatadi. Asarning eng qisqa shakldagi va mashhur nomi “al-Mustasfo” bo'lishiga qaramay, turli qo'lyozmalarda “al-Mustasfo sharhu-n-Nofe”, “Sharhu Nofe' fi-l-furu” hamda “al-Mustasfo fi sharhi-l-fiqhi-n-Nofe” kabi nusxalarining uchrashi uning keng tarqalganidan dalolat beradi. “Al-Mustasfo” qo'lyozmalarining ko'p sonda saqlanib qolgani asarning o'z davrida ommalashgani va ta'lim jarayonida muhim manba sifatida foydalanilganidan dalolat beradi.

5. Abul Barakot Nasafiy “al-Mustasfo” asarini ta'lif etish jarayonida mazhabda ishonchli, mashhur va ulamolar murojaat qilgan manbalardan foydalangan. U sharhida “Tabsiratu-l-adilla”, “al-Kashshof”, “Sharhu-t-ta'vilot”, “Sunani Abu Dovud”, “Mushkilu-l-osor”, “Kitobu-s-siqot”, “al-Masobih”, “al-Asl”,

“az-Ziyodot”, “al-Jome’u-s-sag’ir”, “al-Jome’u-l-kabir”, “Navodiru ibn Samoa”, “Muxtasaru-t-Tahoviy”, “Muxtasaru Abu Muso az-Zarir”, “Sharhu muxtasari-t-Tahoviy”, “Xizonatu-l-fiqh”, “Muxtalifu-r-rivoya”, “al-Muxtalifat fi furu’i-l-hanafiya” kabi aqida, tafsir, hadis, fiqh, grammatika hamda lug’at ilmi sohalaridagi ellikdan ziyod asarlardan istifoda etgan. Manbalar xilma-xilligi Nasafiyning yuqori ilmiy salohiyatini namoyon etib, uning turli ilm sohalarini uyg’unlashtirgan holda yondashuvi asarning nazariy va amaliy qimmatini oshirgan. Bu esa “al-Mustasfo”ning hanafiy fiqhi doirasida ishonchli manba sifatida e’tirof etilishiga sabab bo’lgan.

6. “Al-Mustasfo” asarida fiqhiy masalalarni sharhlash uslubi ilmiy izchillik va manbaga tayanish asosida shakllangan. Muallif masalalarni Qur’on oyatlari va hadislar bilan asoslab, ulardan keng foydalangan. Muayyan sura va oyatlarga takroriy murojaat qilinishi dalillash tizimining mustahkamligini ko’rsatadi. Asarda bayon uslubi sodda, aniq va tushunarli bo’lib, ortiqcha iboralardan xoli tarzda ifoda etilgan. Nasafiy matn aniqligiga alohida e’tibor qaratgan. Shuningdek, u har bir masalaning lug’aviy va shar’iy mazmunini ochib berib, dalillar bilan mustahkamlagan. Mazhablar o’rtasidagi ixtiloflarda xolis yondashuvni saqlagan holda, hanafiy mazhabidagi mo’tabar qavlni bayon qilgan. Asarda masalalarning ijtimoiy muhit bilan bog’lab yoritilishi uning amaliy ahamiyatini oshiradi. Muallif “al-Mustasfo” asarida faqat shorih emas, balki mustaqil fikr yurituvchi faqih sifatida ham namoyon bo’lgan.

7. Abul Barakot Nasafiyning “al-Mustasfo” asarida hanafiy fiqhi atamalarining qo’llanilishi an’anaviy uslub asosida shakllangan. Muallif o’zidan oldingi fiqhiy manbalarda mustahkamlangan istilohlardan keng foydalanib, mazhab ulamolariga nisbatan ehtirom ifodalovchi atamalarni o’rinli qo’llagan. Asarda fatvo, rivoyat va hukmlarga oid atamalar ham ishlatilgan. Shuningdek, asosiy fiqhiy manbalarga ishora qiluvchi maxsus iboralar orqali ilmiy meros bilan uzviy bog’liqlik ta’minlangan. Nasafiy ayrim atamalarga aniq ta’rif va izohlar berib, ularning mazmunini oydinlashtirgan. Bu esa asarning tushunarliliigi va ilmiy qiymatini oshirgan. Muallifning an’anaviy va o’ziga xos istilohlardan foydalanishi uning yuqori ilmiy salohiyatini ko’rsatadi. U mavjud an’anani davom ettirish bilan birga, uni mazmunan boyitgan.

8. “Al-Mustasfo”ning “Nikoh”, “Emizish”, “Taloq”, “Idda”, “Nafaqalar” kabi bo’limlarida oilaviy munosabatlarga oid masalalar atroflicha yoritilgan. An’anaviy fiqhiy masalalarni mustahkamlab, ularga alohida e’tibor qaratgan holda, muallif o’zidan oldingi ulamolar merosini tahlil qilib, zamondosh olimlar qarashlarini keltirgan hamda ularni o’z ilmiy xulosalari bilan boyitgan. Nasafiyning o’zidan oldingi fiqhiy manbalarda yoritilgan oilaviy masalalarga alohida urg’u berishi mazkur masalalarning muhim va dolzarb ekanini anglatadi. Mazkur hukmlarni o’zlashtirish oilaviy munosabatlarda huquq va majburiyatlarni aniq belgilashga xizmat qilib, yuzaga kelish ehtimoli bo’lgan muammolarning oldini olish va oila barqarorligini ta’minlashda muhim ahamiyat kasb etadi.

9. “Al-Mustasfo” asarida bugungi kunda ham dolzarb hisoblangan fiqhiy masalalar yoritilgan. Jumladan, nikoh hukmlariga rioya qilish, nafaqa masalasiga

mas'uliyat bilan yondashish, oilada ajrimlarning oldini olish, barqaror oilaviy munosabatlarni shakllantirish, keksa avlodga hurmat-ehtirom ko'rsatish, ularning moddiy ta'minotiga alohida e'tibor qaratish zarurati qayd etilgan. Meros hukmlarini to'g'ri anglash va amalda qo'llash orqali ijtimoiy ziddiyatlarning oldini olish mumkinligi ilmiy jihatdan asoslangan. Shuningdek, savdo sohasida uchrayotgan ayrim salbiy holatlarni bartaraf etishda asarda bayon etilgan qoidalar muhim nazariy-amaliy ahamiyatga ega ekani ko'rsatilgan. Mazkur asar zamonaviy fiqhiy munosabatlarni tartibga solishda muhim manba sifatida xizmat qiladi.

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

1. Islom sivilizatsiyasi rivojida Abul Barakot Nasafiy ilmiy merosining muhim ahamiyat kasb etishini inobatga olib, O'zbekiston xalqaro islomshunoslik akademiyasida diniy-ma'rifiy soha mutaxassislari uchun "Movarounnahr hanafiy fiqh ilmi rivojida Abul Barakot Nasafiyning o'rni" nomli monografiya tayyorlash.

2. Abul Barakot Nasafiyning O'zRFASHI va dunyo fondlarida saqlanayotgan asarlarini aniqlab, ularning ilmiy-tavsifiy katalogini yaratish.

3. Fiqh ilmida muhim ahamiyatga ega bo'lgan Abul Barakot Nasafiyning "Manoru-l-anvor" asarini fiqh va manbashunoslik sohasida alohida tadqiqot obyekti sifatida o'rganish.

**AUTHORIZED TO CONFER ACADEMIC DEGREES UNDER THE
INTERNATIONAL ISLAMIC ACADEMY OF UZBEKISTAN
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INTERNATIONAL ISLAMIC ACADEMY OF UZBEKISTAN

ABDURAKHMANOVA NARGIZA TAKHIROVNA

**THE ROLE OF ABUL BARAKAT NASAFI'S "AL-MUSTASFA" IN THE
FIQH SCHOLARSHIP OF MAWARANNAHR**

24.00.01 – History and source study of Islam

ABSTRACT OF THE DOCTOR OF PHILOSOPHY (PhD) IN ISLAMIC STUDIES

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INTRODUCTION (Abstract of the Doctor of Philosophy (PhD) dissertation)

Relevance and significance of the dissertation topic. Throughout world history, Islamic law (الفقه – fiqh) has played a significant role in addressing social, economic and legal issues. During the medieval period, the jurists (fuqaha) of Mawarannahr produced foundational works devoted to the practical-legal branch of Islamic law, namely فروع الفقه (furu al-fiqh). Abul Barakat Nasafi (d. 710/1310) occupies a distinctive place in the development of Ḥanafī fiqh through his works “كنز الدقائق” (“The Treasury of Subtle Issues”), “الوافي” (“The Complete”) and “الكافي” (“The Sufficient”). His work “المستصفى في شرح الفقه النافع” (“The Selected Commentary on al-Fiqh an-Nafi”) is of particular scholarly importance because of its special emphasis on legal evidence and its thorough exposition of the fundamental principles underlying the legal issues under discussion.

At research institutions specializing in Islamic studies worldwide, particular attention is being devoted to the study of the sources of Ḥanafī fiqh and the elucidation of their distinctive characteristics. Research on uṣūl al-fiqh primarily focuses on its formation, historical development, leading scholars and methodological principles, whereas studies in furu‘ al-fiqh emphasize the classification of legal sources according to specific subjects, the substantiation of legal rulings through textual evidence, the comparative analysis of issues discussed within the four schools of Ahl al-Sunna wal-Jama‘a and critical examination of particular legal topics. Abul Barakat Nasafi’s juristic works are of special significance because they reflect the state of fiqh scholarship in Mawarannahr during the thirteenth and fourteenth centuries and demonstrate distinctive approaches to addressing emerging social issues. From this perspective, a study of his work “المستصفى” (“The Selected”) contributes to advancing research in the field of furu‘ al-fiqh to a new stage of scholarly development.

In the context of reforms being implemented in the religious and educational sphere of the New Uzbekistan, broad opportunities are being created for the study of the scientific and spiritual heritage of Ḥanafī fiqh and its scholars, as well as for its dissemination among the public. As a result, such works as Burkhanuddin Marghinani’s “al-Hidaya” (الهداية – “The Right Path”), Alauddin Samarqandi’s “Tuhfat al-Fuqaha” (تحفة الفقهاء – “The Gift of Jurists”), Abul Husayn Quduri’s “Mukhtasar” (مختصر – “Concise Text”), Alauddin Kasani’s “Badai as-Sanai” (الصنائع – “The Marvels of Legal Craftsmanship”) and Abul Barakat Nasafi’s “Kanz ad-Daqaiq” (كنز الدقائق – “The Treasury of Subtle Issues”) have been translated and published in annotated form. However, there are still many sources in this field that have not been sufficiently included in academic research. In this regard, studying the life and scholarly legacy of Abul Barakat Nasafi, who holds a unique position in the development of Ḥanafī fiqh in Mawarannahr and analyzing the significance of his work “al-Mustasfa” in the development of Islamic jurisprudence represents a logical continuation of research in this field.

The dissertation contributes, to a certain extent, to the implementation of the tasks set out in the Decree of the President of the Republic of Uzbekistan No. PF-

5416 dated 16 April 2018 “On Measures to Fundamentally Improve the Activities of the Religious and Educational Sphere”, the Decree No. PF-60 dated 28 January 2022 “On the Development Strategy of New Uzbekistan for 2022–2026” and the Decree No. PF-68 dated 21 April 2025 “On Measures to Further Strengthen Guarantees of Citizens’ Freedom of Conscience and to Bring Religious and Educational Reforms to a New Stage”, as well as in the Resolution of the President of the Republic of Uzbekistan No. PQ-2995 dated 24 May 2017 “On Measures to Further Improve the System of Preservation, Research, and Promotion of Ancient Written Sources”, the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 466 dated 22 June 2018 “On Measures to Organize and Support the Activities of the Uzbekistan International Islamic Academy” and the Resolution No. 519 dated 24 June 2019 “On Measures to Enrich the Library Fund of the Imam Bukhari International Scientific Research Center under the Cabinet of Ministers of the Republic of Uzbekistan with Foreign Literature” as well as other relevant normative and legal documents in this field.

Compliance of the Research with Priority Areas of Science and Technology Development of the Republic. The dissertation has been carried out in accordance with Priority Direction I of the development of science and technology in the Republic, entitled: “Formation and implementation of a system of innovative ideas in the social, legal, economic, cultural and spiritual-educational development of an informed society and a democratic state”.

Degree of Study of the Problem. Various studies have been conducted in different directions on the history of the emergence of fiqh in Mawarannahr, its stages of development, and the scholars (fuqaha) of the region. The life, scholarly activity and intellectual legacy of Abul Barakat Nasafi have been studied by both Western and Eastern orientalists and Islamic studies scholars. Among Western scholars K. Brockelmann and F. Müller presented in their research primary information concerning Nasafi’s life and scholarly heritage¹.

Information on the life and works of Abul Barakat Nasafi is also provided in the biographical and bibliographical (ṭabaqat and fihrist) works of Eastern scholars, including Abdulhay Laknawi, Mulla Tashköprüzade, Muhammad Shafiq Ghirbal, Shamsiddin Dawudi and Haji Khalifa². Among contemporary arab researchers, scholars such as Abdullah Ali Abulwafa, Amir Abdulaziz, Ahmad Muhammad Sa’d Ghamidi, Muhammad Rushdi Ahmad Mansur, Muhammad Husayn Dhahabi and Yusuf Ali Badyawi have studied certain works of the author³. In particular, Ahmad

¹ Brockelman C. Geschichte der arabischen litteratur. 2. Band. – Berlin: Verlag, 1902; Muller F.M. The sacred books of the East. Volume VI. The Qur’an. Translated by Palmer E.H. Motilal Banarsidass; Muller F.M. The sacred books of the East. Volume IX. The Qur’an. Translated by Palmer E.H. Motilal Banarsidass.

² عبد الحي اللكنوي. الفوائد البهية في تراجم الحنفية. – بيروت: دار الأرقم، 1998. – ص. 172-174؛ مولانا طاشكيري زاده. طبقات الفقهاء. – الموصل: المطبعة الزهراء الحديثة، 1961. – ص. 113؛ محمد شفيق غريال. الموسوعة العربية الميسرة. دار الجيل والجمعية المصرية، 1995. ج. II. – ص. 1833؛ شمس الدين محمد بن علي الداوودي. طبقات المفسرين. – بيروت: دار الكتب العلمية، 2002. – ص. 458؛ حاجي خليفة مصطفى بن عبد الله. كشف الظنون عن أسامي الكتب والفنون. – بيروت: دار إحياء التراث العربي، 1941. ج. II. – ص. 1169-1168، 1641-1640.

³ عبد الله علي أبو الوفا. الإمام أبو البركات النسفي وآراؤه الكلامية. رسالة دكتوراه في العقيدة والفلسفة. – القاهرة: الأزهر، 2019. – ص. 646؛ أمير عبد العزيز. دراسات في علوم القرآن. – بيروت: دار الفرقان، 1983؛ أحمد محمد سعد الغامدي. المستصفى (قسم العبادات). رسالة دكتوراه في الفقه. – مكة: جامعة أم القرى، 2011. – ص. 1122؛ محمد رشدي أحمد منصور. جهود أبي البركات النسفي في أفعال الله وأفعال العباد // كلية الدراسات الإسلامية والعربية بنات القارن. العدد III. – مصر، 2022. – ص. 611-655؛ محمد حسين الذهبي. التفسير والمفسرون. – القاهرة: دار الحديث،

Muhammad Sa'd Ghamidi defended his doctoral dissertation at Ummal Qura University in Mecca in 2010, focusing on the section of acts of worship (ibadat) in the work "al-Mustasfa".

The life and certain works of Abul Barakat Nasafi have also been studied by Turkish scholars, including Gülsem Akman, Nurullah Denizer, Ali Eroğlu, Ahmet Duman, Sıddık Baysal, Muhammad Bahaddin Yüksel, Kılıç Aslan, Muhammad Murtaza Güveş, Recep Ünal, Uluğöl Fatih, Yunus Akça, Hasan Uvzar and Muhammad Jaba⁴. A modern three-volume edition of "al-Mustasfa" was prepared in Istanbul in 2017 by Hasan Uvzar and Muhammad Jaba. In this study, the authors conducted a comparative analysis of five manuscript copies of the work, identified textual variations, and provided information regarding its stylistic features and sources.

Among scholars from Uzbekistan A. Abdullayev, S. Ahmedov, A. Mallaboyev, D. Makhsudov, B. Mukhtarov, N. Muhammad, R. Obidov, A. Saidov, S. Is'hoqov and U. Uvatov have conducted a number of studies on the scholarly activity and works of the author⁵. In particular, Islamic studies scholar D. Makhsudov published a monograph on the life of Nasafi and his position in the field of Qur'anic exegesis (tafsir). In his research, B. Mukhtarov also provides information about Nasafi and his work "al-Mustasfa". A. Mallaboyev in his article presents important information on the history of the composition of "al-Mustasfa" and its distinctive features. S. Ahmedov based on his study of Nasafi's "al-Wafi", analyzes the application of Hanafi legal principles within the work.

Although the above studies have addressed certain aspects of the work "al-Mustasfa", the need for a comprehensive and systematic study of it remains. This

2012. ج. I. – ص. 260-264؛ يوسف علي البديوي. أبو البركات النسفي. تفسير النسفي / تحقيق. في III مجلدات. – بيروت: دار ابن كثير، 1999. ج. I. – ص. 5-12.

⁴ Akman Gülsüm, Nurullah Denizer. Dirâyet tefsirinde esbâb-ı nüzûlün yeri. Medârikü't-tenzîl örneği. İlahiyat Dergisi 3, 2019. – S. 159-177; Ali Eroğlu. Şiirle İstişad ve İstişad Açısından Medarik Tefsiri. Atatürk üniversitesi ilahiyat fakültesi dergisi 12, 1995. – S. 149-173; Ahmet Duman. Neseî'nin siyer rivâyetlerine yaklaşımı - Medârikü't-tenzîl ve hakâikü't-te'vîl örneği. Diyanet ilmi dergi 57/2, 2021. – S. 561-594. Baysal Sıddık, Muhammed Bahaeddin Yüksel. Klasik Osmanlı dönemi ufuk eserlerinden Neseî'nin Medârik'inde te'vîl olgusu ve Osmanlı düşüncesine katkıları. Osmanlı Düşüncesi: Kaynakları ve Tartışma Konuları, 2019. – S. 583-612; Kılıç Aslan. Bir Hanefî-Mâtürîdî Âlimi Ebü'l-Berekât en-Neseî. T.C. Uludağ Üniversitesi İlahiyat Fakültesi Dergisi, sayı: 1. 2013. – S. 57-83; Muhammed Murtazâ Cüveş. Ebü'l-Berekât en-Neseî ve Medârikü't-Tenzîl'de Nahiv Metodu. 2021. – S. 304; Recep Önal. Ebü'l-Berekât en-Neseî'nin ilahî isim ve sıfatlara yaklaşımı. Mayıs Üniversitesi İlahiyat Fakültesi Dergisi, sayı: 42. 2017. – S. 135-161; Uluğöl, Fatih. Neseî'nin Medârikü't-tenzîl adlı tefsirinde arap gramer ve belâgatıyla ilgili konulara yapılan işaretler. Diyanet İlmi Dergi 59, 2023. – S. 285-316; Yunus Akça. Medârikü't-tenzîl ve hakâikü'r-te'vîl tefsirinde teşbih sanatı. Şırnak üniversitesi ilahiyat fakültesi dergisi 11/24, 2020. – S. 393-425; Hasan Uzar, Muhammed Caba.El-Mustasfâ fî Şerhi'n-Nâfi'. – İstanbul: Mektebetü'l-İrşad, 2017. – S. 1759.

⁵ Abdullayev A. Abu-l-Lays as-Samarqandiyning Movarounnahr tafsirshunosligida tutgan o'rni: tar.fan.nomz. ... diss. avtoref. – Toshkent: TIU, 2007. – B. 28; Ahmedov S. Abu Barakat Nasafiyning Movarounnahr hanafiy fihi rivojiga qo'shgan hissasi ("al-Vofiy" asari asosida): tar.fan.b.fals.dok. (PhD) ... diss. avtoref. – Toshkent: O'zbekiston xalqaro islom akademiyasi, 2024. – B. 47; Mallabayev A. Abul Barakat Hofiziddin Nasafiyning "al-Mustasfo" asari – muhim fihiy manba // "Infolib" axborot-kutubxona xabarnomasi. № 4(16), 2018. – B. 68–69; Maksudov D. Abul Barakat an-Nasafi va uning "Madorik at-Tanzil va haqiq at-ta'vil" asari (monografiya). – Toshkent: Movarounnahr, 2014. – B. 198; "Abu-l-Barakat an-Nasafiyning tafsir ilmida tutgan o'rni". – Toshkent, 2008; Muxtarov B. Nosiruddin Samarqandiyning "al-Fiqh an-Nofe" asari hanafiy fiqhiga oid muhim manba: tar.fan.b.fals.dok. (PhD) ... diss. – Toshkent: O'zbekiston xalqaro islom akademiyasi, 2021. – B. 70–76; Muhammad N. Nasaf va Kesh allomalari. – Toshkent: G'. G'ulom nomidagi nashriyot-matbaa ijodiy uyi, 2006. – B. 51–54; Obidov R. Qur'on mavzularining ma'naviy-tarixiy ahamiyati. – Toshkent: Toshkent islom universiteti, 2006. – B. 348; Saidov A., Is'hoqov S. Hofiz ad-din Nasafi // Qonun himoyasida. – Toshkent, 2001. – № 2. – B. 23–25; Uvatov U. Qashqa vohasining allomalari // Toshkent islom universiteti ilmiy-tahliliy axboroti. – Toshkent, 2005. – № 3. – B. 12–13.

dissertation is relevant in that it is aimed at revealing the place of Abul Barakat Nasafi's "al-Mustasfa" in the history of hanafi fiqh in Mawarannahr, as well as its scholarly and practical significance in addressing contemporary issues of Islamic jurisprudence.

Relation of the dissertation to the research plans of the higher education institution where the study was conducted. The dissertation was carried out at the Uzbekistan International Islamic Academy within the framework of the scientific project FZ-202002146 for the years 2020–2022 entitled: "Development of a multimedia program and a mobile application based on the works of Central Asian thinkers, incorporating educational and pedagogical foundations for countering destructive ideas".

The aim of the dissertation is to reveal the significance of Abul Barakat Nasafi's "al-Mustasfa" in the history of Hanafi fiqh.

The objectives of the study are as follows:

- to highlight the development of fiqh and the scholarly environment of Mawarannahr in the 13th–14th centuries;

- to analyze Abul Barakat Nasafi's scholarly activity in the field of fiqh, his works, and their contribution to the development of regional legal thought;

- to examine the historiography of Abul Barakat Nasafi's legacy in modern research, including prevailing approaches and distinctive features;

- to conduct a codicological analysis and scholarly description of manuscript copies of "al-Mustasfa";

- to identify the sources used by the author through an analysis of the thematic structure of the work;

- to highlight the author's distinctive method of interpreting legal issues in fiqh;

- to analyze approaches to the use of traditional Hanafi legal terminology in the work;

- to separately study issues related to family relations in "al-Mustasfa", including marriage, divorce, and maintenance (nafaqa);

- to demonstrate the significance of "al-Mustasfa" in addressing contemporary social and everyday issues and to develop proposals and recommendations for its effective application.

The object of the research is the state of fiqh scholarship in Mawarannahr during the 13th–14th centuries.

Subject of the research is the role of Abul Barakat Nasafi's "al-Mustasfa" in the development of Hanafi fiqh.

Methods of the research. The dissertation employs a comprehensive approach and makes use of dialectical, historical and logical methods of scientific inquiry, as well as analysis, synthesis and codicological analysis.

Scientific novelty of the research consists of the following:

It has been demonstrated that manuscript No. 20 of Abul Barakat Nasafi's "al-Mustasfa" preserved in the Bukhara regional information and library center named after Abu Ali ibn Sina was copied in 1286 during the lifetime of the author and

that the presence of the personal seals of Khaja Parsa confirms its exceptional value as a rare source of high codicological and historiographical significance.

It has been shown that although in “al-Mustasfa” the branches of *furu al-fiqh* are presented within three main categories (العبادات) (acts of worship), (المعاملات) (transactions), and (العقوبات) (punishments) the inclusion and separate explanation of issues related to (الاعتقادات) (creed) and (الأداب) (ethics) expands the scope of *fiqh* classification. This supports the interpretation of the work as a comprehensive source that also encompasses aspects of moral and spiritual human development.

It has been established that the definition of custom (*urf*) attributed to Imam al-Ghazali “that which is established in the souls by rational considerations and accepted by sound human nature” (ما استقر في النفوس من جهة قضايا العقول و تلقته الطباع السليمة) (بالقبول) is cited in Abul Barakat Nasafi’s “al-Mustasfa” and that later scholars such as Muhammad Salam and Salah Muhammad Abul Hajj also transmitted this definition in their works.

It has been proven that the legal maxim “It is not unlikely that rulings may change with the change of times” (لا يبعد ان يختلف الحكم باختلاف الاوقات) mentioned in the chapter on leases (*ijarat*) in “al-Mustasfa” was applied by Fakhriddin Zaylai in “*Tabyin al-haqaiq*” and Muhammad Shalabi in “*Ta’lil al-ahkam*” in relation to the permissibility of taking compensation in religious matters to prevent negligence in religious practice.

The practical results of the dissertation are as follows:

It has been established that despite the Mongol invasion period of the 13th –14th centuries, scholars such as Abul Barakat Nasafi emerged and that a total of 15 works attributed to him have been identified, including 1 work in Qur’anic exegesis (*tafsir*), 3 works in theology (*kalam*) and 11 works in *fiqh*;

According to the records of the Berlin state digital library, the work *al-Lali al-fakhira fi ulum al-akhira* (اللالى الفاخرة فى علوم الاخرة) attributed to Najmuddin Umar Nasafi is preserved under catalog number 2750 in the Royal library of Berlin and it has been proven that this work actually belongs to Abul Barakat Nasafi;

The ethical work *Faḍail al-a‘mal* (فضائل الاعمال) attributed to Abul Barakat Nasafi, has been identified in the Princeton Islamic manuscripts digital library in New Jersey. Its codicological analysis has been carried out and its content has been studied;

As a result of the research, 53 manuscript copies of “al-Mustasfa” preserved in the Republic and abroad have been identified. Among them, six manuscripts closest to the author’s lifetime and of exceptional rarity have been selected, subjected to source-critical analysis and introduced into academic use.

The reliability of the research results is ensured by the fact that the study is based on manuscript copies of “al-Mustasfa” preserved under No. 3215 in the Manuscripts fund of the Academy of Sciences of the Republic of Uzbekistan and No. 847 in the National Library of Turkey (Millet Library), as well as on the modern critical edition prepared in Istanbul in 2017 by Hasan Uvzar and Muhammad Jaba. The conclusions are substantiated with solid evidence and derived through the application of contemporary comparative-historical methods, as well as a range of scholarly approaches developed in both Eastern and Western schools of Islamic

studies. In addition, the reliability of the results is confirmed by their validation by authorized institutions.

The scientific and practical significance of the research results. The scientific significance of the research results is explained by the fact that the theoretical and analytical conclusions presented in the dissertation regarding Abul Barakat Nasafi's "al-Mustasfa" as an important source for studying the development of fiqh scholarship in Mawarannahr may serve as a foundation for future scholarly research in this field.

The lies in their applicability for enriching the content of courses taught in higher and secondary specialized Islamic educational institutions, such as "History and source studies of Islam", "Islamic studies", "Islamic law", "Methodology of Islamic law", "Principles of Islamic law" and "Furu al-fiqh". The results can also be used in delivering lectures to university students, preparing special courses and developing sections related to the development of fiqh scholarship in Mawarannahr during the 13th –14th centuries. Furthermore, they may be applied in designing elective courses, seminar sessions and specialized academic programs in the relevant field.

Implementation of research results is confirmed as follows:

The conclusions regarding manuscript No. 20 of Abul Barakat Nasafi's "al-Mustasfa" preserved in the Bukhara regional information and library center named after Abu Ali ibn Sina, written in 1286 during the lifetime of the author and containing the personal seals of Khaja Parsa which demonstrate its high source-critical value as a rare manuscript were used in the preparation and organization of educational and methodological materials for spiritual-educational activities conducted by the Committee for religious affairs of the Republic of Uzbekistan (Conclusion No. 02-02/02/1/1790 dated 21 may 2026). As a result information about the manuscript's origin and its unique codicological features was disseminated to the wider public, thereby enriching the understanding of its significance as a rare scientific and spiritual heritage.

The conclusions that, although in "al-Mustasfa" the branches of furu' al-fiqh are presented within three main categories العبادات (acts of worship), المعاملات (transactions), and العقوبات (punishments) the separate treatment of الاعتقادات (creed) and الآداب (ethics) expands the scope of fiqh classification and allows the work to be interpreted as a comprehensive source encompassing moral and spiritual human development were used in cultural and educational outreach activities conducted among students under the slogan "Let us be a worthy generation of our ancestors" (Reference No. 01-03-126 dated 24 april 2026 of the Imam Termizi international scientific research center). This contributed to improving public understanding of the presentation of legal issues in fiqh literature.

The scholarly conclusion that the definition of urf attributed to Imam Ghazali "that which is established in the souls by rational considerations and accepted by sound human nature" (ما استقر في النفوس من جهة قضايا العقول و تلقته الطباع السليمة بالقبول) is cited in Abul Barakat Nasafi's "al-Mustasfa" and later transmitted by scholars such as Muhammad Salam and Salah Muhammad Abul Hajj was used in the preparation and implementation of educational and methodological activities by the Imam Maturidi international scientific research center under the Cabinet of Ministers of the Republic

of Uzbekistan (Information letter No. 01/120 dated 18 may 2026). As a result it contributed to expanding public knowledge regarding fiqh rulings.

The scholarly conclusion that the legal principle “It is not unlikely that rulings may change with the change of times” (لا يبعد ان يختلف الحكم باختلاف الاوقات) mentioned in the chapter on leases (ijarat) in “al-Mustasfa” and its application by Fakhriddin Zaylai in “Tabyin al-haqaiq” and Muhammad Shalabi in “Talil al-ahkam” in relation to the permissibility of charging fees for Qur’an recitation to prevent negligence in religious practice was incorporated into the encyclopedic work “Historical and philosophical heritage of medieval eastern scholars and thinkers” prepared (on order) by the Imam Bukhari international scientific research center under the Cabinet of Ministers of the Republic of Uzbekistan (Information letter No. 02/191 dated 23 april 2026). As a result reader’s knowledge of fiqh terminology and legal maxims was further enhanced.

Approbation of the research results. The results of this research have been approved at a total of 6 scientific and practical conferences, including 2 international and 4 republican conferences.

Publication of the research results. A total of 14 scientific works have been published on the topic of the dissertation. Among them 8 articles were published in scientific journals recommended by the Higher Attestation Commission of the Republic of Uzbekistan for the publication of the main results of doctoral dissertations, including 6 articles in national journals and 2 articles in international journals.

The structure and the scope of the dissertation. The dissertation consists of an introduction, three chapters, a conclusion, a list of references and appendices. The total volume of the dissertation is 130 pages.

MAIN CONTENT OF THE DISSERTATION

In the introduction, the relevance and necessity of the dissertation topic are substantiated and the aim, objectives, object and subject of the research are defined. The compliance of the study with the priority directions of the development of science and technology in the republic is demonstrated and the scientific novelty and practical results of the work are presented. The reliability of the obtained results is substantiated and their scientific and practical significance is revealed. Information is also provided on the implementation of the research results in practice, the approbation of the work, published scientific works and the structure of the dissertation.

The first chapter of the dissertation is entitled “**Theoretical and methodological foundations for the study of the history of fiqh in Mawarannahr**”. Its first section is titled “*The Development of Fiqh in Mavarannahr during the 13th –14th Centuries*”. This section examines the development of fiqh from the time of the introduction of Islam to the region, alongside other Islamic sciences such as tafsir, hadith, kalam, mantiq, ethics, arabic grammar (nahw) and sufism (taṣawwuf). It also highlights the development of hanafi fiqh in both its methodological (usul) and substantive (furu) dimensions. The history of fiqh in Mawarannahr is divided into different periods and the views of scholars who proposed such periodization are presented.

The 13th –14th centuries in Mawarannahr witnessed significant changes in science, including the field of fiqh, as a result of the Mongol invasion. This period is characterized as an era of concise legal works, not a creative “age of ijtihad”, but rather a time of transmission, compilation, verification, editing, correction and refinement of existing scholarly heritage. At the same time, due to the weakening of fiqh scholarship, cases of unreliable narrations, baseless fatwas and the use of weak hadiths were observed, along with a reduced scholarly focus on creed-related legal issues. The issuance of fatwas on socio-political matters and the production of scholarly works in arabic also declined during this period.

However, even in such a difficult historical context, a number of scholars emerged who were fully aware of their responsibility and correctly assessed their social and intellectual role. They deeply understood the importance of science and education and devoted significant effort to systematizing fragmented knowledge, preserving intellectual heritage and revising and refining scholarly works.

During this period, more than thirty jurists (fuqaha) emerged in Bukhara, including Sadrushshahid (d. 616/1219), Hamiduddin Zarir Ramushi Bukhari (d. 666/1268), Hafizuddin Kabir Bukhari (d. 693/1295), Muhammad ibn Tahir Karmani (d. 698/1299), Gulabadi (Kalabadi) Bukhari (d. 700/1301), Abdulaziz ibn Ahmad ibn Muhammad Bukhari (d. 730/1331) and Muhammad ibn Muhammad Bukhari Kuki (d. 749/1348).

Fergana region scholars such as Sharafiddin Ahmad Farghani (d. 750/1349), Abdullah ibn Muhammad Khojandi (d. 750/1349), Qadi Khojandi (d. 750/1349) and from Nasaf Abul Barakat Nasafi (d. 710/1310), Ali ibn Muhammad ibn Ali Abu Bakr Ali Nasafi (recorded as living in 719/1319), Lutfullah Nasafi (d. 749/1349), Jalaluddin Ahmad ibn Yusuf Tubani (d. 793/1391), as well as Samarkand scholars such as Kabir ibn Kabir Dizaqi, Masud Samarqandi and from Jizzakh Majiduddin Ustrushani (d. 637/1240) and Badruddin Shibli (d. 769/1367), among other major representatives of the hanafi school, made significant contributions to the field of fiqh.

The works of jurists from this period served as important sources for systematizing legal issues and regulating social relations. Their scholarly legacy contributed not only to the intellectual environment of the region but also to the broader development of Islamic civilization.

The second section entitled “*Abul Barakat Nasafi’s contribution to the development of fiqh*” presents and analyzes information related to Nasafi’s life, his teachers and students, the descriptions given of him by scholars, as well as his scholarly activity and works.

Abul Barakat Nasafi’s year of birth is recorded as 629/1232 in Muhammad Shafiq Ghirbal’s al-Mawsua al-arabiyya al-muyassara (“The simplified arabic encyclopedia”)⁶. His development into a distinguished scholar was greatly influenced by Shamsul Aamma Abdussattar ibn Muhammad Kardari (d. 643/1245),

⁶ محمد شفيق غربال. الموسوعة العربية الميسرة. دار الجيل والجمعية المصرية، 1995. ج. II. – ص. 1833

the prominent scholar of his time Hamiduddin Zarir Ramushi Bukhari (d. 666/1268) and Abdulkarim Kardari, known as Khwaharzada (d. 651/1253).

Nasafi himself later became the teacher of several leading scholars of his era, including the hanafi jurist Hisamuddin Sighnaqi (d. 714/1315), the jurist and literary scholar Muzaffaruddin Ahmad ibn Ali ibn Taghlib (d. 694/1295), the eminent authority in fiqh and usul Imam Alauddin Muhammad Bukhari (d. 730/1330) and the hanafi scholar Muhammad Khojandi Kuki (d. 749/1349).

Abul Barakat Nasafi received his education in Bukhara and traveled to many regions. He later served for a period as a lecturer (mudarris) at the “al-Qutbiyya as-sultaniyya” madrasa in Kerman. During his teaching activities, he instructed students using the works of Imam Maturidi, Imam Marghinani, as well as his own writings. He subsequently moved to Baghdad, where he continued teaching and also wrote commentaries on the works of many prominent scholars⁷.

The teachers, scholarly activity, students of Abul Barakat Nasafi, as well as the recognition given to him by later Hanafi scholars, demonstrate that he held a distinguished position in the intellectual environment of Mawarannahr. He passed away in 710/1310 in Izaj, Baghdad.

During the course of the research, it was established that numerous texts and commentaries have been preserved from Abul Barakat Nasafi and that the scholar developed a distinct methodological approach to legal education, classification of works, critique and analysis. It was also determined that he authored a total of 15 works in the fields of tafsir, creed (aqida), ethics (akhlaq), usul and furu al fiqh. The major part of his scholarly legacy consists of works on fiqh, which played an important role in the development of legal scholarship in Mawarannahr.

In his works on usul and furu al fiqh, the issues are presented in a combined text and commentary format. Among Abul Barakat Nasafi's works on fiqh are “al-Wafi”, “al-Kafi”, “al-Mustasfa”, “al-Musaffa”, “al-Mustawfa” and “Kanzu-d-daqaq” which belong to furu al fiqh, while “Manaru-l-anwar”, “Kashfu-l-asrar”, “Dairatu-l-wusul ila ilmi-l-usul” and “al-Muntakhab fi usuli-l-madhhab li Akhsikathi” belong to the field of usul al fiqh. The stylistic harmony, rhyme and concise semantic structure of these titles reflect the author's high level of literary craftsmanship and also indicate his profound mastery of language, literature and rhetoric.

Abul Barakat Nasafi's works are distinguished from other fiqh texts by their brevity combined with depth, richness of meaning and comprehensiveness. His fiqh works have preserved their value over centuries and continue to be taught today as textbooks in educational institutions.

The third section entitled “*The Study of Abul Barakat Nasafi's works in modern research*” examines the extensive intellectual and spiritual legacy created by Abul Barakat Nasafi on the basis of original manuscript sources studied by scholars and researchers. These studies are analyzed by dividing them into two categories: works conducted by foreign scholars and those carried out by local researchers.

⁷ Nosir M. Nasaf va Kesh allomalari. – Toshkent: G'afur G'ulom nomidagi nashriyot-matbaa ijodiy uyi, 2006. – B. 40.

Among foreign scholars Shamil Shahin published a modern edition of Abul Barakat Nasafi's "Manaru-l-anwar fi usuli-l-fiqh". In the research section, the author provides information about Nasafi's life and scholarly activity, as well as an overview of his works. In the main section, the significance of "Manaru-l-anwar", the reasons for its composition, the sources used by the author, its methodology and its commentaries and translations are discussed.

In the study of "Kanzu-d-daqaq" Said Bektash conducted a comparative analysis of six ancient manuscript copies, highlighting similarities and differences between the primary textual sources. Abdullah Ismail examined the commentary "al-I'timad fi-l-i'tiqad" by comparing four ancient manuscript copies preserved in different regions of the world.

Turkish scholars Hasan Uvzar and Muhammad Jaba carried out a three-volume study of "al-Mustasfa fi sharhi-n-Nafi'". The authors compared five manuscript copies of the work and identified both similarities and differences between the main textual witnesses. In addition, the studies of Saad Ghamidi on "Abul Barakat Nasafi's "al-Mustasfa" (Section on Acts of Worship)" and Ahmad Alhanash Asiri on "Abul Barakat Nasafi's "al-Mustasfa" (chapter on Trade)" are also considered important contributions. Based on manuscript sources, these analyses have contributed to clarifying Nasafi's fiqh perspectives and his role in the development of Islamic legal thought.

Among local scholars, in his study "The Role of Abul Barakat Nasafi in the Science of Tafsir" Maksudov Davronbek presents information on Nasafi's life and scholarly legacy, as well as the significance of "Tafsiru-n-Nasafi" in the field of Qur'anic exegesis. This tafsir is comparatively analyzed with the works of Abu Mansur Maturidi, Imam Baydawi, Mahmud Zamakhshari, Jalaluddin Suyuti, Jalaluddin Mahalli and Ibn Kathir and its contemporary relevance is also highlighted.

In Sayqal Ahmedov's study "The contribution of Abul Barakat Nasafi to the development of hanafi fiqh in Mawarannahr (based on the work "al-Wafi")" the themes of "al-Wafi" and the fiqh principles used in the source are examined, and the relevance of Nasafi's legal views to solving modern social issues is demonstrated.

In Bekzodbek Muxtarov's study "Nasiruddin Samarqandi's "al-Fiqhu-n-Nafi'" as an important source of hanafi fiqh" the stylistic features of "al-Mustasfa" are analyzed, along with information about its sources and terminology. The study also identifies manuscript copies of "al-Mustasfa" preserved in various libraries around the world.

In Abdullah Mallaboyev's article "Abul Barakat Hafizuddin Nasafi's "al-Mustasfa" as an important fiqh source" the significance of "al-Mustasfa" and Nasafi's position among hanafi jurists are discussed. The study also explains the reasons for the composition of the work and the different titles under which it appears in manuscript sources. It concludes that the work is an important fiqh reference due to its strong emphasis on legal evidence, clear methodology of argumentation and its detailed explanation of the foundations of legal issues.

Foreign scholars in their studies mainly focus on comparative analysis of manuscript sources, textual criticism and academic examination of the texts. Local scholars, on the other hand, emphasize the practical interpretation of ideas and legal issues found in the original sources in connection with contemporary realities. These two approaches together contribute to a more comprehensive and in-depth understanding of the scholarly legacy of Abul Barakat Nasafi.

The study of his works, conducting research on those that have not yet been fully explored, producing modern critical editions and introducing his rich intellectual heritage to future generations are considered among the important scholarly tasks.

The first section of the second chapter of the dissertation, entitled “**Source-critical analysis of Abul Barakat Nasafi’s “al-Mustasfa”**” is titled “*Description of the manuscript copies of “al-Mustasfa”*”. This section examines the manuscript copies of “al-Mustasfa”, their distinctive features and their source-critical analysis.

Today, 53 manuscript copies of “al-Mustasfa” are preserved in the United States, the United Kingdom, Ireland, Turkey, Saudi Arabia, the United Arab Emirates, Iraq, Syria, Egypt, Algeria, Damascus, Lebanon, Tunisia and Uzbekistan. In this study, six manuscripts of “al-Mustasfa” were subjected to source-critical analysis due to their proximity to the author’s lifetime and their rarity.

In the United Arab Emirates the Juma al-Majid Center holds 62 electronic manuscript copies of Abul Barakat Nasafi’s works, of which four are copies of “al-Mustasfa”.

A rare manuscript of “al-Mustasfa”, preserved under manuscript number 20 in the Bukhara regional information and library center named after Abu Ali Ibn Sina is of particular importance. Its exceptional value is defined by the fact that it was copied during the lifetime of the author, specifically in 1286. This significantly increases its scholarly and source-critical importance. The manuscript is written in naskh script. Various pages contain the personal seals of Muhammad ibn Mahmud Hafiz Bukhari. It also bears the inscription “*waqf Khwaja Parsa ibn Mahmud Bukhari*”, indicating that the manuscript was once kept in Khwaja Parsa’s personal library and was considered one of the most authoritative and frequently consulted sources of its time.

In most of the manuscript copies, the text of “al-Mustasfa” has been preserved in its complete form. The titles of sections, chapters and subsections are clearly distinguished within the text. Chapter and subsection headings are typically marked in red ink or bold black ink. Most copies also contain a table of contents. The commonly known abbreviated title “al-Mustasfa” (المستصفى) appears in different manuscript traditions in various forms, such as “al-Mustasfa sharhu-n-Nafi’” (المستصفى شرح النافع), “Sharhu Nafi’ fi-l-furu’” (شرح نافع فى الفروع) and “al-Mustasfa fi sharhi-l-Fiqhi-n-nafi’” (المستصفى فى شرح الفقه النافع).

In most manuscripts, the date of copying and the name of the scribe are recorded. In some copies, the presence of seals further increases their scholarly value. The survival of numerous manuscript copies of “al-Mustasfa” to the present day demonstrates its high scientific and practical significance. Its wide

dissemination in its own time indicates that it was extensively used by Hanafi scholars and students and served as an important source in the educational process.

The second section entitled *“Analysis of the Sources Used by the Author”* examines the sources of Abul Barakat Nasafi’s “al-Mustasfa”. This work is considered a foundational text for the author’s writings in fiqh and usul. Nasafi composed “al-Mustasfa” after his work “al-Mustawfa”, in 1266. In his later works such as “al-Wafi”, “Kashfu-l-asrar”, “Sharhu-l-Muntakhab” and “al-Musaffa” the author frequently cites “al-Mustasfa”.

The work consists of 63 books (sections), 176 major and minor chapters and subsections. It begins with “Kitabu-t-taharah” (“The book of purification”) and concludes with “Kitabu-l-khunasa” (“The book of khunasa”).

During the process of compiling this work, Abul Barakat Nasafi relied on a number of well-known authoritative sources. The works he referred to belong to reliable scholarly traditions within the hanafi school and are widely cited by jurists. He paid particular attention not only to fiqh sources, but also to respected works in the fields of creed, tafsir, hadith, usul, grammar and lexicography.

In explaining issues of creed, he frequently relied on Abu Muin Nasafi’s “Tabsiratu-l-adilla”. In tafsir-related discussions, he made extensive use of Zamakhshari’s “al-Kashshaf” and Alauddin Samarqandi’s “Sharhu-t-Ta’wilat”. In the field of hadith and its transmitters, he drew upon sources such as Abu Dawud’s “Sunan Abi Dawud”, Tahawi’s “Mushkilu-l-athar”, Ibn Hibban’s “Kitabu-s-siqat”, Muhammad Kalabadhi’s “Ma’ani-l-akhbar” and Imam Baghawi’s “al-Masabih”.

In fiqh, the author utilized approximately forty major works, including “al-Asl”, “az-Ziyadat”, “al-Jamiu-s-saghir”, “al-Jamiu-l-kabir”, “Nawadir Ibn Sama’a”, “Mukhtasaru-t-Tahawi”, “Mukhtasar Abi Musa Dharir”, “Sharh Mukhtasari-t-Tahawi”, “Khizanatu-l-fiqh”, “Mukhtalifu-r-riwaya” and “al-Mukhtalafat fi furui-l-hanafiyya”.

In “al-Mustasfa” Abul Barakat Nasafi made use of more than fifty well-known, authoritative and widely cited works in various fields such as creed, tafsir, hadith, fiqh, grammar, lexicography and other disciplines within the framework of hanafi jurisprudence. His approach of relying on diverse sources and integrating established scholarly traditions significantly enhanced the reliability and academic value of the work and it also secured its important position in the development of the hanafi legal school.

The third section, entitled *“The Methodology of Abul Barakat Nasafi in explaining fiqh issues”* analyzes the methodological approaches used in “al-Mustasfa”. In his commentary Nasafi presents legal issues based on evidence from the verses of the holy Qur’an and authentic prophetic traditions. In “al-Mustasfa” he makes extensive use of 71 surahs and 347 verses of the Qur’an. In most cases, he refers particularly to the surahs of “al-Baqarah”, “an-Nisa”, “al-Ma’idah” and “al-An’am”.

Nasafi avoids vague and ambiguous expressions in his explanations, preferring a clear, simple and precise style. He also refrains from unnecessary elaboration,

exaggeration and the use of redundant words, ensuring that the text remains concise and meaningful.

Abul Barakat Nasafi, in his commentary, paid close attention to the clarity of expressions in the text, the accuracy of wording, the comparison of different manuscript versions available to him and the clarification of unclear words and phrases. In explaining chapters and sections, he elaborated in detail on both the lexical and legal meanings of the key terms related to each topic.

He also supported his discussions with relevant examples from the Qur'an and authentic hadith, while presenting the views of other scholars on the same issues. When addressing differences of opinion among various legal schools, Nasafi maintained an objective stance, avoiding bias and presented the view accepted within the hanafi school for each issue.

The author also connected the legal issues in the work with the social context of his time and the realities of the people living in that period. In this regard, he appears not only as a commentator on earlier texts, but also as a jurist expressing his own insights, interpretations and scholarly reasoning. Nasafi was well acquainted with the works and opinions of both earlier and contemporary scholars and he consistently attributed each statement and piece of information to its original source.

Most hanafi jurisprudence works have made use of and transmitted material from "al-Mustasfa". For example, Abdulhayy Laknawi mentioned "al-Mustasfa" among the authoritative works of the hanafi school and stated: "I have benefited from his works "al-Wafi", "al-Kafi" and "al-Mustasfa"⁸. Similarly, Ibn Nujaym (d. 970/1563) indicated "al-Mustasfa" as one of the primary sources of his work, stating: "I have benefited from many commentaries and fatwas... among them are the commentaries of "al-Mustasfa" and "al-Musaffa"⁹.

Likewise, Alauddin Bukhari in "Kashfu-l-asrar", Fakhruddin Zayla'i in "Tabyinu-l-haqa'iq" and Akmaliddin Babarti (d. 786/1384) in "al-Inaya sharhu-l-Hidaya" transmitted both textual material and meanings from "al-Mustasfa".

The first section of the second chapter of the dissertation, entitled "**The presentation of fiqh issues in "al-Mustasfa"**" is titled "*The use of hanafi fiqh terminology in "al-Mustasfa"*". This section examines Abul Barakat Nasafi's use of traditional fiqh terminology from earlier works in his commentary on "al-Mustasfa", as well as his usage of legal terms related to jurists of the school, fatwa, reports (riwayat), opinions (aqwal), books and legal rulings.

Nasafi showed great respect and attention toward the scholars of the madhhab and in his text he used specific honorific titles such as "al-allama", "shaykh", "shaykhu-sh-shuyukh" and "shaykhu-l-ustadh". For example, at the end of the commentary of "al-Mustasfa" he clarifies:

"ما وقع في هذا الكتاب من ذكر العلامة فالمراد منه الشيخ الامام العالم الزاهد الناسك الرباني الصمداني شمس الائمة الكردي رضي الله عنه و ما وقع فيه من ذكر الشيخ و الاستاذ مطلقا فالمراد منه الشيخ الامام العالم النحرير مولانا حميد الملة و الدين نور الله قبره "

⁸ عبد الحي اللكنوي. الفوائد البهية في تراجم الحنفية. - بيروت: دار الأرقم، 1998. - ص. 173.

⁹ البحر الرائق. ابن نجيم O'zbekiston xalqaro islom akademiyasi, Manbalar xazinasi. Toshbosma. № 68. - B. 2.

This means: “Wherever the term “al-allama” is mentioned in this book, it refers to the shaykh, imam, scholar, ascetic, pious and devout servant of God, Shamsu-l-aimma Kardari (may Allah be pleased with him). And wherever the terms “shaykh” and “ustadh” are mentioned in general, they refer to the shaykh, imam, eminent scholar, and our master Hamidu-l-milla wa-d-din (may Allah illuminate his grave)”¹⁰.

In his commentary the author uses the names of scholars such as Zahiruddin, Khaharzada and Badruddin, as well as honorific titles like “Shamsu-l-aimma” and “Shaykhu-l-Islam”. He also employs a range of traditional scholarly expressions, including “al-Hasan”, “mashayikhuna”, “salaf”, “ulamauna-s-salatha”, “ashabuna”, “inda Abi Hanifa”, “al-mashayikh”, “ammatu-l-ulama” and “al-muhaqqiqun”.

In addition, he uses legal and juridical terms such as “az-zahir”, “al-mukhtar”, “alayhi-l-fatwa”, “as-sahih”, “al-ihtiyat”, “al-ittifaq” and “al-ijma”. In referencing authoritative works, he employs expressions like “zohiru-r-riwaya”, “al-Asl”, “al-Jamiu-s-saghir”, “al-Jamiu-l-kabir”, “as-Siyaru-s-saghir”, “as-Siyaru-l-kabir”, “az-Ziyadat”, “al-Mabsut”, “al-Mukhtasar” and “al-Muhit”. By using the terms “al-Matn” and “al-Kitab” he refers to the source text, namely Nasiruddin Samarqandi’s “al-Fiqhu-n-Nafi”.

In “al-Mustasfa”, Abul Barakat Nasafi continues the established hanafi tradition of using technical legal terminology while also enriching it in terms of meaning. His methodological approach was later accepted and widely used by subsequent scholars. At the same time, he also introduced his own distinctive terminology, which played an important role in the development of hanafi legal thought.

The second section of the third chapter entitled “*Presentation of issues related to family relations in the work*” examines the foundations of a stable family and family relations. In this regard, Abul Barakat Nasafi, in the sections of “al-Mustasfa” such as “marriage”, “breastfeeding”, “divorce”, “waiting period (idda)” and “maintenance” provides a detailed discussion of definitions related to marriage, the mutual consent of both parties, the presence of witnesses at the time of marriage, issues of mahram and non-mahram relations, equality and dowry (mahr), as well as the rights and obligations of spouses and matters of financial support.

In the section titled “Maintenance (Nafaqa)”, Nasafi explains the concept of maintenance, stating that in Islamic law it is the husband’s obligation to provide adequate food, clothing and housing for those under his responsibility. The maintenance of a wife is considered a binding duty upon the husband regardless of her religious or socio-economic status and this ruling is supported by a verse from Surah “al-Baqarah”.

He further notes that the amount of maintenance is determined according to the socio-economic condition of both spouses. If both husband and wife are wealthy, maintenance is set at the level of the affluent if the wife is poor while the husband is wealthy, it is set above the level of the poor but below that of the wealthy and if both

¹⁰ أبو البركات النسفي. المستصفى. – إسطنبول: مكتبة ملت. مخطوط. رقم 847. – و. 245 أ.

are poor, maintenance is provided at the level appropriate for the poor¹¹.

Although the issue of maintenance (nafaqa) is addressed in traditional fiqh sources, Nasafi's special attention to it and his detailed discussion in "al-Mustasfa" indicate its significance and the necessity of emphasizing it. Understanding these rulings helps prevent potential disputes and conflicts between spouses, promotes mutual cooperation in fulfilling responsibilities, and contributes to the strengthening of the family structure.

In the section titled "*The significance of the source in addressing contemporary fiqh issues*" it is noted that the legal issues discussed in "al-Mustasfa" have retained their relevance in the present day. In particular, the work provides guidance on matters such as inheritance rulings, remuneration for reciting the Qur'an, monopoly (ihtikar), observance of marriage-related rulings, attention to financial maintenance, prevention of marital breakdowns and the establishment of stable and peaceful family relations. It is also emphasized that, alongside respecting and honoring the elderly, due attention should be given to their financial maintenance as well.

The resolution adopted on 25 March 2021 by the head of state entitled "On further developing the system of social support for elderly and persons with disabilities and improving the "Saxovat" and "Muruvvat" residential care institutions" is an important legal document aimed at strengthening state support for socially vulnerable groups of the population.

In the values of the Uzbek people, which are grounded in the principles of compassion and humanism, particular emphasis is placed on caring for the elderly, especially parents, protecting and respecting them and seeking their blessings and approval.

In "al-Mustasfa" Abul Barakat Nasafi explicitly states that it is obligatory for children to provide financial maintenance (nafaqa) for their parents¹². According to the author, this obligation is firmly established in Islamic law and carries both ethical and legal significance. This duty is not limited solely to parents in cases of need, it may also extend to grandparents.

The work explains that if they are in need of financial support, the child (or grandchild) is required, within his or her means, to provide maintenance for them as well. Observance of these rulings strengthens family bonds, kinship ties and mutual responsibility, thereby contributing to social stability, continuity between generations and the reinforcement of the social protection system.

The social issues discussed in "al-Mustasfa" not only reflect the legal and social needs of the author's time but also retain their relevance today. The work serves as an important source for understanding and addressing contemporary fiqh-related issues.

CONCLUSION

Based on the scientific-practical study of Abul Barakat Nasafi's "al-Mustasfa" and in accordance with the aim and objectives of the research, the following conclusions were reached:

¹¹ ابو البركات النسفي. المستصفي في شرح النافع. - تركيا: مكتبة الارشاد، 2017. ج. II. - ص. 298.
¹² ابو البركات النسفي. المستصفي في شرح النافع. - تركيا: مكتبة الارشاد، 2017. ج. II. - ص. 314-315.

1. Scholars of Mawarannahr in the 13th –14th centuries, despite the mongol period, remained highly developed in various fields of Islamic jurisprudence and succeeded in producing numerous scholarly works. They deeply understood the importance of science and education, giving special attention to systematizing fragmented knowledge and preserving and refining the intellectual heritage of the people. This period is characterized as an era of concise works, not an age of independent *ijtihād*, but rather a period of transmission, compilation, verification, editing, correction, and refinement. Their works in the hanafi school significantly contributed to the development of *fiqh*. The writings of Mawarannahr jurists made an important contribution not only to regional scholarship but also to the broader development of Islamic civilization.

2. Abul Barakat Nasafi held a prominent position in the intellectual environment of Mawarannahr. He authored a total of fifteen works: one in *tafsir*, three in creed and eleven in *fiqh*. His *fiqh*-related works such as “*al-Wafi*”, “*al-Kafi*”, “*al-Mustasfo*”, “*al-Musaffo*”, “*al-Mustawfa*” and “*Kanzu-d-daqaq*” belong to the field of *furu al-fiqh*, while “*Manaru-l-anwar*”, “*Kashfu-l-asrar*”, “*Dairatu-l-wusul ila ilmi-l-usul*” and “*al-Muntakhab fi usuli-l-madhhab li-l-Axsikati*” belong to *usul al-fiqh*. His work “*Fazailu-l-a‘mal*” combines issues of *fiqh* and creed. His contributions in both branches of *fiqh* played an important role in addressing the religious and social needs of his time. In particular, works such as “*al-Wafi*”, “*Manaru-l-anwar*” and “*Kanzu-d-daqaq*” continue to be used as textbooks in educational institutions today.

3. The scholarly heritage of Abul Barakat Nasafi has been widely studied in modern research by both foreign and local scholars. Foreign studies mainly focus on stylistic features, methodological significance, thematic analysis and comparative manuscript studies. Researchers such as Shamil Shahin, Hasan Uvzar, Muhammad Jaba, Abdullah Ismail, Said Bektosh and Sa‘d Ghamidi have conducted comparative analyses of various manuscript copies. In contrast, local scholars such as Maxsudov Davronbek, Akhmedov Sayqal, Mukhtarov Bekzodbek and Mallaboyev Abdullah have focused on the conceptual content of his works, *fiqh* opinions, methodological approaches, relevance to contemporary issues and their modern significance. These two approaches together provide a comprehensive understanding of Nasafi’s intellectual legacy.

4. Manuscript analysis of “*al-Mustasfo*” has identified 53 copies preserved in libraries and collections worldwide. Codicological analysis was conducted on six early manuscripts due to their antiquity and proximity to the author’s period. Most manuscripts preserve the complete text with clearly structured chapters and sections, as well as the presence of tables of contents, indicating systematic composition. Although the work is commonly known as “*al-Mustasfo*”, various manuscript titles such as “*al-Mustasfo sharhu-n-Nafi‘*”, “*Sharhu-n-Nafi‘ fi-l-furu‘*” and “*al-Mustasfo fi sharhi-l-Fiqhi-n-nafi‘*” indicate its wide dissemination. The preservation of numerous copies demonstrates its historical popularity and its use as an important teaching source.

5. In compiling “*al-Mustasfo*” Nasafi relied on authoritative and widely

recognized sources accepted by scholars of the madhhab. He extensively used more than fifty works in theology, tafsir, hadith, fiqh, grammar and lexicography, including “Tabsiratu-l-adilla”, “al-Kashshaf”, “Sharhu-t-tawilat”, “Sunan Abi Dawud”, “Mushkilu-l-athar”, “Kitabu-s-Siqat”, “al-Masabih” and major hanafi fiqh sources such as “al-Asl”, “az-Ziyadat”, “al-Jamiu-s-saghir”, “al-Jamiu-l-kabir” and others. The diversity of sources reflects his high scholarly competence and strengthens the theoretical and practical value of the work, making it a reliable reference in hanafi jurisprudence.

6. The methodology of legal explanation in “al-Mustasfo” is based on systematic reasoning and reliance on primary sources. Legal rulings are supported by Qur’anic verses and hadiths, with frequent references to specific surahs and verses, demonstrating a strong evidential framework. The style is clear, concise and free from unnecessary elaboration. Nasafi pays special attention to linguistic and legal meanings, supports arguments with textual evidence and maintains objectivity in handling juristic disagreements, presenting the authoritative Hanafi position. He appears not only as a commentator but also as an independent jurist.

7. The use of Hanafi legal terminology in “al-Mustasfo” follows the established scholarly tradition. The author employs conventional juristic terms while showing respect for earlier scholars. Terms related to fatwa, narration and legal rulings are consistently used, along with references to foundational works of the madhhab. He also provides clarification and definitions for certain terms, enhancing clarity and academic value. His terminology reflects both continuity with tradition and intellectual enrichment.

8. Family-related legal issues are comprehensively discussed in sections such as marriage, breastfeeding, divorce, waiting period and maintenance. Nasafi not only reinforces classical rulings but also analyzes earlier scholarly opinions and incorporates contemporary views, enriching his legal discussion. His emphasis on family law highlights its importance and relevance. These rulings contribute to defining rights and responsibilities within the family and preventing social and legal conflicts.

9. “Al-Mustasfo” also addresses issues that remain relevant today, including compliance with marriage rulings, financial maintenance responsibilities, prevention of divorce, strengthening family stability, respect for the elderly and their financial support. The work also provides legal foundations for preventing social conflicts in inheritance matters and addressing negative practices in commercial relations. Thus, the work serves as an important source for regulating contemporary fiqh-related issues.

Based on the results and conclusions obtained during the research process, the following proposals and recommendations are put forward:

1. Considering the significant role of Abul Barakat Nasafi’s scholarly legacy in the development of Islamic civilization, it is recommended that the International Islamic Academy of Uzbekistan prepare a monograph titled “The role of Abul Barakat Nasafi in the development of hanafi jurisprudence in Mawarannahr” for specialists in the religious and educational sphere.

2. It is recommended to identify the works of Abul Barakat Nasafi preserved in the O'zRFASHI collection and other international repositories and to create a scientific-descriptive catalogue of these works.

3. It is recommended to conduct a separate specialized study of Abul Barakat Nasafi's "Manaru-l-anwar", which is of key importance in Islamic jurisprudence, as an independent research object within the fields of fiqh and manuscript studies.

**НАУЧНЫЙ СОВЕТ DSc.15/2025.27.12.IsI/Tar.01.01
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МЕЖДУНАРОДНОЙ АКАДЕМИИ ИСЛАМОВЕДЕНИЯ
УЗБЕКИСТАНА**

**МЕЖДУНАРОДНАЯ АКАДЕМИЯ ИСЛАМОВЕДЕНИЯ
УЗБЕКИСТАНА**

АБДУРАХМАНОВА НАРГИЗА ТАХИРОВНА

**РОЛЬ ПРОИЗВЕДЕНИЯ АБУЛ БАРАКАТА НАСАФИ “АЛЬ-
МУСТАСФА” В ЮРИСПРУДЕНЦИИ МАВЕРАННАХРА**

24.00.01 – История и источниковедение ислама

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

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ВВЕДЕНИЕ (аннотация диссертации доктора философии (PhD))

Цель исследования заключается в раскрытии значения произведения Абул Бараката Насафи «аль-Мустасфа» в истории ханафитского правоведения.

Объектом исследования является состояние науки фикха в Мавераннахре в XIII–XIV веках.

Предметом исследования является роль произведения Абул Бараката Насафи «аль-Мустасфа» в развитии ханафитского фикха.

Методы исследования. В диссертации использованы методы комплексного подхода, а также диалектический, исторический и логический методы научного познания, методы анализа, синтеза и кодикологического анализа.

Научная новизна исследования заключается в следующем:

выявлено, что рукописный экземпляр произведения Абул Бараката Насафи «аль-Мустасфа» под № 20, хранящийся в Бухарской областной информационно-библиотечный центр имени Абу Али ибн Сины, был переписан в 1286 году, при жизни автора, а наличие на нем личных печатей Ходжи Парсо доказывает, что он является уникальным источником, имеющим высокую источниковедческую ценность;

доказано, что хотя в произведении «аль-Мустасфа» отрасли фуру аль-фикха изложены в рамках трех основных разделов — ибадат (богослужения), муамалат (взаимоотношения) и джаза (наказания), отдельное комментирование вопросов акиды (верования) и адаба (этики) расширяет рамки фикховой классификации и служит основанием для трактовки произведения как совершенного источника, охватывающего аспекты религиозно-нравственного совершенствования человека;

определено, что определение обычая (урфа), приписываемое имаму аль-Газали как «то, что признано правильным по критериям разума и принято здоровой природой (сердцем)», приведено в произведении Абул Бараката Насафи «аль-Мустасфа», и установлено, что такие ученые последующих периодов, как Мухаммад Салом и Салах Мухаммад Абул Хадж, также передавали его в своих трудах;

доказано, что правило «с течением времени (с изменением условий) не исключено изменение хукмов (решений)», приведенное в главе «Аренда» произведения «аль-Мустасфа», было применено Фахриддином аз-Зайлаи в труде «Табйин аль-хакаик» и Мухаммадом аш-Шалаби в труде «Таалил аль-ахкам» к вопросу о дозволенности получения платы за обучение Корану во избежание ослабления усердия в религиозных делах.

Практические результаты исследования заключаются в следующем:

выявлено, что, несмотря на период монгольского нашествия в XIII–XIV веках, сформировались такие ученые, как Абул Баракат Насафи, и определено, что его перу принадлежат 15 произведений: 1 по науке тафсира, 3 по каламу и 11 по фикху;

доказано, что произведение «аль-Лаолию-ль-фахира фи улум аль-ахира», приписываемое в данных Берлинской государственной электронной библиотеки Наджмуддину Умару Насафи, хранится в каталоге Королевской библиотеки в Берлине под № 2750 и принадлежит Абул Баракату Насафи;

выявлено наличие произведения по этике «Фазаилу-ль-амаль», приписываемого Абул Баракату Насафи, в цифровой библиотеке исламских рукописей Принстонского университета (Нью-Джерси), проведен его кодикологический анализ и раскрыто содержание;

в результате исследования выявлено 53 рукописных экземпляра произведения «аль-Мустасфа», хранящихся в республике и за рубежом, из которых 6 рукописей, наиболее близких ко времени жизни автора и отличающихся уникальностью, подвергнуты источниковедческому анализу и введены в научный оборот;

Внедрение результатов исследования. Выводы о том, что рукописный экземпляр произведения Абул Бараката Насафи «аль-Мустасфа» под № 20, хранящийся в областной универсальной научной библиотеке имени Абу Али ибн Сины, был переписан в 1286 году, при жизни автора, а наличие на нем личных печатей Ходжи Парсо доказывает, что он является уникальным источником, имеющим высокую источниковедческую ценность, были использованы при организации и проведении духовно-просветительских мероприятий Комитетом по делам религий, а также при разработке методических пособий для пропагандистов (заключение Комитета по делам религий Республики Узбекистан № 02-02/02/1/1790 от 21 мая 2026 года). В результате важные с точки зрения источниковедения сведения о данной рукописи были доведены до широкой общественности, что послужило дальнейшему обогащению представлений о значимости произведения как уникального научно-духовного наследия.

Выводы о том, что хотя в произведении «аль-Мустасфа» отрасли фуру аль-фикха изложены в рамках трех основных разделов (богослужения, взаимоотношения, наказания), отдельное комментирование вопросов акиды (верования) и адаба (этики) расширяет рамки фикховой классификации и служит основанием для трактовки произведения как совершенного источника, охватывающего аспекты религиозно-нравственного совершенствования человека, были использованы в культурно-просветительской пропагандистской работе, проведенной среди студентов и учащихся образовательных учреждений под девизом «Станем достойным поколением предков» (справка Международного научно-исследовательского центра Имама Термизи № 01-03-126 от 24 апреля 2026 года). В результате был внесен вклад в дальнейшее развитие знаний научной общественности об освещении вопросов в книгах по фикху.

Научные выводы о том, что определение обычая (урфа), приписываемое имаму Газали как «то, что признано правильным по критериям разума и принято здоровой природой (сердцем)», приведено в произведении Насафи «аль-Мустасфа», и что такие ученые последующих периодов, как Мухаммад

Салом и Салах Мухаммад Абул Хадж, также передавали его в своих трудах, были использованы при организации духовно-просветительских мероприятий Международным научно-исследовательским центром Имама Мотуриди, а также при разработке методических пособий (справка Международного научно-исследовательского центра Имама Мотуриди при Кабинете Министров Республики Узбекистан № 01/120 от 18 мая 2026 года). В результате доказано, что данное произведение послужило дальнейшему расширению знаний широкой общественности о фикховых решениях.

Научные выводы о том, что правило «с течением времени (с изменением условий) не исключено изменение хукмов», приведенное в главе «Аренда» произведения «аль-Мустасфа», было применено Фахриддином Зайлаи и Мухаммадом Шалаби к вопросу о дозволенности получения платы за обучение Корану во избежание ослабления усердия в религиозных делах, были внедрены в содержание энциклопедической книги «Историко-философское наследие восточных ученых и мыслителей Средневековья», подготовленной Международным научно-исследовательским центром Имама Бухари (справка Международного научно-исследовательского центра Имама Бухари при Кабинете Министров Республики Узбекистан № 02/191 от 23 апреля 2026 года). В результате достигнуто дальнейшее развитие знаний читателей о фикховых терминах и правилах.

Апробация результатов исследования. Результаты исследования были апробированы на 6 научно-практических конференциях, из них 2 международных и 4 республиканских.

Публикация результатов исследования. По теме диссертации опубликовано 14 научных работ. Из них 8 статей опубликованы в научных изданиях, рекомендованных Высшей аттестационной комиссией Республики Узбекистан для публикации основных научных результатов докторских диссертаций, в том числе 6 статей – в республиканских и 2 – в зарубежных научных журналах. Кроме того, результаты исследования представлены в виде тезисов на 2 международных и 4 республиканских научно-практических конференциях.

Структура и объем диссертации. Диссертация состоит из введения, трех глав, заключения, списка использованной литературы и приложений. Общий объем диссертации составляет 130 страниц.

E'LON QILINGAN ISHLAR RO'YXATI
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