



The Development Of Method Al-Fiqh In Uzbekistan

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ABSTRACT

This article discusses the development of the science of usul al-fiqh in Uzbekistan. There is also information about the science of jurisprudence, the formation of the term “jurisprudence”, the object of Usul al-fiqh, the first schools of jurisprudence, the right to ijihad, jurisprudential schools, the Movarounnahr school of jurisprudence.

KEYWORDS

Quran, sunnah, fiqh, revelation, islam, jurisprudence, muslim, society, science, culture, law, companions, school, sect.

INTRODUCTION

Spiritual awakening is very important in the comprehensive reforms being carried out in our country. The influence of religion cannot be compared with any other force in the way in which every person follows the right path in

this life blessed by God, understands the meaning of life and strives for goodness and virtue in the first place.

At a time when three factors (religious, spiritual, material) have been added to the thinking of religion today, a correct and objective study of Islam, the place of its sects in the world of Islamic countries, one of the important issues in the development of the science of Usul al-Fiqh in Uzbekistan is to free Islam from various non-Islamic views and additions at the stage of development that has contributed to the thinking of religion in the process of independence.

Scholars have proved that the judgment of human deeds is derived mainly from four Shari'ah sources. They are the Qur'an, the Sunnah, ijma, and comparison. All scholars have stated that these four sources are documents and that their levels are in the same order.

Usul al-Fiqh (Arabic: Fundamentals of Fiqh) is the study of the Qur'an, the Sunnah, ijma '(alliance) and analogy, which are the main sources in Islamic law. These are also called Usul al-Ahkam, that is, the essence of the rulings. For example, if a mujtahid is asked for a shar'i ruling on a matter, he first seeks an answer from the Qur'an, and if he finds it, he judges according to it. If he does not find it, then the Sunnah refers to the Prophet, and if the answer is not found, then he makes a judgment based on the Sunnah. If it is not found in him, the mujtahids will judge by the same answer after the death of the Prophet (peace and blessings of Allaah be upon him) if they agree on the matter. (There will be no ijma in the life of the Messenger of Allah, because he will answer every question himself). If there is no such ijma, the mujtahid will find the answer by making a comparative approach to the Shari'ah in the answers given to the Shari'ah by analogy in order to reach a Shari'ah ruling on the matter, and by comparing and contrasting it in all its aspects.

Verse 59 of "Surat an-Nisa" in the Qur'an proves the authenticity of these four main sources and their coming in this order. In this

verse, "Obey Allah" should be understood as following the Qur'an. When it is said to obey the Messenger, it means to follow the scholars. But to return an issue to Allah and His Messenger, which is a matter of disagreement, is to compare it with the rulings given to Allah and His Messenger.

Another proof of this order in ruling, that is, first the Qur'an, then the Sunnah, then the ijma, and then the analogy, is the instructions of the Prophet (saas) when he sent Mu'adh ibn Jabal to teach the Muslims of Yemen.

LITERATURE REVIEW

In addition to the four sources listed above, there are several other sources. But some scholars say these sources will be the source, while others say they cannot be. The most famous of these are al-istihsan, al-masawwul mursalah, al-istihsab, al-urf, mazhabus-sahabi, and sharu man kablana.

"Ilm-ul Fiqh" is a science of law that studies various areas of Islamic law. The science of jurisprudence is a specific science that deals primarily with matters of religion. In the dictionary, the word "al-fiqh" means "to understand with the mind, to comprehend". In the term, it means "Islamic law". The science of jurisprudence is referred to in the West as Islamic Law, Muslim Law (in English), le Droit Muslim (in French), and Islamische Gesetz (in German). Unlike the norms of secular law, fiqh also covers more matters of worship. This can be compared to the Talmud, which summarizes the prayer issues of the Torah. Fiqh also discusses some property, civil, and other issues between people in civil society. This, in turn, brings fiqh closer to jurisprudence. It is this aspect that has led to different interpretations among scholars of the history of state law and Islamic scholars studying religious law.

There are major branches of jurisprudence called "Furu al-Fiqh" ("branches of fiqh"), which develop practical religious rules for Muslims, and "Usul al-Fiqh" ("basics of fiqh"),

which studies the methods of extracting practical rules from sacred sources (istinbot).

RESEARCH METHODOLOGY

Important theoretical and methodological bases of the article are the legislation of the Republic of Uzbekistan, the relevant works of President Sh.M.Mirziyoev, the new theories and views emphasized in his speeches. Research methods were also used, along with general scientific methods, such as analysis and synthesis, induction and deduction, systematization, and moving from uncertainty to precision.

1. The Qur'an is a divine (sacred) book revealed by Allah to the Prophet Muhammad in the form of verses and surahs over a period of about 23 years. This book is the sacred source of Islam. According to the teachings of Ahl as-Sunnah wa-l-Jamaa, one of the schools of Islamic theology, the Qur'an is the word of Allah and its eternal knowledge.
2. "Sunnah" means "way" in Arabic. In the term, the Sunnah consists of a set of words, deeds, actions, affirmations of the deeds (deeds) of Muhammad (saas), as well as the words and deeds of his Companions.

Since the Qur'an did not cover all the legal and moral issues of the Muslim community, the hadiths began to be written in the late seventh and early eighth centuries and were gradually systematized. In the IX-X centuries there were 6 collections of hadiths, which are considered authoritative among the believers. These are "Al-Jame 'al-Sahih" by Muhammad al-Bukhari, "As-Sahih" by Muslim An-Nishapuri, "Sunan" by Ibn Majah, "Hadith" by Abu Dawud al-Sijistani, "Al-Jame' al" by Muhammad al-Termizi. The book "Kabir" is the book "Sunnah" by An-Nisani. Of these, Sahih Bukhari and Sahih Muslim are the most respected. Our compatriot Imam Muhammad ibn Ismail Bukhari (810-892)

made an unforgettable contribution to the collection of the hadiths of the Sunnah and the Prophet and their separation from the collective hadiths, leaving eternal and lasting works. Many hadiths explain and supplement the various rules of the Qur'an. They play an important social role in solving many practical problems, and the hadiths become even more important when nothing is said about them in the Qur'an. However, if the hadiths contradict the Qur'an, they will not have source power.

3. Over time, the Qur'an and the Sunnah have not fully covered the situation and problems of the Muslim community. They have not been able to fully respond to all the problems and situations that have arisen among the Muslim community confirmed as one of the sources. Ijma (Arabic-news) is the gathering of faqihs and mujtahids to give a fatwa in resolving a legal issue that is not clearly stated in the Qur'an and the hadiths. The verdict passed in this way in the Shari'ah was accepted as Shari'ah (lawful). The view of ijma as a source of jurisprudence originated in the period when feudalism began to take shape in the Arab Caliphate (late VIII-early IX centuries). Only the opinion expressed by the mujtahid is a decisive opinion. The opinion of ordinary Muslims has nothing to do with the community. A mujtahid is a religious scholar. A mujtahid (Arabic - aspiring, zealous) is a person who had the right to ijthihad in Islam in the Middle Ages, that is, who was able to independently draw conclusions and make judgments on religious matters. In Sunnis, the founders of religious law schools, in Shiites, high-ranking clerics and religious jurists are called mujtahids. Mujtahids must have a reputation among Muslims. The Shari'ah also defines other qualities of a mujtahid, such as his complete knowledge of the Arabic language, his strict adherence to the Shari'ah, his deep knowledge of the modern world, and so on.

4. Qiyas (comparison) is the fourth source of fiqh. Comparison is derived from the Arabic word meaning “comparison”, “contrasting”. Accordingly, one legal issue is compared, compared, and equated with another similar legal issue. Hence, a legal issue that is not given in the Qur’an and Sunnah is therefore interpreted by comparing it with an instruction given on a similar issue in them. The comparison extended the rights of the faqihs and made it possible for the Shari’ah to be applied to various legal issues.

Comparison, as a legal term, is the process of comparing a judgment that is not clear with a judgment that is clear and shifting the judgment of the second case to a question that is not clear. Then if the second issue is in accordance with Islamic law, then the first issue will also be lawful or vice versa.

The method of comparison is widely justified, especially by Abu Hanifa and his followers, the Hanafis. The analogy was opposed by the Hanbalis. Shiites, on the other hand, did not recognize analogy as a source of law at all.

ANALYSIS AND RESULTS

Independent Uzbekistan is a symbol of the glory of the human spirit and intellectual intelligence, one of the cradles of universal thinking. Independent Uzbekistan is a country of unique culture and high enlightenment, philosophy of Eastern life, literature and fine arts in the spirit of humanity. The great history and modernity of independent Uzbekistan are inextricably linked. Its intellectual and spiritual-historical potential occupies a worthy place in the world community.

The science of Usul al-Fiqh has gone through various stages of development as a multifaceted science. In order to fully master this science, which has a simple appearance, but is very complex and rich in content and essence, it is necessary to critically study its

long history, deep roots, main sources, ideas, priorities and currents in a scientific way.

1. The sciences of jurisprudence, science and other Shari’ah based on the Qur’an and the Sunnah, the sciences of mystical ethics, and their comprehensive terms have been studied.
2. In writing this work, after the formation of Islamic law, the teachings of the Hanafi School were spread through Abu Hafs Kabir Bukhari (768-832). We have shown that he brought up a group of great jurists, including his son Abu Hafs Saghir, and made Bukhara the center of jurisprudence.
3. The second center of jurisprudence and the Hanafi School in the territory of Uzbekistan was the city of Samarkand. Abu Bakr al-Juzjani, a student of the famous jurist and muhaddith Abu Sulayman al-Juzjani, the first teacher of Imam Abu Mansur al-Moturidi, was found to have made a great contribution to the dissemination of this teaching as a prominent representative of the Hanafi School.
4. Islamic law is a set of authoritative, moral, religious, legal rules that must be implemented. Islamic law embodies philosophy, and legal ethics is embodied in the science of jurisprudence. It is based on the fact that the science of jurisprudence has also developed through the efforts of great scholars and legal thinkers.
5. At the heart of mystical teaching is the idea of understanding the essence of man, rescuing him from the abyss, raising the spiritual aspects of his soul and raising him to the status of a perfect man.

CONCLUSION

The radical change in attitudes to history due to independence has given us the opportunity to study our own history, including the history of states and religions formed and developed in our homeland, objectively, ideologically. The centers of jurisprudence in Uzbekistan are Bukhara and Samarkand.

Abu Hafs Ahmad Ibn Hafs al-Kabir al-Bukhari (d. 832), one of the classic disciples of Muhammad Ibn Hasan Shaybani, was the first to return to his homeland in the early ninth century as a true bearer of the teachings of this sect, making Bukhara one of the important centers of Hanafiism. Under his tutelage, a group of jurists, including his son Abu Hafs Saghir Muhammad Ibn Ahmad Ibn Hafs, who was a sheikh and a potential representative of the Hanafi School in his time, reached the rank of high jurist.

In Samarkand, Abubakr Juzjani, a well-known student of the famous jurist and muhaddith Abdusulaymon Juzjani, a great teacher of Abumansur Moturidi, made a significant contribution to the spread of jurisprudence in Uzbekistan as a prominent representative of the Hanafi School.

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