

Jurisprudential Issues in the Scientific Legacy of Burkhaniddin Marginoniy as a Key Source for Ensuring Society's Spiritual Stability

Ergasheva Hayotkhon Samandarovna

Independent Researcher, Navoi State University

Abstract: This article presents an analysis of Burkhaniddin Marginoniy's works on Islamic jurisprudence (fiqh), the significance of the rule of law in ensuring the spiritual stability of society, and a systematic analysis of socio-ethical norms such as equality, duty, inheritance, peace, prosperous living, and public education.

Keywords: fiqh, law, justice, equality, spiritual stability, crime and punishment, prosperous life.

Introduction

Today, the individual and the safeguarding of their rights and opportunities are regarded as the primary factors of a society's moral and spiritual development. Indeed, the rights and happiness of individuals must become the highest priority of state policy and the activities of all government institutions. History shows that the development of all civilizations across the world was made possible through the protection of human rights and freedoms, and through the principles of mutual respect and trust in interethnic relations.

In the Central Asian region, concepts such as honesty, tolerance, equality, justice, duty, conscience, inheritance, and trust are considered foundational to achieving spiritual stability. In particular, "one of the great jurists of the East, Burkhaniddin Marginoniy, as early as the 12th century, advanced the idea in his work *Hidoya* that it is necessary to protect the rights of every individual" [Mirziyoyev Sh. 2021. p. 68]. This demonstrates that Marginoniy's perspectives on fiqh, as reflected in his scholarly legacy, laid the groundwork for the formation of modern legal systems.

Literature review

Scholars who emerged from our country have made an invaluable contribution to the development of the science of fiqh. In particular, Burkhaniddin Marginoniy's *Hidoya* is dedicated to the science of Islamic jurisprudence. This work, in its time, served as a solution to many social issues in society. It also proposed mechanisms to regulate legal matters in fields of state governance such as inheritance, taxation, property, criminal law, punishment, and environmental issues.

Numerous researchers have studied and confirmed that *Hidoya* is a work dedicated to the science of fiqh [Akmaliddin Bobartiy, 1971, p. 8; Wael Hallaq, 2009, p. 44; Said Bektosh, 2019, p. 7; Mahmoud Hasaniy, 2000, p. 45; Mahmoudkhoja ibn Mansurkhoja, 2015, vol. II; Mo'minov A., 2003, p. 26]. Their research highlights the scientific and theoretical aspects of spiritual stability in Marginoniy's jurisprudential perspectives.

In addition, several Uzbek scholars have also conducted research on fiqh-related topics, including A. Saidov [Saidov A., 1997, p. 17], O. Qoriyev, N. Safarova, M. Qo'ldoshev, M. Amonov, K. Kattayev, and N. Yusupova.

Research Methodology

The land of our country has produced great scholars, hadith transmitters, and jurists who have made invaluable contributions to the Islamic and human development of humanity. In particular, numerous eminent scholars have emerged in the field of Islamic jurisprudence (fiqh). “It is essential to thoroughly study and promote the unique legacy, exemplary lives, and social activities of our great literary figures and thinkers, and to educate our youth in the spirit of self-awareness and respect for national and universal values” [Mirziyoyev Sh.M., *On organizing reading competitions among youth for the purpose of widely studying and promoting the creative legacy of our great scholars, writers, and thinkers*, 2018].

Burkhoniddin Marginoniy was born in the Fergana region. He studied in madrasahs located in cities such as Samarkand, Bukhara, Merv, and Nishapur. The scholar explored the intellectual heritage of the founders of the four major madhhabs recognized in the Muslim world and wrote extensive works on fiqh.

In his work *Hidoya*, Burkhoniddin Marginoniy also presents his reflections on the Hanafi, Maliki, Shafi‘i, Zahiri, and Awza‘i schools of thought during the process of resolving legal issues. In this respect, *Hidoya* is considered an important and valuable source for the comprehensive study of ‘ilm al-khilaf (comparative jurisprudence).

Thus, Burkhoniddin Marginoniy’s *Hidoya* is a significant and comprehensive legal work within the Hanafi school, composed of more than 55 books and hundreds of chapters and sections. It encompasses all areas of Islamic law beyond just inheritance law.

Hidoya consists of four volumes, as follows:

- The **first volume** is dedicated to purification and practical acts of worship (prayer, fasting, almsgiving, and pilgrimage);
- The **second volume** covers family law, the issue of slavery, *hudud* (fixed punishments prescribed by God), norms of international law, partnership law, and the Islamic law of *waqf* (charitable endowments);
- The **third volume** is devoted to types of transactions (civil law) and court procedures;
- The **fourth volume** focuses on agriculture and land issues, types of crimes, testimony, and many other topics.

Analysis and Results

Based on the analysis, it can be concluded that the Hanafi school of jurisprudence was widely spread throughout the region of Movarounnahr, and that many prominent and capable representatives and imams of this school, such as Marginoniy, achieved a high level of mastery both in matters of faith and law. Relying on the works of Abu Hanifa—the founder of the Hanafi school—and his talented students Muhammad ibn al-Hasan al-Shaybani and Abu Yusuf, such as *Zahir al-Riwaya* and *Kitab al-Kharaj*, these scholars authored crucial legal treatises and made significant contributions to the development and flourishing of the school.

For example, eight of the great jurists of Movarounnahr wrote scholarly works in the field of fiqh under the title *Mabsut*. Among them, Fakhr al-Islam al-Bazdawi authored an 11-volume work, Shaykh al-Islam Muhammad ibn Husayn Bukhari al-Hanafi and Shams al-A’imma al-Sarakhsī authored 15-volume works. These form a priceless legacy encompassing all areas of Islamic law, including issues of family and marriage, criminal law, property relations, and international law.

At the current stage of our society’s development, the scientific analysis of these areas of Islamic law—particularly the rules concerning family relations—has become a social necessity in the process of enhancing the spiritual awareness and religious literacy of the Uzbek people. This is because it is of utmost practical importance to study the social essence of family-related norms in Islam and to

conduct a scholarly critique of the fundamentally incorrect views propagated by increasingly active fundamentalist movements and their socially harmful consequences.

Concepts such as justice, duty, and responsibility within family relations, as defined in the verses of the Qur'an, the Hadiths, and explained in the works of our jurists—covering the relationships between spouses, parents and children, and relatives—were distorted and misinterpreted during the era of totalitarian rule. Therefore, it is crucial today to study the societal aspects of family relations in Islamic legal norms—their socio-historical foundations, cultural-spiritual and legal characteristics—through the lens of Islam's primary sources and classical jurisprudential texts such as *Hidoya*, written in the 12th century, and to analyze them in comparison with customary law. This is especially important in today's context of ongoing religious-political and ideological conflicts. Islamic law is now viewed as a form of customary law, and its deep influence on the public is well recognized.

Conclusion and Recommendations

In conclusion, the study of the legacy of our scholars who developed Islamic sciences in a comprehensive manner and left behind authoritative works in the 12th century is a key task facing researchers today. The legacy of many scholars such as Burkhaniddin Marginoniy represents a significant source in the history of Islamic jurisprudence. This heritage holds an important place not only in Central Asia but also in the legal scholarship of the entire Muslim world.

List of References

1. Mirziyoyev Sh. *The Strategy of New Uzbekistan*, Tashkent: "Uzbekistan", 2021, p. 68.
2. Akmaliddin Bobartiy, *Al-Inoya Sharh al-Hidoya*, Beirut, 1971, p. 8.
3. Wael Hallaq, *Shari'a: Theory, Practice, Transformations*, Cambridge, UK; New York, USA: Cambridge University Press, 2009, 315 pages, p. 44.
4. Said Bektosh, *Tahqiq al-Hidoya*, Medina al-Munawwara: Dar al-Siraj, 2019, Volume I, p. 7.
5. Mahmud Hasaniy, *The Work "Hidoya" by al-Marghinani and Commentaries on It*, Tashkent: "A. Qodiriy National Heritage Publishing House", 2000, p. 45.
6. Mahmudkhoja ibn Mansurkhoja, *Majmu' al-Maqsud // Commentary on Mukhtasar al-Wiqaya*, Volume II, Tashkent: "Sharq", 2015.
7. Mo'minov A.Q., *The Place and Role of Hanafi Scholars in the Social Life of the Central Cities of Movarounnahr (2nd–7th / 8th–13th centuries)*: Doctoral dissertation abstract in History. Tashkent: TIU, 2003, p. 26.
8. Saidov A.H., *Burkhoniddin Marginoniy — A Great Jurist*, Tashkent, 1997.
9. Mirziyoyev Sh.M., *On Organizing Reading Competitions Among Youth for the Purpose of Widely Studying and Promoting the Creative Legacy of Our Great Scholars, Writers, and Thinkers // Khalq So'zi newspaper*, May 15, 2018