



THE ROLE OF BURHANIDDIN MARGHINANI'S LEGACY IN THE DEVELOPMENT OF FIQH SCIENCE

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Abstract. *This article examines the scholarly legacy of Burhaniddin Marghinani (1123–1197), a central figure in the development of Hanafi Islamic jurisprudence and one of the most distinguished representatives of the twelfth-century scientific renaissance in Transoxiana. The study analyzes the principal works of Marghinani including “Bidayat al-Mubtadi,” “Kifayat al-Muntahi,” “Hidaya,” “Mukhtarat an-Nawazil,” and “At-Tajnis wal-Mazid” examining their structural composition, the history of their composition, their manuscript and printed tradition, and their place in the development of fiqh science. Special attention is given to the question of the volume of “Kifayat al-Muntahi,” the role of “Hidaya” in world legal civilization, and the ongoing significance of Marghinani’s heritage for contemporary Islamic scholarship and the academic tradition of Uzbekistan.*

Keywords: *Islamic law; Islamic jurisprudence; fiqh; furu’ al-fiqh; Hanafi madhhab; faqih; Hidaya; Marghinani; fiqh heritage; Transoxiana.*

INTRODUCTION

Abulhasan ‘Ali ibn Abi Bakr ibn ‘Abduljalil ibn ‘Abdulkhalil Shaykh al-Islam Burhaniddin Marghinani (1123–1197) is a preeminent representative of Islamic law who played a singular role in the development of the Hanafi school of thought. His scholarly activity made an incomparable contribution to the formation of the First Renaissance of Transoxiana a period that symbolizes the flourishing of science and culture in the twelfth century. In this era, cities such as Bukhara, Samarkand, Khiva, Nasaf, Kesh, and Shash were recognized as world scientific centers comparable in their time to Oxford, Cambridge, and Harvard in our own. From the scientific environment of Ferghana alone, hundreds of scholars emerged bearing the nisbas Farghani, Marghinani, Rishdani, and Oshi.

Four affiliations are added to the scholar’s name in the sources: Farghani, Marghinani, Rishdani, and Siddiqi. According to the information provided by ‘Abd al-Hayy Lakhnawi,



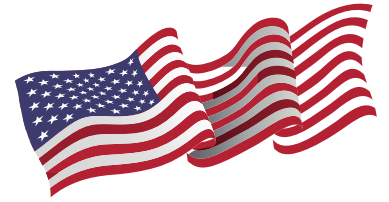
the nisbah Siddiqi indicates that the scholar was a descendant of the great Companion and first of the Rightly Guided Caliphs, Abu Bakr al-Siddiq (may Allah be pleased with him) (Lakhnawi, cited in Ma‘sum Muhammad ‘Abdullah, 2016:12). The sources further record that whereas scholars such as Abu Hafs al-Kabir al-Bukhari, Mahmud al-Zamakhshari, and Abu ‘Abdullah al-Khwarazmi undertook scholarly journeys to Arab lands, the teaching environment of Transoxiana was itself sufficient for Marghinani to attain world-class scholarship. The scholar traveled to Merv, Nasaf, Bukhara, and Samarkand, but the broader trajectory of the ninth to twelfth centuries demonstrates that regional scholars had by this time successfully transferred the scientific achievements of Mecca, Medina, Basra, Kufa, and Baghdad into the Central Asian region, enabling students to become internationally recognized scholars without undertaking distant journeys.

METHODS

This study employs historical-analytical and source-critical methods, drawing on published critical editions of Marghinani’s principal works and the classical and modern scholarly literature about them. The primary sources include the published editions of “Hidaya” (Marghinani, 2019), “Bidayat al-Mubtadi” (Marghinani, 2018), “Kitab at-Tajnis wal-Mazid” (Marghinani, 2004), and “Mukhtarat an-Nawazil” (Marghinani, 2013), supplemented by the biographical and analytical study of Ma‘sum Muhammad ‘Abdullah (2016). The analysis proceeds thematically, examining each of the principal works in terms of its composition history, structural organization, and scholarly significance.

RESULTS

Overview of scholarly works. Burhaniddin Marghinani authored works in the fields of Islamic law, the methodology of Islamic law (*usul al-fiqh*), applied jurisprudence (*furu’ al-fiqh*), and the Hanafi school of thought. His principal works include: “Bidayat al-Mubtadi,” “Kifayat al-Muntahi,” “Hidaya,” “Mukhtarat an-Nawazil,” “At-Tajnis wal-Mazid,” “Manasik al-Hajj,” and “Kitab al-Fara’id.” The chief judge (Qadi al-Qudat) Shams al-Din al-Hariri narrates from the great grammarian Jamal al-Din ibn Malik that “Burhaniddin Marghinani mastered eight sciences perfectly.” Sources also record that the scholar possessed a strong poetic gift and composed ghazals and poems; since his



poetry was not compiled into a separate collection, this dimension of his legacy remains an open field for scholarly investigation (Ma‘sum Muhammad ‘Abdullah, 2016:15).

“Bidayat al-Mubtadi” and “Kifayat al-Muntahi.” The scholar’s first jurisprudential work, “Bidayat al-Mubtadi,” is a single-volume guide for those beginning the study of jurisprudence (Marghinani, 2018). Over time, Marghinani began to write an extensive commentary on this work, producing “Kifayat al-Muntahi” a work intended to be sufficient for those wishing to fully master the science of jurisprudence. Most Uzbek-language studies indicate the volume of “Kifayat al-Muntahi” as eight volumes. However, Arabic sources in particular Tashkoprizada’s “Taj al-Tarajum” state that it consisted of eighty volumes, a view also supported by ‘Abd al-Hayy Lakhnawi and confirmed in the introduction to the Saudi Arabian edition of “Hidaya.”

Three arguments support the reading of eighty volumes. First, if “Kifayat al-Muntahi” were only eight volumes, it is not logically coherent that Marghinani would have spent thirteen years 156 months, 4,615 days producing the four-volume “Hidaya” as an abridgment of it; reducing eighty volumes to four is, by contrast, a proportionate undertaking over such a span. Second, works of comparable scale were well established in the tradition the Tafsir of al-Tabari, for example, comprised thirty volumes. Third, it is implausible that contemporary Saudi Arabian publishers would have described an eight-volume work as eighty volumes, since such an error would be immediately recognized by any scholar of jurisprudence. In the sources it is also recorded that Marghinani refers to “Kifayat” at approximately twenty places in “Hidaya,” and that one of the stated reasons for composing “Hidaya” was precisely the difficulty students experienced in mastering the larger work.

“Hidaya.” The sources record that Marghinani fasted continuously while composing “Hidaya” an ascetic discipline of which even his family members were unaware (Marghinani, 2019). The result was a work that gained extraordinary recognition across the Islamic scholarly world: it has been translated into Persian, Turkish, Urdu, Bengali, English, French, and Russian, and has received approximately sixty commentaries and marginal glosses. According to the Indian scholar Anwar Shah Kashmiri, no jurisprudential work comparable to “Hidaya” exists in any of the four Sunni madhhabs

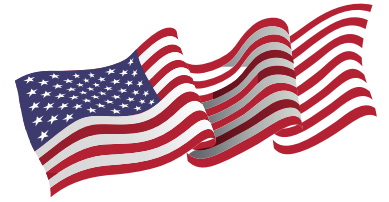


Hanafi, Shafi'i, Maliki, or Hanbali. "Hidaya" made an unparalleled contribution to the development not only of the Hanafi school of thought but of the science of jurisprudence as a whole, securing its rightful place in the treasury of world legal civilization (Ma'sum Muhammad 'Abdullah, 2016:34).

"Mukhtarat an-Nawazil." "Mukhtarat an-Nawazil" is Marghinani's work on Hanafi jurisprudence. The compiler of "Kashf al-Zunun" estimates its volume at more than 300 chapters; in some sources it is referred to as "Mukhtarat Majmu' Nawazil." The modern edition was published in New Delhi in 2013 by the Ifa Publishing House on the basis of the research of Khalid Sayfullah al-Rahmani, Secretary General of the Indian Academy of Islamic Fiqh (Marghinani, 2013). The work consists of four volumes. The first volume begins with the "Book of Purity" and ends with the "Book of Hajj," comprising 5 books, 17 chapters, 33 sections, and 954 jurisprudential issues. The second volume, from the "Book of Marriage" to the "Book of the Disappearance of a Person," consists of 15 books, 36 chapters, and 833 issues. The third volume, from the "Book of Reprehensible Matters" to the "Book of Lease," consists of 13 books, 3 chapters, 29 sections, and 859 issues. The fourth volume, from the "Book of Judicial Conduct" to the "Book of Wills," consists of 21 books, 38 chapters, and 835 issues. In total, "Mukhtarat an-Nawazil" comprises 4 volumes, 54 books, 35 chapters, 136 sub-chapters, and 3,481 jurisprudential issues.

A comparison with "Hidaya" reveals the following: "Mukhtarat an-Nawazil" addresses a greater number of jurisprudential issues than "Hidaya;" while "Hidaya" cites the Sharia sources of jurisprudential issues in detail, sources are rarely indicated in "Mukhtarat an-Nawazil;" "Hidaya" presents the divergences among jurisprudential schools, an approach less frequently found in the later work; and some issues in "Mukhtarat an-Nawazil" receive different conclusions from those in "Hidaya," reflecting the evolution of the author's views and confirming that "Mukhtarat an-Nawazil" was composed after "Hidaya."

"At-Tajnis wal-Mazid." This work contains fatwas of later jurists on issues that did not arise during the time of the founding scholars of Islamic law and were thus innovative for the period in which they were issued. The work was initiated by



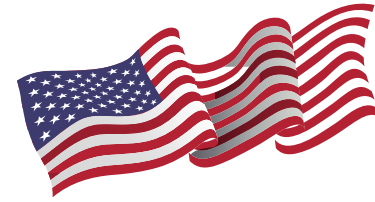
Marghinani's teacher, the distinguished Hanafi scholar Husam al-Din Shahid 'Umar ibn 'Abd al-'Aziz ibn Maza, and was completed by Marghinani after his teacher's death. The modern edition was published in Karachi, Pakistan, in 2004, based on the research of Professor Muhammad Amin Makki of the International Islamic University of Islamabad (Marghinani, 2004). The work consists of two volumes, 28 books, 217 chapters, 182 sections, and 1,357 jurisprudential issues.

"Manasik al-Hajj" and "Kitab al-Fara'id." "Manasik al-Hajj" is devoted to the fifth obligatory pillar of Islam the Hajj and related jurisprudential issues. Marghinani refers to this work in the "Book of Hajj" within "Hidaya," noting: "Although some narrations on prayers have been transmitted, we have included these prayers in our work 'Uddat al-Nasik fi 'Idda min al-Manasik'" meaning "The Preparation of the Pilgrim for the Pillars of Hajj." The work "Kitab al-Fara'id" is devoted to the legal questions of inheritance, and in some sources it is referred to as "Fara'id 'Uthmani."

DISCUSSION

The legacy of Burhaniddin Marghinani has captivated scholars from across the Islamic world for centuries. According to the Union of Scholars, he was honored with titles specific to Islamic sciences: "Imam," "Hafiz," "Muhaddith," and "Faqih." He was further distinguished with the honorifics "Sanad al-'Ulum" (The Document of the Religious Sciences) and "Shaykh al-Islam." The verdict of Anwar Shah Kashmiri that no comparable jurisprudential work exists in any of the four Sunni madhhabs reflects a scholarly consensus that has endured for eight centuries (Ma'sum Muhammad 'Abdullah, 2016:34).

The question of the volume of "Kifayat al-Muntahi" eight or eighty volumes is not merely a bibliographical curiosity but has significant implications for the understanding of Marghinani's scholarly achievement. If the work comprised eighty volumes, the thirteen years spent in composing "Hidaya" as its abridgment represents an extraordinary feat of intellectual synthesis that elevated the practical accessibility of the Hanafi tradition. The ascetic practices recorded in connection with the composition of "Hidaya" sustained fasting of which even his family was unaware place the work in the tradition of Islamic scholarly production as an act of religious as well as intellectual devotion.



The contemporary significance of Marghinani's legacy is vividly illustrated by the complete translation of "Hidaya" into Uzbek by scholars M. Kamilov, I. Bekmirzaev, and A. Kambarov with comments and annotations and in an academic edition a landmark result of the reforms carried out in New Uzbekistan and a unique contribution to the foundation of the Third Renaissance.

CONCLUSION

Burhaniddin Marghinani's scholarly legacy occupies a position of singular importance in the history of Islamic jurisprudence. His works above all "Hidaya" made an unparalleled contribution to the development of the Hanafi madhhab and to the science of fiqh as a whole, securing a permanent place in the treasury of world legal civilization. The structural complexity and thematic comprehensiveness of his corpus, from the beginner's primer of "Bidayat al-Mubtadi" to the vast compilation of "Mukhtarat an-Nawazil," testifies to a scholar of extraordinary range and intellectual depth (Marghinani, 2013, 2018, 2019).

Future research should focus on: the critical philological investigation of the manuscript tradition of "Kifayat al-Muntahi" to resolve definitively the question of its volume; a comprehensive study of Marghinani's poetic legacy, which remains uncompiled and unanalyzed; and a systematic comparative analysis of "Mukhtarat an-Nawazil" and "Hidaya" to document the evolution of the author's jurisprudential positions across the span of his career (Ma'sum Muhammad 'Abdullah, 2016:45).

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