



## **BURHANUDDIN MAHMUD AL-BUKHARI - A WELL-KNOWN REPRESENTATIVE OF THE MOZA FAMILY OF FAQIHS**

**Bekmirzayev Ilhomjon Isroiljonovich<sup>1</sup>, Ergashov Hasanboy Fayzullo o'g'li<sup>2</sup>**

*<sup>1</sup>Doctor of Historical Sciences International Islamic Academy of Uzbekistan.*

*A.Kadiri str. 11, 100011, Tashkent, Uzbekistan.*

*<sup>2</sup>International Islamic Academy of Uzbekistan, Doctoral student of ISESCO Department of Islamic Studies and Civilization. Jarariq str. 39, 10011, Tashkent, Uzbekistan.*

### **ABSTRACT**

*In this article, the ancestors of Mahmud Bukhari, their researches from Margilan to Bukhara, and their important place in social, scientific and political life are covered based on reliable sources.*

**KEYWORDS:** *Mahmoud Bukhari, knowledge, work, "Muhit", "As-Sadr", Bukhara, Marginon, Oli Moza, "Zakhiratul-burhaniyya".*

Although the spiritual legacy of Burhanuddin Mahmud Bukhari is reported in many sources, the information about his personality and his family, who became famous in the East as Oli Moza, is almost unexplored. Although Burhanuddin Mahmud Bukhari lived and worked in Bukhara and Samarkand throughout his life, based on the information given in his works, it was determined that he was born in 551/1156 in the present city of Margilan. For example, the following opinion written by calligraphers in the preface of the Egyptian manuscript copies of the work "al-Muhit" was taken as a basis: "Marginan is the birthplace of Imam Burhanu-sh-shari'a Mahmud ibn Ahmad al-Sadr al-Sa'id, and many virtuous people came from this city"<sup>1</sup>.

Calligrapher Abul-Fath Abdul Qahir ibn Abi Bakr ibn Ali Marginani Burhanuddin Mahmud Bukhari's full name, adds the nisba "Marginani"<sup>2</sup>.

However, in tabaqat works that provide information about Alloma, different opinions are given about his birthplace. A group of researchers and scholars who wrote tabaqat give the full name of the jurist as Burhanuddin Mahmud ibn al-Sadr al-Sa'id Tajuddin Ahmed ibn al-Sadr al-Kabir Abdul Aziz ibn Umar ibn Moza Bukhari Marginani<sup>3</sup>.

Another group of researchers is satisfied with the name of Burhanuddin Mahmud ibn al-Sadr al-Sa'id Tajuddin Ahmad ibn al-Sadr al-Kabir Abdul Aziz ibn Umar ibn Moza al-Bukhari<sup>4</sup>. Also, in the jurisprudential works of the later period, which mention the Allama, he is also mentioned under the name "Sahibi Muhit". One of the issues that cause serious problems for researchers is the naming of a jurist according to his place of birth.

Considering the above, it can be concluded that the grandfather of Burhanuddin Mahmud Bukhari, the founder of the Oli Moza family, came to Bukhara as a result of accompanying Burhanul-Kabir Sultan Sanjar in his military campaigns to Movaroonnahr. The connection of Alloma's birth with the city of Margilan is connected to these military

<sup>1</sup> Arabic texts were translated into Uzbek by the author of the study.

<sup>2</sup> Mahmud ibn Tojuddin Ahmad ibn Moza. Al-Muhitu-l-burhoniyy. O'zR FA SHI // Manuscript № 3102. – V. 1a.

<sup>3</sup> Al-A'lom. – J.8. – P.161; Ismo'il Posho al-Bag'dodiy. Hadya al-'orifin. 2 bound. – Qohira: Dor al-kutub al-'ilmiyya, 1981. J.2. – P. 404 (After that: Hadya al-'orifin.); At-Tamimiy. J.2. – P. 85; Toho. "Al-Muhit". – P. 7; Ma'sumiy. "Al-Muhit". – P. 67.

<sup>4</sup> Brockelmann, GAL. J.1. – P. 642., J.3. – P. 953., J.3. – P. 228-302; Kashf az-zunun. J.2. – P. 823, 1619; Al-Ansob. J.3. – P. 123; Toj at-Tarajim. – P. 70; Al-Qurashiy. J.3. – P. 284; Al-Kafaviy. – V. 98 p. – 155 p.; Zahabiy Muhammad ibn Ahmad ibn Usmon ibn Qoymoz (673-748). Siyar a'lom an-nubalo. 23 bound / Shu'ayb al-Arnout va Muhammad Na'im al-Arqsusiy tahriri ostida. – Beirut: Mavsua ar-risola, 1992. J.12. – P. 322 - 323.



campaigns. Sadrs and jurists, including Burhanuddin Mahmud Bukhari, who came from the family of Oli Moza, originally from Marv, had their main activities in Bukhara, so it is appropriate to add the nisba Bukhari to the name of the scholar, and Marghinani when called in full.

About the exact name of the author, some inaccuracies were found in the sources studying the history of Hanafi jurists.

The authors of "Tabaqatul-Hanafiyya" Qurashi and Lucknowi gave the name of Burhanuddin Mahmud Bukhari as Muhammad ibn Ahmad ibn Abdul Aziz Abul Ma'ali or Muhammad ibn as-Sadr al-Kabir Tajuddin Ahmad ibn Burhanul-Akhima Abdul Aziz<sup>5</sup>. The German orientalist Brockelmann mentions his name in the style of Mahmud ibn Ahmad ibn al-Sadr al-Shahid Bukhari ibn Moza in his research.

This may cause confusion in further research on the scholar's spiritual heritage.

In the copies of the work "Zakhirat al-Burhaniyya" created by Burhanuddin Mahmud Bukhari, copied near the time of the author's life, his name is given as Mahmud: the book "Fatawa az-Zakhirat" is the book of our Sayyid and Mawlam Burhanuddin Mahmud ibn Ahmad ibn Abdul Aziz ibn Umar ibn Moza Bukhari, and this book "It is known as "Burhaniyya".

In the information given in Tashkent, Cairo, Pakistan, Istanbul copies of "Al-Muhit" work, the name of the jurist is mentioned as Mahmud. Therefore, the opinions expressed by Qurashi and Lankavite regarding the original name of the scientist are unclear. The al-Sadr al-Shahid nisab used by Brockelman belongs to Husamuddin al-Sadr al-Shahid, the uncle of Burhanuddin Mahmud Bukhari, and in fact it would be correct to call the jurist Burhanuddin Mahmud ibn Ahmad al-Sadr al-Sa'id ibn Moza Bukhari Marginani.

Therefore, it is appropriate that later researchers give the name of Allama as Mahmud.

There are also different opinions about the date of birth of Burhanuddin Mahmud Bukhari, while Brockelman says that the jurist was born in 570/1174, Egyptian and Pakistani researchers Taha Ahmed al-Maghazi and Muhammad Sagir Hasan al-Masumi based on Abdul Qadir Tamimi's work "at-Tabaqotus-saniyya fi tarajimul-hanafiyya" and the Indian and Pakistani copies of "al-Muhit", the date of birth of Burhanuddin Mahmud Bukhari was 551/ 1156 and the date of his death is 616/1219. The date of the scholar's birth is not given in the Tabaqat works, whose names have been mentioned above, covering the activities of the Hanafi jurists. Brockelman's work also does not specify the name of the source relied upon to give his date of birth. Therefore, taking into account that the researches of Egyptian and Pakistani researchers Taha Ahmed Maghazi and Muhammad Sagir Hasan al-Masumi have been studied and received positively by the scientific community, it is appropriate to give the date of birth of the jurist as 551/1156. Burhanuddin Mahmud Bukhari is mentioned under the names of Burhanuddin, Burhanul-Islam, Sadrul-Islam, Sadrudin, Burhanush-shari'a in fiqh works related to the Hanafi sect. These titles show that the author of the work had a high scientific potential<sup>6</sup>.

It is known that the grandfather of Burhanuddin Mahmud Bukhari studied jurisprudence from Shamsul-A'imma and Shamsul-A'imma Bakr ibn Muhammad ibn Ali ibn Fazl ibn Hasan Zaranjari (d. VI/XII) in Burhanul-Kabir Sarakhs, and then in Uzgand<sup>7</sup>.

<sup>5</sup> Al-Favo'id. – P. 215; Al-Qurashiy. J.3. – P. 42.

<sup>6</sup> Kashf az-zunun. J.2. – P. 823; Al-Ansob. J. 3. – P. 123; Toj at-tarajim. – P. 70; Hadya al-'orifin. J.2. – P. 404; Al-Favo'id. – P. 205; Toshkubrizoda. – P. 252.

<sup>7</sup> Hadya al-'orifin. J.2. – P. 404; At-Tamimiy. J.2. – P. 85; Toj at-tarajim. – P. 86; Al-A'lom. – P. 36; Brockelmann, GAL. J.1. – P. 642, J.2. – P. 953; Muhammad Sa'id 'Abdulquddus Hoshimiy. Risola fikr an-nazar. – Islomobod: al-Hidoya, 1970. – P. 901-913; Faqir Muhammad Jiloniy. Hadoiq al-hanafiya. – Laknov: Al-Ittihad, 1326/1908. – P. 241; Al-Favo'id. – B. 206; Al-Qurashiy. J.3 – P. 284; Zaki Muhammad Hasan Bek. Al-Osor al-hakiyima. – Qohira: Dor as-salom, 1413/1993. – P. 319; Sa'id al-Hoshim An-Nadviy. Tazkira an-navodir. – Baghdad: Dor al-'arab, 1350/1931-32. –P. 60; Al-Kafaviy. – V. 98b-155b; Toshkubrizoda. J.1. – B. 272, 273, 283; Kahhola 'Umar Rizo. Mo'jam al-muallifin. 15 bound. – Beirut: Dor ihyo at-turos al-'arabiy, 1980. J.13-14. – P. 365, 795 (After that: Rizo. Mo'jam.); Az-Zahabiy. J.12. – P. 323.



Also, his family, known as Oli Moza or Sadrs in Bukhara and Samarkand, played an important role in Burhanuddin Mahmud Bukhari's growing up and becoming famous in the field of jurisprudence. The following opinions of the scholar can be cited as proof of this:

“Knowledge has always been inherited from the previous generations, continued to be transmitted from the elders, and finally it reached my martyred and Sa'id Sadrs and ancestors (may God bless them with His mercy and pleasure). Each of them (may Allah be pleased with them) commented on the unclear places in fiqh and revealed the closed places. The books written by them are widely distributed among the people and are referred to in issuing the perfect fatwa. An idea arose in my mind to write a great resource, which contains the main issues of Shariah, judicial events, and make myself like them. So that this thing will help me in my current life and become a beautiful legacy after my death.

Before Burhanuddin Mahmud Bukhari's family moved to Bukhara, they were known as “Oli Moza” and “Bani Umar ibn Marwan”<sup>8</sup>. It can be seen that the dynasty goes back to Umayyad Umar ibn Abdul Aziz ibn Marwan (d. 101/719-20), who was recognized as the 5th caliph<sup>9</sup>.

Burhanuddin Mahmud Bukhari's work in Samarkand is important for his recognition as a jurist. In Bukhara, the tension between the family of Oli Moza and the local scholars and Qilich Arslan Khan Usman (599/609-1202/1212), who was considered the khan of the last Karakhanids, caused the family to settle in Samarkand<sup>10</sup>. For example, in the work “Zakhiratul-burhaniyya” the author gave the following opinions on this issue:

“When I started issuing fatwas in the prime of my life, I started collecting the daily issues that were asked of me. I added related events to them. I also collected other fatwas that were requested during my stay in Samarkand.”

How sharp the conflicts between Oli Moza and the local rulers were can be seen in the fact that the name or kunya of a single scientist from the cedars was not reflected in the coins or currency units minted at that time and in various seal documents<sup>11</sup>.

Therefore, it is natural that Oli Moza's family strengthened relations with the scientists and political environment of Samarkand in order to protect themselves from conflicts in Bukhara. Burhanuddin Mahmud Bukhari also ran away from internal conflicts in Bukhara and worked as a judge and mufti in Samarkand for a long time. As a result, he was able to summarize the differences between the Samarkand and Bukhara fiqh schools.

Sources confirm that his works were mainly published in Samarkand, and the first copies of the work “Muhit” were copied by the calligraphers of this city. For example, in the years 660-663/1262-65, the calligrapher Abu-l-Fath Abdulqahir ibn Abi Bakr ibn Ali Marginani made “Muhit” in the form of a book in al-Amiriyya madrasa in Samarkand<sup>12</sup>.

Burhanuddin Mahmud Bukhari's teachers were mostly jurists from his own family. Alloma received the basic knowledge from his father Sadr Sa'id<sup>13</sup>. For example, Burhanuddin Mahmud Bukhari, commenting on his teachers: “... I also collected the issues of Mabsut, two “Jomi”, two “Siyar” and “Ziyadot” works. I have included rare issues (“Nawadir”), fatwas, and issues from al-waqeat. “I also added to my work what I used from my father Buzurkvor, my father (may God bless him with mercy) and the precise matters memorized by my contemporary sheikhs,” he says.

Historian Tamimi mentions his son Mahmud and Burhanuddin Marginani, the author of the famous work “Hidaya”, among the great students of Sadr al-Sa'id, the father of Alloma<sup>14</sup>.

In tabaqats, the series of teachers of Burhanuddin Mahmud Bukhari is given in the following order: Burhanuddin Mahmud al-Bukhari from his father Sadr al-Sa'id, his uncle Sadr al-Shahid, he from Burhanul-Kabir, he from Shamsul-

<sup>8</sup> Abu Ja'far Muhammad ibn Jarir at-Tabariy. Tarix al-umam va-l-muluk. – Beirut: Dor al-fikr, 1399/1979. – P. 347; Al-Husayniy, 1985. – P. 67.

<sup>9</sup> Al-Husayniy, 1985. – P. 69.

<sup>10</sup> Ömer Soner Hunkan (Karahanlılar). – P. 389; Муминов, 2003. – P. 199.

<sup>11</sup> Ömer Soner Hunkan (Karahanlılar). – P. 390.

<sup>12</sup> This manuscript is in the fund of the UzR FA SHI № 3102 stored under no.

<sup>13</sup> Ma'sumiy. “Al-Muhit”. – P. 68; Al-Kafaviy. – V. 105a; Kashf az-zunun. J. 2. – P. 1620.

<sup>14</sup> At-Tamimiy. J. 2. – P. 107.



A'imma Zaranjari, she from Shamsul-A'imma, she from Shamsul-A'imma Halwani, it is from Abu Ali al-Nasafi, it is from Abu Bakr Muhammad ibn Fazl, it is from Abdullah al-Subazmuni, it is from Abu Hafs al-Saghir, it is from his father Abu Hafs al-Kabir, it is from Muhammad ibn Hasan, it is from Abu Hanifa, it is from Hammad ibn Abi Sulaiman, he from Ibrahim Nakha'i, he from Shurayh ibn al-Harith, he from Ali ibn Abi Talib and Abdullah ibn Mas'ud, they learned knowledge from Muhammad (s.a.v.)<sup>15</sup>.

Burhanuddin Mahmud Bukhari was martyred in 616/1219 at the age of 63 in the battle with the Mongols for the protection of Bukhara<sup>16</sup>. Despite the fact that he had many students, only his son Tahir ibn Mahmud's name is mentioned in *tabaqats*. In the information provided by Haji Khalifa, the birth date of Tahir ibn Mahmud is indicated as 503/1109-10<sup>17</sup>. But this opinion of the historian is far from the truth. Because based on his information, there is a discrepancy between the dates of birth of Burhanuddin Mahmud Bukhari and his son. That is, Burhanuddin Mahmud al-Bukhari was born 47 years after his son. In the work "Al-Kataib" the date of birth of Tahir ibn Mahmud is given as 1187<sup>18</sup>. This is more realistic and accurate information.

Therefore, it is appropriate to indicate the date of birth of Tahir ibn Mahmud as 1187.

The German researcher Omelyan Pritsak, based on the work "Kitobi Mullazoda"<sup>19</sup>, which provides information about the history of Bukhara in the XI-XIII centuries, gives the following thoughts about the Oli Moza family:

"The founder of the Ali Burhan or Ali Moza family and the first head of Bukhara, Sadrul-Kabir al-Muqaddam wal Mujtahid al-Mu'azzam Burhanul-Milla wad-din No'man as-sani Bahrul-Ma'ani Abdul Aziz ibn Moza Marviy Bukhari (d. 517/1123- 1124) is After that, his son Husamuddin Sadrush-Shahid ibn Burhanul-Kabir Abdul Aziz ibn Umar ibn Moza (483-536/1090-1141 AD) became a Sadr and was martyred in the Qatawan War".

In 1238, Mahmud Tarabi took the title of Sadr from the family of Oli Moza and gave it to Shamsuddin Mahmud ibn Ahmad Mahbubi (d. 630/1232-33), son of Ahmad ibn Ubaidullah ibn Ibrahim Mahbubi. In this way, the activity of the Oli Moza family as a religious-political ruling class in Bukhara came to an end.

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<sup>15</sup> Hadya al-'orifin. J. 2. – P. 404; At-Tamimiy. J.2. – B. 85; Toj at-tarajim. – P. 86; Al-A'lom. J. 7. – P. 36; Brockelmann. GAL. J. 1. – P. 642, J.2. – P. 953; Al-Favo'id. – P. 206; Al-Qurashiy. J.2. – P. 283; An-Nadviy. – P. 60; Al-Kafaviy. – V. 98b-155 p.; Toshkubrizoda. – P. 272–283; Rizo. Mo'jam. J.2. – P. 365, 795; Az-Zahabiy. J. 17. – P. 322.

<sup>16</sup> Hadya al-'orifin. – J.2. – P. 404; Al-A'lom. J.7. – P. 161; Az-Zahabiy. T. XVII. – P. 322; Rizo. Mo'jam. J.2. – P. 147; Al-Ansob. J.3. – P. 123; At-Tamimiy. J.2. – P. 85; Toho. "al-Muhit" – P. 36, 41; Ma'sumiy. "Al-Muhit". – P. 67.

<sup>17</sup> Kashf az-zunun. J.2 – P. 1637.

<sup>18</sup> Al-Kafaviy – V. 192 a.