



ON THE ACTIVITIES OF QAZIKHANAS IN THE BUKHARA EMIRATE AND THEIR SPECIFIC FEATURES

Shirinov Sardor Avazovich

Doctoral student of Karshi State University
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Annotation: This scientific article briefly describes the significant reforms carried out in the Bukhara Emirate during the reign of Amir Shahmurod (1785-1800). In particular, it provides a brief overview of the fundamental changes in the judicial system.

Among the Uzbek khanates, the most religious inclination was observed in the Bukhara state, where each ruler tried to protect his position and security through religious authority. Therefore, the clergy had their place in state policy, and the rulers were forced to carry out reforms for their benefit. Religious authority and its influence were not only not enough, but each ruler also used religion and religious authority to ensure his position and personal security. In this situation, the clergy occupied an important place in state policy. They actively participated in state affairs and reforms, as well as in legal issues based on the rules of Sharia, and played an important role in their implementation.

Sharia was considered a set of rules that determined the behavior of a Muslim from birth to death. In early Islam, the legal management of society was carried out on the basis of the Quran. Later, a need arose for a set of laws covering all socio-economic, political-legal and religious activities of Muslims. Islamic jurists developed Sharia standards over several centuries.

In general, qazikhanas are historically significant social, economic and political institutions that played an important role in solving various problems and preserving the rights and freedoms of people. The main task of qazikhanas was usually to resolve disputes and compromises, protect human rights and make fair decisions. Researcher A. Kandaharov, in his comment on the state administration bodies of the Shaybani era, states that the central government bodies of the state were organized by divans, and the judicial system was organized by qazi courts. With the establishment of the Shaybani dynasty in Movarounnahr, the changes that occurred in state administration and social life began the next stage of state development. The ruler of the state, Muhammad Shaybani Khan, was one of the most knowledgeable people of his time in Sharia law, so he paid special attention to solving legislative and legal issues.

During the reign of Amir Shahmurod (1785-1800), the reforms carried out in the Bukhara Emirate were of great importance. In particular, he radically





changed the judicial system. One of the reforms carried out by Shahmurod was that every Muslim, even a slave, had the right to appeal to a judge. This was a step aimed at ensuring the legal protection of citizens in a unique way. Legal mechanisms were also developed to protect the emir's subjects (large and small) with the help of current laws and court decisions.

During his reign, Amir Shahmurod carried out social and economic reforms, including land, administrative and tax reforms. These reforms helped to adapt the state administration to the requirements of world civilization. The rulings aimed at strengthening the social system and protecting human rights, especially in the implementation of the judicial system, strengthened legislation and legal relations, since they were based on the rules of Sharia. The most important aspect of Amir Shahmurod's judicial and legal reforms is that he organized a new judicial system in Bukhara. In this system, town, district, regional judges and the chief judge, as well as forty-a-lam courts, worked. Decisions made by the judge during the trial were reviewed, especially based on complaints from the opposing party. Determining the role of the chief judge and the emir and reviewing the procedure for their work was an important step. Thus, it is clear that in the Bukhara Khanate (Emirate) the qazikhana was a special institution in which qazis (judges) made decisions. Their task was to issue decisions on the cases under discussion, and qazikhana functioned as state institutions. They worked on binding and often normative legal letters to ensure justice. Of course, the task of ensuring that judges adhere to ethical and legal standards, and that the features of state policy prevail in the socio-economic environment, prevailed in the activities of courthouses.

In the research works of T. Khudoykulov, based on a number of scientific literature on this topic, he analyzed the following points . In particular: In addition to the activities of the courts, a supreme court chamber consisting of forty alams was also established. Its members took into their hands the collection compiled by Shahmurad himself on the basis of Sharia law and acted in accordance with it when resolving complaints and appeals. When a case was heard in the Supreme Court, the emir himself was the head. Therefore, this organization can be called the supreme court of the emir. In addition, the plaintiff was required to personally participate in the hearing of the case in court. The appointment of judges to districts and larger villages (towns) was also one of the innovations he introduced. Thus, during the reign of Amir Shahmurad, a new judicial system was established in the Bukhara Emirate: town, district, regional judges, the Chief Qadi and the forty alam court, and the





highest judge was the emir himself. The collection of rules compiled by Shahmurad on the basis of Sharia law is noteworthy, as collections of rules compiled by the heads of state are rare. An important aspect of the judicial and legal reforms carried out by Amir Shahmurod is that by this time, a party dissatisfied with a judge's ruling had the right to appeal to the judge or the emir.

Thus, scientific analysis shows that in the Uzbek khanates, those who were dissatisfied with the decisions made by the judges appealed to the qazikalon. The judges did not have a strictly defined territorial unit. Each plaintiff appealed to the judge he trusted. The qazi offered the parties to come to an agreement before the start of the court session. If this offer was rejected, the qazi administered an oath to them, listened to the parties' petitions and the testimony of witnesses, then issued a decision, which was immediately implemented by the local authorities.

These reforms, in turn, had a significant impact on the reform of the judicial system in other khanates. Investigations were carried out on complaints written to the qazikalon or the emir, and if the decision made by the qazi caused dissatisfaction, it could be canceled. The most important feature of these processes is that the work of judicial bodies was based on Sharia law, and the decisions were introduced into state practice. This, in turn, meant the strengthening of the system aimed at ensuring law and justice.

In conclusion, the judicial system in the khanates has always been an important area of attention. The activities of the qazikhans and their specific features have an important social, legal and economic content, they are one of the main elements of the legal system in the country. The role of the qazikhans in ensuring justice, their independence and the procedure for their work are based on high moral and legal norms and make a great contribution to social development. The system was managed by the qazikolon according to a specialized procedure. He performed the function of a court of higher instance over the lower qazis, that is, as in the Eastern Islamic states, the khans, who were the heads of state, exercised judicial control over the judicial system as the father of the nation and the people. The qazikolon personally participated in the issuance, approval and public announcement of fatwas submitted by the lower qazis on extremely important or problematic cases.

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