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THE WORK “AL-AHKÂM AL-SULTÂNIYYA” OF AL-MÂWARDIY – AN IMPORTANT SOURCE ON THE HISTORY OF STATE GOVERNING OF THE MUSLIM EAST (XI CENTURY)

Juraev Ziyovuddin Muhitdinovich

Institute of Social and Political Sciences, Acting associate professor of the
"Pedagogy and languages" department

Ph.D. (Ph.D.) (+99899) 8931970 E-mail: mowardiy964barlos@mail.ru
juraevziyovuddin70gmail.com <https://orcid.org/0009-0005-4893-4763>

АЛ-МОВАРДИЙНИНГ “АЛ-АХКОМ АС-СУЛТОНИЙЯ ВА-Л-ВАЛОЁТ АД-ДИНИЙЯ” АСАРИ – МУСУЛМОН ШАРҚИ САЛТАНАТ БОШҚАРУВИ ТАРИХИГА ОИД МУҲИМ МАНБА (XI АСР)*

Juraev Ziyovuddin Muhitdinovich

Institute of Social and Political Sciences.

Acting associate professor of the "Pedagogy and languages" department

Ph.D. (Ph.D.) (+99899) 8931970 E-mail: mowardiy964barlos@mail.ru
juraevziyovuddin70gmail.com <https://orcid.org/0009-0005-4893-4763>

РАБОТА АЛЬ-МОВАРДИ «АЛЬ-АХКАМ АС-СУЛТАНИЙЯ ВА-ЛЬ- ВАЛОЯТ АД-ДИЙЯ» – ВАЖНЫЙ ИСТОЧНИК ПО ИСТОРИИ УПРАВЛЕНИЯ МУСУЛЬМАНСКОЙ ВОСТОЧНОЙ ИМПЕРИЕЙ (XI ВЕК)*

Жураев Зиёвуддин Мухитдинович

Институт социальных и политических наук.

Исполняющий обязанности доцента кафедры «Педагогика и языки»
Кандидат наук (PhD) (+99899) 8931970 E-mail: mowardiy964barlos@mail.ru
juraevziyovuddin70gmail.com <https://orcid.org/0009-0005-4893-4763>

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Abstract:

This scientific article provides a brief understanding of the original source on the laws and regulations of the establishment of a kingdom, which were first formulated in the Middle Ages. For more information, please refer to my specially prepared dissertation: "Al-Mawardi's "al-Ahkom al-sultaniyya" - an important source on the history of state governance in the Muslim East (11th century)". It provides a detailed description of the life, political and scientific activities of Abulhasan Mawardi. It provides sufficient research materials on the fact that he founded the science of political jurisprudence in his time, was recognized by his students and scholars, was used in the establishment of the kingdom in various regions over the centuries, and translations of the work into Arabic, French, English, Flemish, Persian, Urdu, Malay, Turkish, Uzbek, and manuscript copies.

52. See: Juraev Ziyovuddin Muhitdinovich: "Abulhasan Movardi's work "al-Ahkam as-sultaniyya va-l-valayot ad-diniya" - an important source on the history of state governance in the Muslim East (X - XI centuries) - Tashkent: 2023, "Mumtoz soz", - 358 p. (official)

(See: Juraev Ziyovuddin Muhitdinovich: Al-Movardi's work "al-Ahkam as-sultaniyya" - an important source on the history of state governance in the Muslim East (XI century). Specialization 24. 00. 01 - Islamic history and source studies. Based on the results of my research)

Keywords: Manba, Movardi, ahkam, sultan, emir, qazi, shah, khan, imam, politics, jurisprudence, law, law, economics, finance, jizya, khiraj, history, literature, army, oppressors, corruption, tyranny, justice, etc.

Annotatsiya:

Mazkur ilmiy maqolamizda o'rta asrlarda ilk bora shakllantirilgan saltanat tuzish qonun-qoidalari borasida yaratilgan manba haqida qisqacha tushunchalar berib

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o'tilgan, to'liq ma'lumot olish uchun maxsus tayyorlangan dissertatsiyamga e'tibor qaratishingiz so'raladi: "Al-Mavardiyning "al-Ahkom al-sultaniyya" asari – musulmon SHarqi davlat boshqarishi tarixi (XI asr) bo'yicha muhim manba". Unda Abulhasan Movardiyning hayoti, siyosiy va ilmiy faoliyati batafsil yoritilgan. O'z davrida siyosiy – fiqh faniga asos solgani, shogirdlari va allomalar tomonidan e'tirof etilgani, asrlar mobaynida saltanat qurulishida turli mintaqalarda amal qilingani, asarning arab, frantsuz, ingliz, flamendcha, fors, urdu, malay, turk, o'zbek, tillariga tarjimalari hamda qo'lyozma nusxalari haqida kifoya qilarli darajada tadqiqot materiallari berilgan.

52.Қаранг: Жўраев Зиёвуддин Муҳитдинович: “Абулҳасан Мовардийнинг “ал-Аҳком ас-султанийя ва-л-валоёт ад-динийя” асари – мусулмон Шарқи давлат бошқаруви тарихига оид муҳим манба (X – XI асрлар” – Тошкент: 2023, “Мумтоз сўз”, – 358 б. (расмлик)

(Қаранг: Жўраев Зиёвуддин Муҳитдинович: Ал-Мовардийнинг “ал-Аҳком ас-султанийя” асари – мусулмон Шарқи давлат бошқаруви тарихига оид муҳим манба (XI аср). Ихтисослик 24. 00. 01 – Ислом тарихи ва манбашунослиги. Тадқиқот натижаларим асосида)

Kalit so'zlar: Manba, Movardiy, ahkom, sulton, amir, qozi, shoh, xon, imom, siyosat, fiqh, huquq, qonun, iqtisod, moliya, jizya, xiroj, tarix, adabiyot, armiya, mazolim, korruptsiya, zulm, adolat va hokazo.

Аннотация:

Данная научная статья представляет собой краткое изложение первоисточника законов и правил создания королевства, впервые сформулированных в Средние века. Для получения более подробной информации, пожалуйста, обратитесь к моей специально подготовленной диссертации: ««Аль-Ахком ас-Султанийя» аль-Маварди — важный источник по истории государственного управления на мусульманском

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Востоке (XI век)». В ней дается подробное описание жизни, политической и научной деятельности Абулхасана Маварди. В ней представлено достаточное количество исследовательских материалов, подтверждающих, что он основал науку политического права в свое время, был признан своими учениками и учеными, использовался при создании королевств в различных регионах на протяжении веков, а также переводы его работы на арабский, французский, английский, фламандский, персидский, урду, малайский, турецкий, узбекский языки и рукописные копии.

52. См.: Джураев Зиёвуддин Мухитдинович: «Труд Абулхасана Моварди «аль-Ахкам ас-султанийя ва-ль-валайот ад-диния» — важный источник по истории государственного управления на мусульманском Востоке (X–XI века) — Ташкент: 2023, «Мумтоз суз», — 358 с. (официально)

(См.: Джураев Зиёвуддин Мухитдинович: Труд Аль-Моварди «аль-Ахкам ас-султанийя» — важный источник по истории государственного управления на мусульманском Востоке (XI век). Специализация 24.00.01 — Исламская история и источниковедение. На основе результатов моего исследования)

Ключевые слова: Манба, Моварди, ахкам, султан, эмир, кази, шах, хан, имам, политика, юриспруденция, право, экономика, финансы, джизья, хирадж, история, литература, армия, угнетатели, коррупция, тирания, правосудие и т. д.

INTRODUCTION

Annotation of the dissertation for the scientific degree of the Doctor of philosophy (PhD): The urgency and necessity of the dissertation topic. In written sources created in different countries of the world, valuable experience of the Oriental State Management is reflected. Abulhasan Ali ibn Muhammad ibn Habib al-Mâwardiy al-Basri al-Baghdâdi al-Shâfi'i (973-1058, further referred to as الأحكام السلطانية و

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Abulhasan Mâwardiy) ’s book الولايات الدينية: تأليف أبي الحسن علي بن محمد بن حبيب الماوردي. called “al-Ahkâm as-sultâniyya va-l-valâyât ad-diniya” (further referred to as “al-Ahkâm as-sultâniyya”) is one of the most important ones. The research of this book from the point of view of history of Islâm and source studies has a great theoretical and practical significance. There, the notions were singled out on practical theory on administrative law (furu’ al-fiqh) that developed within the ideology and science (islom huquqi, usul al-fiqh) that existed until the time when Mâwardiy lived; and a foundation for political school of fiqh was established. This valuable source presents the information about the Muslim administrative system of the X–XI centuries, its hierarchy of titles, regulation of land and water issues, organization of forests and mining enterprises, the political and legal status of various levels of the state. The information has preserved its significance and the research on it still continues. The fact that along with Seljukian and Ghaznavids dynasties, the Timurids and Bâburian rulers, Bukhâra, Kokand and Khiva khanates applied this source turned its in-depth study into a vital task for the research conducted on the history of Uzbek statehood.

Valuable research has been conducted on the study of Muslim East, including the history of the Uzbek statehood, using them as a primary source. Apart from “al-Ahkâm as-sultâniyya”, other important ones include such as “Siyosatnoma yohud siyar al-muluk” by Nizâmulmuluk, “Temur tuzuklari” by Amir Temur, “Dastur al-muluk” by Samandar Termezi, “Suluk al-muluk” by Fazlullâh ibn Ruzbehân are possible to include research on the original sources. They contain important conclusions and considerations related to the subsequent stages of the development of political fiqh direction formed by Mâwardiy.

During the ears of independence, the attitude to history has changed dramatically in Uzbekistân. “... Preservation and study of historical heritage and passing it over from generation to generation is identified as one of the most important priorities of our state

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policy”¹. According to this, relying on original sources when studying the history of the native country is the basis of modern research.

The book “al-Ahkâm as-sultâniyya” written by the scholar and statesman who made a great contribution to the science of the X–XI th centuries, the chairman of “Bayt al-hikma”, mutakallim and faqih Abul Hasan Mâwardiy, was written following the order of Abbâsid rulers Qâdir Billâh and Qâim Biamrillâh to bring the rules and regulations of building a sultanate into order². It is one of the topical issues to carry out the source-based research, introduce into scientific use its manuscript copies, its ancient and contemporary editions, translations into Western and Eastern languages, and serious research into it.

The current dissertation research, to a certain extent, serves to fulfill the tasks identified in the Decree of the President of the Republic of Uzbekistan dated February 7, 2017 “On the Strategy of Action for Further Development of the Republic of Uzbekistân” No. P-2855 of March 27, 2017, “On measures to establish an international research center of Imâm Bukhâri under the Cabinet of Ministers of the Republic of Uzbekistan” No. 2995, dated May 24, 2017, “On measures to further improve the system of preserving, researching and propagating ancient written sources” dated May 24, 2017, No. 2995 are the reflection of the attention paid to the research of the intellectual heritage of ancestors that reached the level of the state policy and in the above mentioned decrees.

Compliance of the research with the priorities of the national science and technology development. The dissertation was performed within the priority direction of the Republican scientific and technological development program “Spiritual-moral and cultural development of the democratic and legal society, the formation of an innovative economy”.

¹ Ўзбекистон Республикаси Президенти Шавкат Мирзиёевнинг Ислоҳ ҳамкорлик ташкилоти Ташқи ишлар вазири кенгаши 43-сессиясининг очилиш маросимидаги нутқи// Халқ сўзи. 2016 йил 19 октябрь.

² الأحكام السلطانية و الولايات الدينية: تأليف أبي الحسن علي بن محمد بن حبيب الماوردي. مواردي. آل-أخوم اس-سلطونийا. ЎзРФА ШИ қўлғамалар фонди, Р. № 7228/І. – 1-варақ; الأحكام السلطانية و الولايات الدينية: تأليف أبي الحسن علي بن محمد بن حبيب الماوردي. مواردي. آل-أخوم اس-سلطونийا. Ўзбекистон Миллий кутубхонаси қўлғамалар фонди, ПВ. № 63. – 1- варақ.

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Level of knowledge of the problem. The scientific heritage of Mâwardiy, including the study of the book “al-Ahkâm as-sultâniyya”, covers a long period. Studying written sources of the scholar’s life, activity, scientific heritage, political and legal views began during his life-time. They were researched as a theoretical source in the educational institutions and research centers of the Muslim East and West in the Middle Ages. Faqih such as Abu Ya’lo, Nizâmulmuluk, Abu Bakr Shâshi, Burhâniddin Marghinâni, Abu Bakr bin Ahmad expressed positive thoughts about how Shari’ah works as a key source in the development of state of the art teachings. The publishers of the book by Mâwardiy “Adab ad-dunya va ad-din”, scientist Mustafo as-Saqo highly estimated it. The conclusions of Muhiy Hilal, H. Gibb's comments on the book by Mâwardiy about the theory of Eastern State Management, the comparative analysis by a Kuwait researcher Ahmad Mubârak Baghdâdi, another publisher of “al-Ahkâm as-Sultâniyya”, illustrates some of the viewpoints related to the subject.

The Importance of “al-Ahkâm as-sultâniyya” was confirmed by such scholars from Mâwarâunnahr, Khurasan, North Africa as Abu Asim (died in 1068), Abu Ishâq al-Sherâzi (died in 1086), Ibn Salâh al-Shahrizuri), Badruddin ibn Jamâa (died in 1343), Ibn Khaldun (died in 1406), which was reflected in history, legal, political and literary works. This resulted in the extension of the influence Mâwardiy made on the development of political science and the scientifically-practical significance of statehood education described in the book “al-Ahkâm al-sultâniyya”.

Some of Mâwardiy's scientific heritage was published in Lebanon, Egypt, Iraq, Kuwait, Scotland, Turkey and Uzbekistan. They are “Tafseer va Tazhil an-nazar va ta’jil az-zafar [fi axloq al-malik va siyosat al-muluk]”, “A’lâm al-nubuvva”, “Adâb al-qozi”, “Nasihât al-muluk”, “al-Iqna”, “al-Vizâra”, “Adab al-Vizâra”, “Qawânin al-Vizara”, “Qawâni's al-Vizâra and politics al-Malik”, “Amsâl al-Qur’an”, “al-Hâvyi kabir [fi furu' al-fiqh]”, “Amsâl al-hikâm”, “Kitâb fi-nahvi”, “Adâb ad-dunyo va ad-din”. Also, the book “al-Ahkâm as-sultâniyya” was published in Arabic, Turkish, French, English, German, Urdu, Persian. They were published by the Publishing House of the Egyptian

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Al-Bâbî al-Halabiy in 1966 and in subsequent years³, Kuwait edition of Dar Ibn Qutayba Library in 1989 on the study of Ahmad Mubarak al-Baghdadi⁴, “Dar al-kutub al-ilmiyya” Library in edition of Bayrut⁵ Turkish translation of Ali Safak edition (1994)⁶, H. The English translation of Vafo Wahab (1996, Beirut)⁷, the Urdu translation of Mawlawi Sayyid Mohammed Ibrahim (India, Gujarat, Lahur)⁸ in India and Pakistan, Persian translation Baghdad’s qadi Qawamiddin Yusuf bin Al-Hasan al-Hussaini al-Shaafi’s (1750, the first ten chapters of the work), as well as German-language editions⁹. In addition, translations of the “al-Ahkâm as-sultâniyya” into French, Dutch and English were published in Western countries. Kont Leon Ostrorogin’s translation of the first 5 chapters “al-Ahkam as-sultâniyya” into French, which followed by its full French translation in 1900-1906 in Paris¹⁰, English translation of Asatullah-Yat’s in 1996 in London¹¹; Landesbibliothek, Gotha (Arab.ms.N1872) Dutch / Flemish translation in Netherland edition¹².

The most prominent piece of research on the study of the scholar’s scientific heritage into Uzbekistân is the translation of the book “The World and Religion Etiquette” into the Uzbek language¹³. Also it must be pointed out that Mâwardiy’s legacy is mentioned

³ Al-Mawardi Abu ‘l-Hasan. Al-Ahkam as-sultaniyya wa-‘l-wilayat ad-diniyya. – Misr: Sharika maktaba wa matba‘at Mustafa al-Babiy al-Halabiy, 1966.

⁴ الأحكام السلطانية والولايات الدينية تأليف أبي الحسن علي بن حبيب الماوردي. (ت. 450 هـ) تحقيقه لدكتور أحمد مبارك البغدادي. جامعة الكويت. قسم العلوم السياسية. الناشر مكتبة مواردي. أخكوم. – كوايت, 1989. – ب. 390.

⁵ الأحكام السلطانية والولايات الدينية تأليف أبي الحسن علي بن حبيب الماوردي. (ت. 450 هـ) الناشر مكتبة الدار الكتب العلمية بيروت-لبنان. 1992 م-327 ص.

⁶ Ebu’l-Hasan Habib el-Ma’veardi. El-Ahka’mu’s-Sultaniye/Ceviren: Ali Shafak. – Istanbul: Bedir Yayınevi, 1994. – S.504.

⁷ Abu’l-Hasan al-Mawardi. Al-ahkam as-sultaniyyah. Introduction to «The Ordinances of Government», trans., Wafaa H. Wahaba (Lebanon: Garnet Publishing, 1996), xv.

⁸ www.KitobSunnat.com. (ت. 450 هـ) الأحكام السلطانية والولايات الدينية تأليف أبي الحسن علي بن حبيب الماوردي.

⁹ Ahkam-e Sultani Offentliches Rect im Islam von Mawardi/Prof. Mohammad Taghi Daeshpajouh, Persische Übersetzung von Hosseini-e Shafe’ii im 10. Jahrhundert (Hedschra) Manuskript bearbeitet und her ausgegeben von M.T.Daneshpajuh-Tschangiz Pahlavan. Blatter für Kultur und Gesellschaft (3). Munster.– 2002. April. – 150 p. (علي بن محمد بن حبيب) ترجمه: قوام الدين يوسف بن حسين حسني حسيني شافعي. – مونستر : ألمان. 1381/2002 فروردین.

¹⁰ Kont Leon Ostrorogin. El-Ahkam Es-Sultaniya, Traite’ de Droit Public Musulman.– Paris, 1901; Ostrorogin L. Les constitutions politiques, trac. et commente’es d’apres Les sources orientales. – Paris, 1900-1906.

¹¹ Abu’l-Hasan al-Mawardi. Al-ahkam as-sultaniyyah. The Laws of Islamic Governance/Translated by Asadullah Yate PhD. Kalamullah.Com. Ta-Ha Publishers Ltd. London, 1994.– 381 p.

¹² Голландия: Landesbibliothek, Gotha. Arab.ms.№ 1872

¹³ Абулҳасан Мовардий. Дунё ва дин одоби. Таржимон ва сўзбоши муаллифи Абдуллоҳ Исмоил Махдум. – Тошкент: Hilol nashr, 2017. – Б. 454.

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in the works by academician A.H.Saidov and prof. A.Sh. Juzjoniy in the work of “Orient and human rights”¹⁴.

Although the study of the scientific heritage of the Mâwardiy was enormous, it has not yet been translated into the Uzbek language and the critical textbook and source study devoted to comparative analysis of manuscripts, editions and translations of “al-Ahkâm as-sultâniyya”. Also, it was not investigated the level of influence of Statehood information on Mâwardiy's work on the work of the intellectuals.

In addition, two manuscripts of the book “al-Ahkâm as-sultâniyya” kept in the manuscripts fund of the National Library named after Alisher Navoi, in the Fund of Rare Books and Publications (No. 63) and in Institute of Oriental Studies of the AS of the RUz (No.7228/I) were not involved into researches. However, the manuscripts of “al-Ahkâm as-sultâniyya” in Uzbekistan is more complex than that of three-volume manuscripts in Kuwait (No. 4903, No. 5085 in Chester Baptist Library in Ireland), in St. Petersburg (No.6737), or Turkey (No.377, No. 378. Despite the extensive study of the Mâwardiy's scientific heritage, the study of sources, historiography, and Islamic studies based on the manuscripts of Tashkent, St. Petersburg and Turkey has not been carried out et.

Relationship of dissertation theme with the executed higher education institution. The dissertation research was carried out within the framework of the research project “Historiography and Source Studies in Uzbekistan” in accordance with the research plans of the National University of Uzbekistan.

The purpose of the research is to reveal of the role of “al-Ahkâm as-sultâniyya val-valâyât ad-diniyya” by Mâwardiy in the history and source of Islamic history on the basis of original sources.

Research objectives:

- to study the hierarchy of the state governance system and positions in the Muslims' Orient in the work of “al-Ahkâm as-sultâniyya” by Mâwardiy;

¹⁴ Look: Саидов А.Х., Жузжоний А.Ш. Шарқ ва инсон ҳуқуқлари. – Тошкент, 1998. – Б. 50-60.

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- to determine the characteristics of social, political and ideological backwardness in the period of Mâwardiy, creating a final complex of scientific research on the life and scientific activities of the scholar;
- to research the copies of the manuscripts of “al-Ahkâm as-sultâniyya” in the funds of the Abu Rayhân Beruniy Institute of Oriental Studies and the National Library of Uzbekistan named after Alisher Navaiy in the context of Islamic history and source studies;
- to analyze the influence of state-run sources created in the X–XI centuries and the influence of the Islâmîc orient government on the subsequent periodicals;
- to identify the benefits of developing and improving the modern state management methods and methods.

The object of the research is the scientifically-creative activity of Abulhasan Mâwardiy and his viewpoints about statehood of Muslim Orient, which is described in the work of “al-Ahkâm al-sultâniyya”.

The subject of the study is the manuscripts of Abulhasan Mâwardiy's “al-Ahkâm al-sultâniyya”, which is kept in the Institute of Oriental Studies of the Academy of Sciences of the Republic of Uzbekistan and the National Library of Uzbekistan named after Alisher Navâiy, as well as manuscripts and editions kept in foreign libraries.

RESEARCH METHODOLOGY

The dissertation uses paleographic, archeologic, theologic, historical, logic, impartiality, civilizational approach, content analysis, hermeneutic, codricological, comparative and systematic analysis and other methods of scientific research in the field of sources and historiography.

The scientific novelty of the research is as follows:

Mâwardiy was the leader of the “Ahl al-sunna and al-jamaa, and as the chairman of “Bayt al-Hikmah” had a positive influence on the countries such as Khurasan,

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Mâwarâunnahr, Egypt, and his efforts in the countries referred to in Bayt al-hikma and it has been proven that they gave additional impetus to the development of science; the scientific heritage of the scientist has proven to be a solution to the problem of political, legal, socio-economic, religious, spiritual and moral-ethical issues of the majority of the population of Muslim countries, including the promotion of creative harmony between religion and secularism in Uzbekistân;

The essence of the doctrine of governance, described in the book “al-Ahkâm as-sultâniyya”, is explained by the fact that it revealed the passage to the Khilafah, that is, how they transformed pure sovereign ruling to the ruling Sultanate of the world.

The book, “al-Ahkâm as-sultâniyya”, describes that religion is indivisible of state, and this can help in the ideological struggle against radical Islam today.

The practical results of the research are as follows:

There are 17 out of 18 scientific works related to the scientific heritage of Mâwardiy, 1 of which have not been found, and 10 of them have been published;

copies of manuscripts, publications and translations of the work “al-Ahkâm as-sultâniyya” were grouped;

It was revealed that this work was widely recognized by Abbas Khalihafa, the legitimate and state of the Abbâsid Khaliph, as a practical guide to the Muslim world, including Khurasan, Afghanistan and Turkestan;

Scientifically-critical summary of the work in Persian, French, Dutch, German, English, Turkish and Urdu languages;

It has been established that the work was written in the spirit of a new Muslim political right that was aimed at establishing a fair government, reforming social issues, and establishing sustainable governance;

The Hanafiyya and Shafi'i Mazhabs of the work have a common religious-secular, secular, legal, sources such as the Qur'an, Hadith, ijma, qiyas, ray, ritual;

Mâwardiy's teachings on the Islamic Statehood influenced some of the historical sources of Uzbek statehood, including the role of Amir Temur in the “Tuzukoti Temuriy” in the harmony of the managerial doctrine described in the Mâwardiy's work

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by Fazlullah ibn Ruzbehon's "Suluk al-Muluk", Muhammad Kubraviy's "Fatovoi Shaibani", "By Muhammad Sharif al-Bukhari in his works", "Fawâidî haqâniyya"; The clarification of the political activity of the X–XI centuries, which was not reflected in other sources of the history of the Muslim state, political activity, political and legal doctrine, land and water issues, forest, mining, and historical activities of the "al-Ahkâm as-sultâniyya" has been found to be a valuable sources of political-legal status of government officials and can serve as an important source of research for the period under study.

The reliability of the research findings is that the original scientific sources, including the scientific heritage of Mâwardiy, in particular, in Egypt - one, in Uzbekistân - 2, in Uzbekistân - 5, in Kuwait - 3, in Turkey, 1 in St. Petersburg. and Ireland - 1 manuscript, supported by written sources, conclusions, recommendations and practical implementation of recommendations. They are based on a comparative study of contemporary issues and publications in Arabic, Turkish, Persian, Urdu, French and English on the subject. An important role of the scientific heritage of the scientist in the history of the East has been proved by reliable historical works and evidencing materials.

The scientific and practical significance of the research results. The scientific significance of the research results is expressed by the fact that the study of "al-Ahkâm as-sultâniyya" was firstly studied in Uzbekistân, with a critical review of valuable information on the history and socio-political life of the X–XI centuries, which is one of the controversial and classical periods of the Muslim Sharia history is determined.

The practical significance of the results of the research is determined by the fact that new information on the management system was used to fill the relevant sections of the international and constitutional law, as well as to enrich the national statehood scientific research.

Implementation of research results. Based on conclusions and recommendations on the study of Islâmîc Shariah public administration data of the 10th – 11th century in the book "al-Ahkâm as-sultâniyya":

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The manuscript kept in the “Fund of manuscripts, rare and valuable editions of the National Library of Uzbekistân” National Library of Uzbekistan named after Alisher Navoiy, was recommended to be included in the UNESCO World Memorial Program (UNESCO “Memory of the World Manuscripts”). science and art history and “Spiritual wealth of Uzbekistân”. (Information and Public Communication Agency of the President of the Republic of Uzbekistân, No. 11-2475) on July 17, 2019. The complete text of the manuscript was placed on the portal of the National Library of Uzbekistan (Information letter from NOC, February 14, 2017, № 03-22/153). Scientific findings allow researchers to make general use of the manuscripts they have reached so far and to use the original text;

At the National University of Uzbekistân, “Theory and Practice of Modern State Operations, Providing Management with Normative Documents”, “Public Speaking”, “History of World Archives and Archives in Foreign Countries”, “Museum Studies and Archival Science” and “Manuscripts and Historiography” (Ministry of Higher and Secondary Specialized Education of the Republic of Uzbekistân, January 9, 2019, No. 89-03-96). The textbook “Theory and Practice of Modern State Administration, Providing Controls with Regulatory Documents” was devoted to the theory of thesis management, the theory and practice of the dissertation on the topics 1, 12 and 13 (Information letter from the Ministry of Higher and Secondary Specialized Education, 2010 dated October 21, 2011). Applied results serve to enhance and strengthen young people's knowledge about the history of the Muslim Ummah of the Middle Age;

The conclusions drawn from the Muslim Sharqi State and Islâmic Laws described in “al-Ahkâm as-sultâniyya” state that the “Strategy for Action in the Five Priorities of the Development of the Republic of Uzbekistân in 2017-2021” serves the people, that is, turning it into a nation-state based on the analysis of the experience of the Muslim Ummah of Statehood (the Information letter from Human Rights in the Republic of Uzbekistân National Human Development Report of the Republic of Uzbekistân, No. 01/506 dated July 06, 2017). These scientific findings reinforce the importance of

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primary sources in the process of theoretical and practical research on the development of national statehood;

The scientific findings and practical recommendations on the role of Uzbekistân in world history and its high status in the context of Islamic civilization were used in the educating unorganized youth as patriots, hardworking and highly educated citizens (The information letter from the Central Council of the Youth Union of Uzbekistân, No. 04-13/6075, last citation). As a result, the knowledge of the younger generation on the scientifically-fundamentals of our history has been expanded and updated with new information;

The National Television and Radio Company of Uzbekistan used conclusions and practical suggestions on the history of Muslim Sharqi public administration published in the dissertation in preparing the “Teran Ildizlar” (“Strong roots”); as a result, the content of the program was enriched with practical examples and the topic of the program was scientifically grounded (Information letter No. 01-18-1223 dated December 6, 2018 from National television and radio company of Uzbekistan.

The approbation of the research. The results of the research were summarized and tested in the form of lectures at a total of 10, 5 international and 5 republican scientific-practical conferences.

Publication of research results. A total of 27 scientific papers on dissertation were published. Among them there were published 17 articles (15 of them in republican and 2 foreign scientific journals included into the list of recommended journals for scientific publication by Supreme Attestation Commission), 10 articles, 5 - international and 5 - republican conference proceedings.

Structure and extent of dissertation. The dissertation consists of the introduction, three chapters, a list of sources and literature used, and appendix. The main text of the dissertation is 156 pages.

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ANALISIS AND RESULTS / THE MAIN CONTENT OF DISSERTATION:

The introduction section of the dissertation text addresses the topicality and necessity of the theme of the research, its relevance to the science and technology development priorities, the review of foreign research on the subject, the level of the problem, and the relevance of the topic to the dissertation researches conducted by institutions. All information includes the aim, objectives, subject, sources, methods, scientific novelty, practical outcome, scientific-practical significance, reliability, approbation, introduction, structure and outcome of the research.

The first chapter entitled “The life, activity and scientific heritage of Mâwardiy” is devoted to the socio-political situation in Mâwardiy’s life, activity and his scientific heritage. It reflects socio-political events, economic and cultural life of X – XI centuries. The aggressive socio-political processes that took place within the Baghdad caliphate caused weakness of the Abbâsids central government and Amir al-Umaro, who was officially appointed as the successor to the rank of Khalafah¹⁵, began to occupy the leading positions of the Barbarian, Persian and Turkish peoples alongside Arabs. When the Buvayhiys were in the position amir al-umaroin Khorasanin 932-1055 yy., it was the most vulnerable period of the Caliphate of Baghdad. The elders of the tribes have begun to declare their independence one after another, using the disintegration of the Khilafah and the difficult situation in the capital.

“The Ahl al-sunnah al-jamaa”, who ruled in Khurasan and Mâvarâunnahr to save the Abbâsid Chaliphate from the Shi’a persecution, was the first to submit to the Sultân’s status in the history of Islâm and humanity with the help of Mâwardiy, who was given the Sultan’s title by the Khaleefah. Turkish sultans supported the work “al-Ahkâm al-sultâniyya”: The ears in which the The Ghaznavi (977/998-

¹⁵ Look: Бартольд В.В. Соч., т. VI. Ислам; Догматика; Мусульманские учение. – Москва: “Наука”, 1963; Дж. Мукаддаси. Суннитское возрождение. Перевод с англ. В.В.Наумкина // Мусульманский мир. 950-1150. – Москва, 1981.

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1030-1186 yy.) and the Seljuks (1028/1055-1258 yy.) were prominent in the capital of the Abbasids, in Baghdad, were the most developed Arab-Muslim caliphate. This political process dates back to the ears of Mâwardiy (973-1058 yy.), during which the Abbâsiy Chaliphs in Baghdad were Muti' (946-974 yy.), Toyi' (974-991 yy.), Qâdir Billâh (991-1031 yy.), Qâim Biamrullâhs (1031-1075 yy.) officially ruled. Mâwardiy witnessed the weakness and neglect of Abbâsiy Chaliphs. Sometimes, the Turkish tribes witnessed the subordination of the amir al-umaro, sometimes subjugated Shi'a kings, obedient puppets, and asked help from The Ghaznavid and Saljuk Sunni Turkish sultans and obtained negligence and weakness. The Abbasiy Khalifah, who had come to government with power, had to admit the legitimacy of al-umrah. By that time, the Khilafah was divided into three: Fâtima on the North Nile, Owes in North Africa and Andalusia, the Abbasid Chaliphate in Iraq. This historical, socio-political situation shows how deep the political crisis was in the Muslim world. During the rule of Qadir Billâh and Qaim Biamrillâh, serious reforms in the political, legal, social, and economic spheres were carried out at the state level, in a contradictory manner. In that time, there were two main trends in public administration and administration of political law: Sunni and Shi'ism, and the doctrines of public administration and governance, mainly based on their disagreements between their mazhabs, political, religious ideological doctrines. Mâwardiy's "al-Ahkâm as-sultâniyya" was designed to provide a summary of the Islâmic, Shari'ah state-of-the-art practices and experiences of Muslim continents such as Baghdad, Hijaz, North Africa, Andalusia, Damascus, Khurasan and Mâvarâunnahr, due to their objective, historical, political-ideological need. The idea of unifying concentrated zones in a centralized powerful state is the basis of this doctrine. The second paragraph of the first chapter deals with the study of Mâwardiy's life and his activity. The life and activity of Abulhasan Ali ibn Muhammad ibn Habib Mâwardiy (973-1058 yy.), a political scientist and lawyer living in the 10th and 11th centuries, were expended based on primary sources.

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He was born in a well-educated family in Basra, and lived in a Darb al-Za'faron neighborhood in Rosario, which his apprentice, Khatib Baghdadiy, said in his book, "The History of Baghdad". In addition, the presence of the Turkish community in the village of Ajam, in Basra's craftsmen neighborhood, was mentioned by tourists and researchers, which, of course, could not have been influenced by the Turks, the Turkish and the ajamiy – turks and the Persians. It is well-known from historical sources that the Khalifah of Baghdâd in the region of Ustuvo in Nishâpur regularly occupied political, legal, and embassy relations with the The Ghaznavi, the saljuk turks which had position "voliyi quzot"¹⁶.

Mâwardiy initially learned literacy from his father and well-known scholars of "Ahl al-sunna va al-jamâa" on the science of fiqh and hadith of Bayt al-hikma. The famous scholars of Khurasân and Mâvarâunnahr were educated by such well-known scholars as Abulhusayn al-Quduriy al-Hanafiy, Soymariy, Bofiy Bukhâriy, Abu Hâmid Isfarâniy. Based on the experiences he has accumulated throughout his life and career, he has not only made a valuable contribution to the theory of political and legal sciences (fiqh), but also established a political fiqh school (state law: constitutional law).

The research of Mâwardiy's life clarified many things and concluded that he lived 86 ears (973 to 1058 AD). During his lifetime, Mâwardiy worked as the chairman of the "Bayt-ul-hikma" (House of Wisdom), the emissary, the ruler of the Shariat, the governor of al-qazi (qozi of region), voliyi ruaso, al-qozi - the judge of the sixth region judges, the chairman of the Shafeiya sect, the chairman of the Mazhabs of "Ahl al-sunnah va al-jamâ'a", the judge of the al-quzot (chief judge), aqzo al-quzot (the Supreme Judge), and Prime Minister ranks. In needed cases, he worked in the ranks of the Turks as the head of the embassy, as well as the head of the state's chief adviser in establishing diplomatic relations between the Abbasids and the Turks, in particular the Turks from giving the Sultanate status

¹⁶ Ибн Баттутанинг саёҳатнома (Тухфат ан-наззор фи ғаройб ал-амсор ва ажоиб ал-асфор) асари Баттута Ибн: масъул муҳаррир ва муқаддима муаллифи Н. Иброҳимов. – Тошкент: Шарқ, 2012. – Б. 190.

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of the The Ghazniand the Saljuqs in reaching Amir al-umaro positions in Baghdad¹⁷.

Paragraph 3 of the first Chapter is devoted to studying “Mâwardiy’s scientific heritage” – a study of historical sources. It contains detailed information on scientific heritage of Mâwardiy, various editions of his books, translations, chronological order, and divided into four categories.

The second chapter of the dissertation entitled “The source of “al-Ahkâm as-sultâniyya”’s work” consists of four paragraphs, one of which is the peculiarities of the “al-Ahkâm as-sultâniyya” manuscripts, the structure of the “al-Ahkâm as-sultâniyya” analysis of the sources, the study of history and source studies. There are nine manuscripts of “al-Ahkâm as-sultâniyya” in the funds stored in the library of Arabic books in our republic and abroad, including Kuwait, Russia, Egypt, Ireland and Turkey. In particular, in Tashkent, the National Library of Uzbekistan, manuscripts, rare manuscripts and special value funds, the manuscript PV. No. 63 and R. No. 7228/I¹⁸ of the Academy of Sciences of Uzbekistan are preserved in perfect form.

According to the results of the study, these manuscripts existed in our country until XIV century, and several handwritten copies were made; Kuwait’s three-digit manuscripts; Manuscript No. 6737 in St. Petersburg; 3 in Turkey [No. 377; No. 378; No 379] for the first time the manuscripts were summarized and described using comparative data on their codecological features, their structure was provided. The translation in Egypt, Baghdad¹⁹, Beirut, Pakistan, Malaysia, Turkey, Germany, England, France and the United States has been analyzed from a scientific-critical point of view.

The handwritten manuscripts of the “al-Ahkâm as-sultâniyya”, presenting great scientific significance, were first studied comparatively and scientifically. In

¹⁷ Ёфесий. Миръот ал-жинон. ЎЗРФА ШИ 2005 қўлёзмаси, Р. № 2005. – варақ. 360. Аббосийлар давлатчилиги хронологияси. Аббосийлар вакили сифатида Мовардий, Ғазнавийлар томонидан Абу Райхон Беруний ва Мовардийнинг устози Абу Ҳомид Исфаронийлар иштирок этганлар.

¹⁸ Собрание Восточных Рукописей (СВР). Т. VIII. – Ташкент, 1967. – С.217.

¹⁹ 3. ص. – 1989. بغداد. – الماوردي: أدبالقاضي.... – ص. 156. الأحكام السلطانية و الولايات الدينية تأليف أبي الحسن علي بن حبيب الماوردي.

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particular, it was discovered that the manuscripts preserved in Tashkent were distinguished by their antiquity and perfection. Among is the copy preserved at National Library of Uzbekistan manuscript number PV. N63, studying it provided evidence to the fact that the textuality of the “al-Ahkâm as-sultâniyya” had been compiled.

The second paragraph of the second chapter deals with the structure of the “al-Ahkâm as-sultâniyya”. In the preface of the work, the author dwells on his creation. Its essence, state and law in the Middle Ages, the foundation of the state, the basics of governance, political and legal doctrines are studied in detail. The scholar states that “observance of the commandments of the Sultan is necessary for the local rulers/Khalifa...”. He encourages the officials to do what is right in God’s sight. It calls for a person not only to spill a single drop of blood, but also to shed a hawk hair and he puts some legal and political bans.

The analysis of the content, composition and structure of the “al-Ahkâm as-sultâniyya” indicates that the author pays a great attention to the state-owned resources created before he lived. Based on historical sources and experiences, he creates a perfect set of legal principles of the Muslim Sharia statehood, the political and legal status of the leaders and administrators, the system of authority and governance, and the legal system. Also, it is clear that the ruling of the “al-Ahkâm as-sultâniyya” is broken down by the legislature - the supreme power of imam/ruler, the executive branch/ministry executive, and the judges/tribunals .

It outlines the administration of the state and the management of the central and local levels of government, the administrative and territorial institutions, the methods of government and society management. In addition, it also gives comprehensive information on how to select Imam/Sultan, requirements for this, and suggestions. In addition, there are many facts on appointments of the head of state, ministers, amirs, judges, declaration of nonviolence, determination of the direction of political movement, regulation of the judiciary, strengthening it, introducing the institution of inquiry, establishing and managing it, appointing

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imams for prayers, family and marriage, inheritance and wage management, finance and economics (zakat, bayt al-mal), charity and zakat-tax system control, distribution of spending, jizya and charity, determination of legal aspects of taxation of different regions conditions of land and water issues, landscaping, meadows and Iqto' institutes, mining issues, pilgrimage management, devonbegi activities and establishment of detention facilities, imposing penalties and ensuring its execution, and, finally, developing issues in detail in this section.

The third paragraph of the second chapter deals with the analysis of the sources of the book of "al-Ahkâm as-sultâniyya". It includes the principles of legal education used in practice, political experiences and observations in history, on the basis of the analysis of universal theories, the establishment of a justified, honest and fair society, the principles of fair and wise laws, respect, adherence, implementation, issues were studied in detail. The regulation of social relations was classified into the key sources of Islamic ijtiḥad in the construction of Islamic Sharī'ah rule.

As a creative faqih and conscious pragmatic politician, he was one of the first founders of the Oriental Islâmīc ruling system, the first "al-Ahkâm as-sultâniyya" which was mentioned in the Qur'an concerning a; the Prophets and the Messenger Muhammad (s.a.v), the state administrative and managerial actions (in Uzbek: Minister of Justice), their place in the practical life, customs, traditions and national traditions (Sunnah); the first Islamic - political process in the statehood of the noble rulers; Islamic law and statehood experiences of the Ummaviy and Abbasid era; Imâm Abu Hanifa, Imâm Shâfiy, Qaffol Shashiy, Abulhusan Quduriy and Imâm Bukhâriy, and Imâm Abu Mansur Mâturidiy Samarqandiy, who believed in the creation of the theory of Islâmīc Sharia state governance and sought to reflect it as a doctrine of political fiqh.

The fourth paragraph of the second chapter deals with the study of "al-Ahkâm as-sultâniyya"'s historical science and source studies. In the study of the unique manuscripts of "al-Ahkâm as-sultâniyya", the biobiographical sources were

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provided, written by the scholars of “Ahl as-sunna and al-jamaa”, related to the author and his work. Mâwardiy was assigned to the post of prime minister when he handed over the “al-Ahkâm as-sultâniyya” to the Abbasid Kadir Billâh.

The central topic of the “al-Ahkâm as-sultâniyya” was Abbâsid chaliphs, Turkic and Persian emirs, sultans, khans. That is why many copies have been made, translated, and stored in the rulers’ libraries. At the same time, this book was greatly reknowned among academics.

The “al-Ahkâm as-sultâniyya” which reached the level of political and legal theoretical textbook on the theory of State and Law, has a distinctive scientific significance in the study of the history of Muslim Statehood and is different by its high role and value in the field of literature.

The third chapter, titled “al-Ahkâm as-sultâniyya” is an important source in the history of Muslim East public administration of the 11th century” consists of three paragraphs, one of which is the sources of state-run management created in the X – XI centuries, and the significance of “al-Ahkâm as-sultâniyya” as an important source of Islamic Sharia law, his work on the influence of his work on the Muslim state of the Muslim East. The comparative analysis of the books devoted to stathood issues were written at different periods based on Imam Bukhariy’s “Sahih”, Abdullah Tohiriy’s “Ar-Rasail” (“Letters”), Abu Nasr Farâbiy’s “Al-Madinat al-Fâzilah and his Ahl al-orâyihi” (“The views of the Fazil city population”), and Sâbiy’s “Rusumi dar al-xilafa” (“Khilafat palace rituals”) were found to be theoretical source for “al-Ahkâm as-sultâniyya”.

The second paragraph of the third part of the book “al-Ahkâm as-sultâniyya” is devoted to an important source of Muslim East state administration right. The education principles in the “al-Ahkâm as-sultâniyya” are based on the rule of the Muslim ruler, the rules of the governing ways of Sultan, the hierarchy of officials, the powers, the obligations, the rules, the right to function, based on the texts and verses.

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According to Mâwardiy, the leader of the nation, – “imâm” (الإمام), the central government of the state – “imâmate” (الإمامة), and the people of sovereignty – political and legal terms, such as “ummat” (الأمة). According to “al-Ahkâm as-sultâniyya” “imamate” is a perfect example of central government in the Muslim Ummat of the East.

According to Mâwardiy, “imâmate” is a just state governed by specific secular and religious principles, which is the pillar of the Eastern Muslim society – the central government, and the “ummat” – a free population of the Muslim East²⁰.

As a Muslim lawyer, one of the main methods of forming a government hierarchy²¹ of Mâwardiy in “al-Ahkâm as-sultâniyya” was the political and legal justification for the election institute for the sake of choosing a worthy Sultân. He has put it into practice as the best example, and indicated legal limits of officiaps. “Imam” is a person that has been selected from nation, and that the elected commission should be a prominent figure in the public administration. According to Mâwardiy, there are two ways to get the ruler’s legitimacy. The first is to elect a worthy leader through the assembly of wise men. The second is to determine the legitimacy of the former imam, whether it is legal or not²².

In the “al-Ahkâm as-sultâniyya” political and legal principles of electing the most prominent representatives of the people and selecting one of the most exemplary individuals and modeling the head of state were developed. It includes the political and legal powers delegated to the Sultan, and even the sultan’s authority to secure the post of the head of state for the purpose of appointing a heir to the throne, the order of appointment of the head of state, as well as the norms and principles of law and order²³.

20. الأحكام السلطانية والولايات الدينية: تأليف أبي الحسن علي بن محمد بن حبيب الماوردي. ЎзР ФАШИ қўлёзмаси, Р. №7228/І – varaқ.1.

21. الأحكام السلطانية والولايات الدينية: تأليف أبي الحسن علي بن محمد بن حبيب الماوردي. ЎзР ФАШИ қўлёзмаси, Р. №7228/І – varaқ.1.

22. الأحكام السلطانية والولايات الدينية: تأليف أبي الحسن علي بن محمد بن حبيب الماوردي. Хотамий С.М Ислол тафаккури тарихидан//Таржимон: Н.Қодирзода. – Тошкент: Минхож, 2003. – Б. 200.

23. Қарағ: الأحكام السلطانية والولايات الدينية: تأليف أبي الحسن علي بن محمد بن حبيب الماوردي. АНЎЗМК қўлёзмаси, ПВ. №63. 1.-боб. 20-фасл. – 10 varaқ.

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In addition to the idea of strengthening the rule of governance in such concepts as imam, imamate, umma and allegiance, the head of the state has the right to elect and appoint experts to the Sultanate, his supporters, his ministers, the regional emirate, the security and the military, the judiciary, it is necessary to demand from them the qualities required from the ruler.

According to Muslim law, the oyat “O believers, obey Allah, obey the messengers and submit to the commandments of your own accord” (Qur’an, 58-oyat), is interpreted as the ground for the people to obey the ruler such evidence was used by Mâwardiy as proof that his views were justified. In “al-Ahkâm as-sultâniyya” it is said that, “if the ruler center is a center, people are its surrounding²⁴. The severity of the society depends on the sincerity or immorality of the ruler”. Hence, the scientist believed that the authority and the the institution’s power depended on sultans state.

Mâwardiy wrote that, the assembly of wise scholars, entitled to elect the head of the imam/governor, was required to have certain qualities from the members of the “Ahl al-hal va-l-a’qd li-ikhtiyori li-l-imam”. They have at least three attributes, such as justice, science, and health. It concluded that a person with seven qualities, such as Muslim, righteous, scholar, physically and mentally healthy, intelligent, brave and clean, could be the head of state.

As it stated in “al-Ahkâm as-sultâniyya” it is logical to appoint prime minister as the most trusted deputy who directly oversees the affairs of the government for the Sultân. It is emphasized that it is fair to delegate responsibility to those who are responsible for their duties and who, can do such kind of loyalty²⁵.

The third paragraph of the Chapter deals with the study of the influence of the “al-Ahkâm as-sultâniyya” in the subsequent period of his work on the East Muslim Statehood. The book of “al-Ahkâm as-sultâniyya” information about doctrines of state management based on given in the Plato’s “Republic”,

²⁴ Мовардий. Тасхил ал-назар ва таъжил ал-зафар фи ахлоқ ал-мулук ва сиёсат ал-мулк. – Бита. – Б.296.

²⁵ Қаранг: الأحكام السلطانية و الولايات الدينية: تأليف أبي الحسن علي بن محمد بن حبيب الماوردي. АНн ЎзМК қўлёзмаси, Пв. №63. 2- боб. 1-фасл. – 15 варақ..

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“Tahrir al-ahkâm fî tadbiri ahl al-islâm” (“Editing of Ahkâm in the meeting of muslims”)³³ (no. 733/1343 y.), Ibn Khaldun’s “History”, “Temur tuzuklari” by Amir Temur (1336 – 1405 yy.), Kamoliddin Hussain Voiz Koshifiy’s (1442-46-1505 yy.) “Futuvvatnomai sultoniy”³⁴, (437/1521 y.), Fazlullah ibn Ruzbehân “Suluk al-muluk” (“The study of state governing”) and Samandar Termiziy’s³⁵ (1630-1730 yy.), “Dastur-ul-muluk” (“Guide for ruler”)³⁶ (1695 y) in the themes of public administration, teaching works.

Nearly in twenty Tabaqât’s works Mâwardiy’s life and activities, fatavos, and legal foundations are used. For example, Abu al-Asim Muhammad bin Ahmed (death 458/1068 y.), “Tabaqât al-Ibadiy” or “Tabaqat al-fuqahoi al-shafeiyya” (“Ibodiyyana tabaqât” “Tabaqât fakhi Shâfiy”)³⁷, Abu Ishâq ash-Sherâziy’s “Tabaqât al-fuqahâ li-sh-Sherâzi”, Ibn Salâh al-Shahrivarziy (643/125 y.) “Tabaqât ibn Salâh” (“Ibn al-Salâh’s narrators”)³⁸ are among them.

As a result of the content analysis of the effect of “al-Ahkâm as-sultâniyya” in the 11th and 21st centuries, the following conclusions were made: it is widely accepted among the scholars of “Ahl al-sunnah al-jamâa”, including the authors of legal sources in the Uzbek statehood. “al-Ahkâm as-sultâniyya” has always presented significance in the Eastern states as a political source of law.

Nureddin Es-sabuni. Maturidiyye akaidi // Araştırma ve notlar ilavesiyle tercume eden Prof. Dr. Bekir Topaloglu. Marmara Üniversitesi İlahiyat Fakültesi Kelâm İlmî Öğretim Üyesi. – Ankara Dın İşleri Yüksek Kurulunun 21.7.1978 tarih ve 48 sayılı kararıyla basılmıştır. 1998. 6-baskı. – 215 b.

33 بدر الدين بن جماعة، تحرير الاحكام في تدبير اهل الاسلام. تحقيق و دراة و تعليق الدكتور فواد عبد المنعم أحمد. رئيس المحاكم الشرعية و الشؤون الدينية بدولة قطر. 358. – قطر. 1987/1407. المؤسسة الخليج للنشر و الطباعة.

34 Камолитдин Хусайн Воиз Кошифий (1442-46–1505 йй.)нинг “Футуватномаи султоний; Ахлоқи муҳсиний/Н.Комилов; М.Ҳасаний., А.Ҳақимжонов. нашрга тайёрловчилар: М.Аминов., Ф.Ҳасанов. – Тошкент: Ўзбекистон миллий энциклопедияси, 2011. – 376 б.

35 ابو عاصم محمد بن احمد (1068/458)، طبقات العبادي او طبقات ; ص-14-44-بغداد. المقدمة. – الكتاب ابراهيم، بغداد، 1392 هـ-1972 م، مطبعة العاني ص. 110-114. – ليدن، 1964. – الفقهاء الشافعية، تحقيق غوستن فيتيستام.

36 Самандар Термизий. “Дастур ал-мулук”/форс-тожик тилидан тарж. Ж.Эсонов. – Тошкент: Шарк, 2-нашр. 2001. – 352 б.

37 أدب القاضي، تاليف أبي الحسن علي بن محمد بن حبيب الماوردي البصري الشافعي المتوفي سنة 450 هجري. الجزء الثاني تحقيق محي هلال السرحان، ابو عاصم محمد بن احمد (1068/458)، طبقات العبادي او طبقات ; ص-14-44-بغداد. المقدمة. – الكتاب ابراهيم، بغداد، 1392 هـ-1972 م، مطبعة العاني ص. 110-114. – ليدن، 1964. – الفقهاء الشافعية، تحقيق غوستن فيتيستام.

38 طبقات ابن صلاح. نسخة الظاهرية، و. 71. ابن صلاح الامام ابو عمرو و تقي الدين عثمان بن الشهريز وري (1253/643)

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As a result of research, it was revealed that in the eleventh and nineteenth centuries, famous scholars, mufti, faqih, qozi, qozi al-quzat, aqzo al-quzo, judgments of the mas'habs of "Ahl al-sunnah al-jamaa", for the opinion of the judges, commentaries, margins, permits, foundation documents, normative acts, such as fiqh rules, such as the morals, fatava, jurisprudence, rulings, finance and economics, getting zakat and dissemination, the issues of land, water, mining, - legal documents, complexes, support for orphans, support for old and youth, used the views of Mâwardiy in solving the problems of repatriating parents, promoting education into the interests of humanity, sharing goodness, and forbidding evil. Repeatedly referring to "Al-Ahkâm as-sultâniyya" as a major source of medieval authors is a sign that its role in the East Statehood is remarkably high.

CONCLUSION:

From the materials analyzed in the dissertation, the following conclusions have been drawn:

– Mâwardiy's contemporaries were Muti, Toyi, Qâdir Billâh, Qâim Biamrillâh, it was the reign of Abbâsiy Caliphs, and the last two of them carried out major reforms in the governance system, and the legal and political issues in the context of these reforms were adhered to the Sunni ideology. The Muslim East state governance concepts began to be created in such a controversial era. The political-legal doctrine created by Mâwardiy consists of six areas, including the impact of state management systems in Khurasan and Mâvarâunnahr.

-The author was inspired to write "al-Ahkâm as-sultâniyya" by the ancient teachings and the holy texts concerning the administration of the kingdom. The works: Platâ's "Republic" Aristâtle's "Politics", "The Thoughts of Fozil City People" by Farâbiy, "Book at-tavhid" by Mâturidiy, as well as the Qur'an, Hadis, Sunnah, qiyas, ijma, ray, fatava such as resources and institutions.

– The scientific heritage of Mâwardiy, in particular, "al-Ahkâm as-sultâniyya", served as the basis for the works of more than fifty other scientists and

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philosophers. In particular, the authors of legal sources in the Uzbek statehood regarded “al-Ahkâm as-sultâniyya” as a respected scholar. Therefore, the study of the scientist’s life, work, and scientific heritage has continued to this day. The “al-Ahkâm as-sultâniyya” and the political institutions which were reflected in the book have a significant impact on the management system created recently and serve as important guidelines for the administration of legal issues in the areas of Egypt, Small Asia, Khurasan, and Mâvarâunnahr.

– From a chronological point of view, applying the results of comparisons of six manuscripts of “al-Ahkâm as-sultâniyya” we can say that it is the first fundamental work of the political and legal doctrine of the Muslim state. It means his work has the high political and legal significance of the Muslim East state administration.

– One of the important conclusions of the research is that the two manuscripts of “al-Ahkâm as-sultâniyya” in Uzbekistan are much more complete and ancient than the manuscripts abroad. This fact is mainly based on the results of the dissertation research and it makes the dissertation worthy of being regarded as an important scientific novelty in Islamic history and source studies.

– Mâwardiy established a new Political Fiqh School through “al-Ahkâm as-sultâniyya”. The work was based on the reform of the Middle Ages, which served as a coordinating program of secular and religious character in the administration of the East of the Islamic State. It was a perfect political and legal source of not only the Muslim East, but also a centralized state and a fair society. As being legal basis for Muslim governance, it has served as a major theoretical program for the development of statehood in the X – XI centuries and later periods.

– Mâwardiy’s calls the caliphate to move from the religious leadership – the sultan to the modern governing, the call for Muslims and non-Muslims to be as a united social unit, and the practical steps to consolidate the centralized state remain as valuable steps.

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Accordingly, the “al-Ahkâm as-sultâniyya” is worthy of being regarded as one of the most universal sources of statehood history. The inheritance of Mâwardiy has been serving for many centuries in the Muslim East, including the development of science and education in Khurasan and Movarounnahr, the value of humanism, patriotism, enlightenment, and tolerance glorified in the Islamic teachings.

RECOMMENDATIONS:

Based on the findings from the study, the following recommendations have been developed:

1. To consider the great significance of the works of the Mâwardiy’s “al-Ahkâm as-sultâniyya” in studying the history of the Muslim East on the X – XI centuries AD, it is recommended to publish a specific facsimile editions which are in Uzbekistan, Turkey, Egypt, Irland and Beirut. It would also be helpful to create critical texts based on them and translate it into Uzbek and presenting it to the academic community. This project can be carried out on the basis of innovation approaches with government grants.
2. To enrich the textbooks of relevant higher educational institutions of Uzbekistan such as “Islâmîc Studies”, “The study of Qur’an”, “Hadis Studies”, “Theology”, “Law”, “Political Science”, “Documentarism” “Study of sources”, “History of law and state”, “The history of political-legal study”, “International law”, Written sources of the Uzbek statehood as it would be efficient. This will serve to provide potential specialists with new knowledge gained from primary sources of Oriental public administration and increase their professional skills.
3. The new information obtained from the study of the “al-Ahkâm as-sultâniyya” and the results of the scientific research, are aimed at enriching the spiritual content of the Muslim world in the X – XI centuries, in particular the history of the statehood of the peoples of Central Asia, including the organizing new scientific projects and conferences aimed at objective study of the history of Uzbekistan. It is recommended to use the literature on the state of the East. The

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first practical step is to create an electronic version of the work, based on the Tashkent manuscripts, and place it on the Internet

4. It is necessary to continue a deeply grounded scientific and comparative analysis of political and legal doctrines of Eastern governance described in “al-Ahkâm as-sultâniyya” with the ideas of following works: Platon’s “State”, Aristâtê’s “Politics”, Farâbiy’s “Thoughts of the Fozil City People” and Mâwardiy’s Statement by Nizomulmulk “Siyâsatnoma”, Abu Hamid Ghazali’s “Nasihât al-muluk”, the works of Yusuf hos Hajib’s “Qutadgu bilig”, Badriddin bin Jamai’s “Tahrir al-Ahkâm” and Fazlullah bin Ruzbehan’s “Suluk al-Muluk”. This activity encourages medieval East scholars to pay attention to the teachings of peace and stability, the preservation of original human qualities.

5. The new knowledge gained from the research of the “al-Ahkâm as-sultâniyya”, and the results of the study, have been further enriched with the spiritual content of X – XI centuries, based on the primary sources of the Muslim East, including the history of the state of the peoples of Central Asia, in particular doing the new scientific projects is conformed with the purpose.

Also taking into consideration that it is possible to identify and research the evolutionary stages of the political, legal, social, economic and military aspects of Central Asian region with the help of “al-Ahkâm as-sultâniyya”, it is required to find the ways to present the results and scientific research to the public.

During the years 1991 - 2019: I, Juraev Ziyovuddin Muhitdinovich - a student of the Tashkent Islamic Institute named after Imam al-Bukhari under the Religious Administration of Muslims of Central Asia of the Republic of Uzbekistan (Religious Administration of Muslims of Uzbekistan), a research associate of the Department of "History of Uzbek Statehood" of the Institute of History of the Academy of Sciences of the Republic of Uzbekistan, a master's student and teacher, senior teacher of the Department of "Source Studies and Special

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Historical Sciences" (now "Source Studies and Archival Studies") of the Faculty of History of the National University of Uzbekistan, a scientific researcher, postgraduate student of the Department of "Medieval Source Studies" of the Institute of Oriental Manuscripts named after Abu Rayhon Beruni of the Academy of Sciences of the Republic of Uzbekistan, the result of my scientific work completed over many years of work in the Department of "Source Studies and Archival Studies" of the Faculty of History of the National University of Uzbekistan named after Mirzo Ulugbek. The thesis was successfully defended on August 28, 2019 at the Scientific Council of the International Islamic Academy of Uzbekistan under the number DSc 26.04.2018.isl/tar.57.01.

* Juraev Ziyovuddin Muhitdinovich: The work "al-Ahkâm al-sultâniyya" of al-Mâvardiy – an important source on the history of state governing of the Muslim East (XI century). 24.00.01 – History of Islam and study of sources. Abstract of dissertation for the degree of the doctor of philosophy (Ph.D) on historical sciences. – Tashkent: 2019. – 48 b.

Scientific council number DSc 26.04.2018.Isl/TAR.57.01. for awarding Academy degrees under international islamic academy of Uzbekistan. (The national university of Uzbekistan).

The subject of the dissertation of the doctor of philosophy (PhD) on historical sciences was registered under No.B2018.1PhD/Tar.70 in the Supreme Attestation Commission under the Cabinet of Ministers of the Republic of Uzbekistan.

The dissertation was carried out at National University of Uzbekistan after the name of Mirzo Ulugbek

The abstract of the dissertation in three languages (Uzbek, English, Russian (resume)) was loaded on the website of the Scientific Council (www.iiiau.uz) and "ZiyoNET" Information- educational portal (www.ziynet.uz).

Жўраев Зиёвуддин Муҳитдинович: Ал-Мовардийнинг "ал-Аҳком ас-султанийя" асари – мусулмон Шарқи давлат бошқаруви тарихига оид

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муҳим манба (XI аср). Ихтисослик 24. 00. 01 – Ислом тарихи ва манбашунослиги.

Juraev Ziyovuddin Muhitdinovich: The work “al-Ahkâm al-sultâniyya” of al-Mâvardiy – an important source on the history of state governing of the Muslim East (XI century) 24.00.01 – History of Islam and study of sources;

Жураев Зиёвуддин Мухитдинович: Сочинение аль-Маварди “ал-Ахкаам ас-султааниййа” – важный источник по истории государственного управления мусульманского Востока (XI в.). 24.00.01 – История и источниковедение ислама.

Research supervisor: Munavvarov Zohidillo Inomkhodjaevich – Doctor of Political Sciences, professor;

Scientific consultant: Tashkulov Jo’raboy O’rinboevich – Doctor of Sciences in Law, professor;

Official opponents: Saidov Akmal Xolmatovich – Academic, doctor of Sciences in Law, professor;

Aminov Hamidulla Abdiraximovich – Doctor of Philosophy (PhD), senior research fellow;

Leading organization: Imam Bukhari International Scientific-research Center under the Cabinet of Ministers of the Republic of Uzbekistan

Sh.A.Yovkochev: Chairman of the Scientific Council for awarding academic degrees, Doctor of political Sciences, Professor;

D.A.Rahimdjanov: The secretary of the Scientific Council for awarding academic degrees, Doctor of Philosophy (PhD), Associate Professor;

S.S.Agzamkhodjaev: Chairman of the Scientific Seminar under the Scientific Council for awarding academic degrees, Doctor of Historical Sciences, Professor.

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