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SADRUSH SHARIA ACCORDING TO THE CLASS OF MUJTAHID SCIENTISTS

Abstract: Disagreements on the method of mujtahids in jurisprudence have increased, imitations and deviations from it have increased. In it, debates were observed among those who based the judgments of the four sects. The interpretation of methods and concepts related to the views of Abu Hanifa and his students served to enrich the harmony with other madhhabs. For example, seven classes of determination were discussed. Sadrush Sharia, who belonged to the Bukhara school of jurisprudence, is mentioned in this classification as a versatile scholar who produced independent works in various fields. A number of famous scholars recognize Sadrush Sharia as a researcher, researcher. According to Imam Birgivi, Sadrush Sharia belonged to the fourth class of Mujtahid, i.e. the people of Tarjih. He relies on the Hanafi school of reasoning in his arguments. According to his method, he first gives metaphorical arguments and then moves to metaphorical arguments. Then the objections of the opposing side will be raised and their arguments will be accepted in the necessary places.

Key words: jurisprudence, madhhab, Hanafi, opposition, ijihad, mujtahid, imam, tabaqa, mashoyih, Sadrush Sharia, usul, furu', intellectual and practical evidence, taqlid, Shafi'i.

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Introduction

In the science of fiqh, various disputes arose due to the differences in the methods and views followed by the mujtahids, and as a result, disputes increased after the mujtahid imams. Muqallids had the opportunity to imitate their chosen mujtahids. Finally, this ijihad and taqlid was increasingly traced back to the four imams who, in the eyes of the people, had a positive image. The people were satisfied with imitating them and refrained from imitating others. In this process, ijihad became difficult, and the sciences that made up its articles were divided over time for various reasons. Among the mujtahids who remained outside the four madhhabs, there were almost no loyalists of their madhhabs, so the institution of ijihad also began to lag behind in development.

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opportunity to imitate the mujtahids of their choice. Finally, this ijihad and taqlid was increasingly traced back to the four imams who, in the eyes of the people, had a positive image. The people were satisfied with imitating them and refrained from imitating others. In this process, ijihad became difficult, and the sciences that made up its articles were divided over time for various reasons. Among the mujtahids who remained outside the four madhhabs, there were almost no loyalists of their madhhabs, so the institution of ijihad remained undeveloped. Moreover, these four madhhabs are held at the level of the method of Islam, and the late disagreements among those who hold the madhhab firmly and base its rulings, the differences in the Shari'i texts and fiqh foundations remain in the judgment. In order to demonstrate the correctness of the Madhhab of the Imam who was followed, discussions took place among the members of the entire Madhhab based on reliable methods. Each of the members of the madhhab imitates these principles

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and methods and is used as an argument in favor of the madhhab he belongs to and against other madhhabs, and these arguments are applied in all the debates in fiqh in all matters of Shari'ah. In these discussions, the foundations of the four imams were revealed, the origin of their disagreements and ijtihaads were revealed. This type of knowledge is called khilafiyat (knowledge of khilaf, comparative Islamic law).

It is known that most of the information given in the books on Hanafi jurisprudence is the result of jurisprudential achievements of the Mashaikhs who lived in the 3rd and 4th centuries of Hijri. During this period, the first classic works of Hanafi jurisprudence began to be compiled, some of the views narrated by the imams of the sect were discussed, and in this way, the science of caliphate and jurisprudence, defined as inter-sectarian comparative law. Knowledge of the evidence and sources of the imams, and acquiring the skill to demonstrate the range of features in reading this science, has many benefits. The methods and concepts related to the views of Abu Hanifa and his students have a special place in the field of jurisprudence in the matter of finding and interpreting them, working according to the conditions of the time, and enriching the unity of madhhabs and passing them on to the next eras. Based on this, Sadrush gave place to the views of Mashaikh in his Sharia work, used past studies and continued their sectarian concepts.

For example, Sadrush Sharia, the distribution of words indicating the meaning of the word in the form of isalatun-nas, isharatun-nas, iktizaun-nas and dalalatun-nas, the absolute command does not indicate haste, his views on the servant's lack of creativity and timing, and the description of the mind as the sun, have been quoted from Mashaikh. In his work "Tawzih", which organized the comparative fiqh method of Sharia, Sadrush dealt with the topics of the fiqh method, and along with the different views of the Hanafi madhhab, he also addressed a number of conflicting issues. In this respect, the science of the work is reminiscent of the books of hilaf and jadal. In this work, Sadrush Sharia gave space to opinions opposing the views of the sect, and used the jadal method to defend the views of the sect and reject the opposing views. He used more mental reasoning in rejecting or accepting.

In particular, regarding the classification of mujtahids, Qurashi, ibn Kamalposha and Birgivi classified the mujtahids of Zarkashi into seven classes, who were divided into two classes for the sake of being absolute-muqayyid.

First class; class of mujtahids in circumstances; The four Imams (Imam Abu Hanifah, Imam Malik, Imam Shafi'i, and Imam Ahmad ibn Hanbal) who are considered to be mujtahids of this class, are perfect and or possessors of ijtihaad, and established comprehensive ijtihaad and usul rules. They are protected from taqlid both in the method and in the

furu, as they deduced the furu' rule of "adilal arbaa" from four proofs. Ibnus Salah states that in order to be an absolute mujtahid, he must be able to know the proofs of Shariah rulings through istidlal in a way that is far from taqlid and taqyid.

The second class; the class of mujtahids in the madhhab; Mujtahids from this class, such as Imam Abu Yusuf and Imam Muhammad, were absolute ijtihaad masters in Furu' and did not perform ijtihaad by method. Although they disagree on some furu' rules (contradiction), they are able to judge from "adilal arbaa" based on the rules of method set by their teachers. And in manners, they imitated their imams.

The third class; the class of Mujtahids in the matter; Mujtahids of this class, such as Abu Ja'far al-Tahawi, Karhi, Halwani, Sarakhsi, Bazdawi and Qazi Khan, perform ijtihaad on topics that have not received a single narration from the master of the sect, and they belong to the second class. But they cannot oppose the imams of the sect either in the method or in the furu. Only in non-scriptural matters they judge according to the rules of their imams.

The fourth class; Ahl al-Mujtahid class of Tahrij; Mujtahids like Razi belong to this category, and they are not capable of ijtihaad at all. However, due to their strong knowledge of method, they are able to explain the various and probable views passed down from the imams of the sect. The mujtahids of this class also made ijtihaads on the issue of revealing the reasons for rulings.

The fifth class; Tarjih Ahl Mujtahid class; Mujtahids such as Quduri and Marginani belong to this category, and their job is to select some of the narrations from the imams of the sect. The mujtahids from this class used expressions that are nobler, more reliable, and wazih, more suitable for comparison. In other words, the mujtahids of this class performed ijtihaad in a limited way, translating between views and narrations. It is correct to consider them muqallid. Only those who showed ijtihaad and intellectual activity in the scope of the madhhab, such as revealing and interpreting the views of the madhhab.

The sixth class; the class of ahl mujtahids who separate the authentic from the non-authentic (tamyiz ahli);

Mujtahids like Umar Nasafi, Maulana Mawsili, Tajush Sharia and Ibnus Saati belong to this class. Their job is not to allow weak and rejected views in their books. After all, they are mujtahids who are able to distinguish between a weak view and a strong view, and between an apparent narration and a rare narration.

The seventh class; Only a class of imitators; People of this class are not capable of any of the mentioned. They cannot distinguish right from wrong. Rather, they are like those who gather wood in the dark. They collect whatever they can get their hands on.

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According to Imam Birgiwi, mujtahids who are listed in the sixth and seventh categories are completely taqlidists and do not do any ijihad. They are only engaged in gathering and preserving the works of past ancestors.

Now, based on the classification of Ibn Kamolpasha, we will begin to think about the place of Sadrush Sharia in this classification. Sadrush Sharia, a versatile scholar who has produced independent works in various fields, is a mujtahid of the Bukhara school of jurisprudence. Sadrush Sharia was formed as a follower of Shaykhs such as Dabusi, Sarakhsi, Bazdavi, who were the leaders of this school.

In the Hanafi sources, it can be seen that Sadrush Sharia's knowledge of Usul and Furu' issues was a source of strength and pride for Hanafi scholars. In the books of Usul, Furu' and Tabaqat, only praiseworthy opinions are expressed about him.

Imam Kafawi: "There is no doubt about his Imamate and his knowledge, he is knowledgeable in various sciences, a master of Shariah laws, an opener of problems related to asl and far', a shaykh in usul and furu, a scholar in maqul and manqul, usul, fiqh, khilafiyat, jadal, hadith, tafsir, nahv, a mature scholar in vocabulary, literature, theory, speech and logic. Skilled in every field of knowledge. His knowledge is a proverb, a symbol of knowledge and manners.

Muhammad Sayyidbek, one of the teachers of the Faculty of Law of Darul, states that Sadrush Sharia is a superior and powerful scholar from the point of view of jurisprudence in the following words: He can only be a good student.

In this sense, the Islamic scholars describe Sadrush Sharia as "Imam humam wa fahrul ulamil alam..." and then they say about him: "This person was a scholar whose knowledge was unattainable by the sea, and he was a complete scholar and researcher."

According to Taftazani (792/1389), Sadrush Sharia: "He is a scholar, a scholar and a scholar, who has a firm grasp of mental and narrative balance, and is a scholar of method and furu".

Famous scholars such as Ibn Battuta, Ibn Qutlubuga (879/1474), Toshkoprizoda (968/1561) and Ali al-Qari (1014/1605) recognized Sadrush Sharia as muhaqqiq, mudaqqiq, according to Imam Birgivi (981/1573), Sadrush Sharia is a mujtahid from the fourth class of mujtahid from the people of tarjih.

In this place, it was mentioned about Sadrush sharia Ubaydullah ibn Mas'ud Sadrush, whose scientific activities are widespread and many of his works have been translated into different languages.

We also tried to determine the classification of mujtahids of Sadrush sharia and its class. Therefore, Sadrush belongs to the sixth class of sharia, the class of mujtahids who separate the authentic from the non-authentic, and he is a mujtahid who is able to distinguish between an apparent narration and a rare narration.

Conclusion

In this place, it is mentioned about Sadrush sharia Ubaidullah ibn Mas'ud Sadrush, whose scientific activities are widespread and many of his works have been translated into different languages. Also, an attempt is made to determine the classification of mujtahids of Sadrush Sharia and its class. According to him, some say that he is from the fourth class, while others recognize that the scholar is from the fifth or sixth class. Those who rely on Qurashi's information consider Sadrush to be one of the mujtahids who separate the shari'a from the sixth category, i.e., the authentic from the non-authentic, and admit that he was able to distinguish between apparent narrations and rare narrations.

References:

1. Laknavij, A. (1998). *Al-Favoidu-l-baxija fi tarozhimi-l-xanafija. Aḥmad Zaḥabij taḥriri ostida*, (p.422). Bajrut: Doru-l-arkam ibn al-arkam, 1419/1998.
2. Nasrullaev, N. (2021). Intellectual Activity Of Ubaydulla Ibn Masud And His Work «Muhtasaru-l-Viqaya» INTERNATIONAL ISLAMIC ACADEMY OF UZBEKISTAN. *The Light of Islam*, №4, Tashkent, pp. 10-21.
3. (1993). Kurashij, *Abu Muḥammad Muḥiddin ibn Aul Vafo Abdulkodir al-Misrij al-Xanafij. "Al-Zhavoxirul muzijja fi tabakotil xanafijja"*, Trablus: Zh:I, pp. 558-559. (Kejingi yrinlarda, Kurashij deb keltiramiz).
4. (n.d.). Kurashij. Zh:I, B. 560.
5. Birgavij, T. M. (1985). *"Risola fi raddil isloḥ val izoḥ"*. (pp.24-25). Istanbul.
6. Nasrullaev, N.H. (2021). XIII ASR OHIRI XIV ASR BOSH LARIDA BUHORO SHAXRI ILMIJ MUXITI. *Internauka: jelekt. nauchn. zhurn.* № 46(222). <https://internauka.org/journal/science/internauka/222>
7. Nasrullaev, N. (2021). The keeping of Turkish manuscripts of Mukhtasarul Viqaya in the fund of the Abu Rayhan Beruniy center of oriental manuscripts under the Tashkent state institute of

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- oriental studies. *ISJ Theoretical & Applied Science*, 12 (104), 564-567.
8. (n.d.). Kafavij. Abul Bako. "Kullijot", *Bajrut, jili kÿrsatilmagan*. Zh: I, pp. 40-41.
 9. (2012). *Seyyid Bey. Fikih Usûlüne Giriş*, (p.36). Istanbul.
 10. (n.d.). Taftazonij. Mas'ud ibn Umar Sa'uddin. "Tavziç". *Zh. I, Misr*, p. 2.
 11. (2017). *Sezayı Bekdemir. Sadruşşeria Ubeydullah b. Mesud*, Istanbul: Hikmetevi Yayınları, 2017. - S. 249-250.
 12. Nasrullaev, N.H. (2020). Role of Ancient Written Sources In The Formation Of The Old Uzbek Literary Language. *The American Journal of Social Science and Education Innovations*, 2(09), pp. 359-364.