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AL-MARGHINANI'S THOUGHTS OF FARD, HADITHS AND CATEGORY OF MUSTAHAB IN THE BOOK «AL-HIDAYA»

Abstract. This article is dedicated to the content of the famous jurist Burhān al-Dīn al-Marghīnānī's work *al-Hidāya* and its role and significance in the development of Islamic jurisprudence. The book provides a scholarly analysis of the primary sources of Islamic law—the Qur'an, Sunnah, consensus (ijmā'), and analogy (qiyās)—as well as the methods of their application. In *al-Hidāya*, the legal obligations such as purification (tahāra), prayer (ṣalāt), fasting (ṣawm), almsgiving (zakāt), and pilgrimage (hajj), along with their socio-legal aspects, are explained in detail. Furthermore, jurisprudential categories such as fard, wājib, sunnah, mustahabb, ḥalāl, ḥarām, and makrūh are extensively discussed. Since the work also presents a comparative analysis of the views of different schools and scholars, it enables the reader to grasp scholarly debates and disagreements in matters of Islamic law and creed in an academic manner. *Al-Marghīnānī's al-Hidāya* is one of the most important manuals in Islamic legal scholarship; in his time, it contributed to the establishment of spiritual stability and a just legal system within Muslim society, and it continues to serve as a textbook in many Islamic educational institutions to this day.

Keywords: Burhanuddin al-Marghinani, *Al-Hidaya*, Hanafi school, Islamic jurisprudence, Sharia, Quranic decrees, Sunnah, hadith authenticity, fard prescriptions, mustahab actions.

«AL-HIDOYA» KITOBIDA BURHONIDDIN MARG'INONIYNING FARZ, HADISLAR VA MUSTAHAB KATEGORIYASI HAQIDAGI FIKR-MULOHAZALARI

Annotatsiya. Mazkur maqola mashhur faqih Burhoniddin Marg'inoniyning "Hidoya" asari mazmuni hamda fiqh ilmi rivojida o'rni va ahamiyatiga bag'ishlangan. Asarda islom huquqining asosiy manbalari – Qur'on, sunnat, ijmo va qiyos hamda ularning qo'llanilish usullari ilmiy asosda tahlil qilingan. "Hidoya" asarida shar'iy vazifalar – tahorat, namoz, ro'za, zakot va haj masalalari hamda ularning ijtimoiy-huquqiy jihatlarini batafsil izohlangan. Shu bilan birga, fiqhiy kategoriyalar – farz, vojib, sunnat mustahab, halol, harom, makruh kabilar ham keng yoritilgan. Asarda turli mazhab va olimlarning qarashlari ham qiyosiy tahlil etilgani tufayli o'quvchi islom huquqi va aqida masalalaridagi ixtiloflarni ilmiy tarzda anglab yetishi mumkin. Burhoniddin Marg'inoniyning ushbu asari islom huquqshunosligida eng muhim qo'llanmalardan biri bo'lib, u o'z davrida musulmon jamiyatida ma'naviy barqarorlik va adolatli huquqiy tizim shakllanishiga xizmat qilgan va ko'pgina musulmon bilim yurtlarida hanzugacha o'quv adabiyoti vazifasini o'tab kelmoqda.

Kalit so'zlar: Burhanuddin al-Marginoni, *Al-Hidaya*, hanafiy maktab, islom huquqshunosligi, shariat, hadis, quranik farmonlar, sunnat, hadislarining ishonchliligi, fardiy ko'rsatmalar, mustahab amallar.

INTRODUCTION

The historical period during which Burhanuddin al-Marghinani lived coincided with the 9th to 12th centuries, the first stage of the Eastern Renaissance, a time when Islamic jurisprudence was extremely necessary for the development of Muslim legal thought in Maveraunnahr. The work «Hidaya» in jurisprudence, authored by Burhanuddin al-Marghinani, was aimed at solving legal problems in the multinational Muslim society of that time. A significant and important role in shaping his views was played by the fact that Burhanuddin al-Marghinani belonged to the Hanafi school of legal thought, founded by Abu Hanifa. The sources of Islamic Sharia are, first, the Quranic decrees, second, the Sunnah of the Prophet, third, Ijma (consensus), and fourth, rational sources, which are the main methodological bases in Abu Hanifa's decisions.

MAIN PART

The Quran is the primary source of religious prescriptions, ethical-cultural norms, and rules of behavior for Muslims. Depending on the rights being regulated, the commands of the Quran are divided into three groups: the rights of Allah (worship), the rights of people (interpersonal relations), and combined rights (marriage, punishments). Quranic commands arose under specific conditions. The book also contains legal norms but is not a legal code in the modern sense. About 250 verses of the Quran regulate legal issues. (David R., 2003:45)

In the 10th century, scholars of «Ahl al-Sunnah wa'l-Jama'ah» prohibited independent *ijtihad* to prevent disagreements and the emergence of different sects. Abdulhay Laknawi mentions Burhanuddin al-Marghinani as a scholar of the «ashab al-tarjih» level, competent in interpreting *madhhabs*. Frequent *isnads* and numerous commentaries on «Al-Hidaya» confirm the high reputation of this work.

The field of the science of *Khilaf* (disagreements) includes not only discussions on *fard* and obligations and the study of contradictory opinions concerning only these aspects, but also addresses the problems of differing scientific approaches among jurists concerning *hadiths* and the Sunnah of the Prophet.

Muslim scholars developed an effective system of *isnad* (chain of transmission) to preserve *hadiths*. In this system, the transmitter of the *hadith*, in addition to the name from whom he took the *hadith*, lists the names of all transmitters of the *hadith* (Muhammad

Yusuf, 2005–2007:65). Thus, a chain of transmitters was formed, reaching back to the Prophet Muhammad (peace be upon him).

According to established tradition, a *hadith* consists of two parts. The first part is the *isnad* (literally «support» in Arabic), which is the list of transmitters of the *hadith*, i.e., the reference to the source of the narration, enumerating the individuals who transmitted it. This is usually a complete chain starting from the most recent transmitter and going back to an eyewitness – a contemporary of the Prophet. The second part is the *matn* (Arabic for «text»), which is the actual content of the *hadith*.

The structure of *hadiths* is as follows: 1) *Isnad* - the chain of names of transmitters of the *hadith*; 2) *Matn* - the text of the *hadith*, which contains information about an action, deed, word, etc., of the Prophet Muhammad. In reality, *Isnad* is the guarantee of the authenticity of *hadiths*. Early *hadith* scholars did not accept a *hadith* if they could not verify its *isnad*.

This system was fully utilized by Muslims and, in some cases, even took on an excessive character for the documentation of *hadith* literature - the treasury of the Sunnah. Consequently, with the appearance of *isnad*, a unique science emerged known as «*Ilm al-Jarh wa al-Ta'dil*» (the science of criticism and validation of transmitters).

Muslim scholars were the first to introduce the concept of *Sanad* (*Isnad*) to examine the truthfulness, authenticity, and accuracy of the transmission of the *hadiths* of the Prophet (peace be upon him) for their preservation. The *Isnad* system, developed by Muslim scholars, proved its effectiveness in preserving *hadiths*. (In this system, the transmitter of a *hadith*, besides naming the person from whom he took the *hadith*, lists the names of all transmitters of that *hadith*. Thus, a chain of transmitters is formed, reaching back to the Prophet Muhammad (peace be upon him).) *Isnad* is the guarantee of the authenticity of *hadiths*. Early *hadith* scholars did not accept a *hadith* if they could not verify its *isnad*.

«*Al-Hidaya*» by Burhanuddin al-Marghinani, being one of the most important works in Islamic jurisprudence, pays significant attention to the authenticity of *hadiths*. *Hadiths* are narrations about the sayings, actions, and approvals of the Prophet Muhammad, which serve as the second most important source of Islamic law after the Quran. «*Al-Hidaya*» discusses various aspects of the authenticity of *hadiths*, including their classification and conditions for acceptance.

The main points discussed in «Al-Hidaya» regarding the authenticity of hadiths include:

1. Classification of Hadiths: Depending on their degree of authenticity, hadiths are divided into:

- Sahih (Authentic): Hadiths with an uninterrupted chain of transmitters (isnad), each of whom is truthful and trustworthy.

- Hasan (Good): Hadiths that have some weakness in their isnad but are still acceptable for use in legal decisions.

- Da'if (Weak): Hadiths with breaks in the isnad or transmitters whose truthfulness is questionable.

2. Conditions for Acceptance of Hadiths:

- Continuity of Isnad: The isnad of a hadith must be continuous, with no gaps between the transmitters.

- Truthfulness of Transmitters: The transmitters in the chain must be known for their truthfulness and accuracy.

- Absence of Hidden Defects: A hadith should not contain hidden defects or contradictions.

3. Application of Hadiths in Legal Decisions: «Al-Hidaya» emphasizes the use of authentic hadiths when making legal decisions and forming legal norms. Al-Marghinani often cites hadiths to justify his opinions and decisions, meticulously verifying their authenticity.

4. Comparative Analysis: Al-Marghinani presents the opinions of various legal schools and their arguments, discussing how they relate to certain hadiths. This allows the reader to understand the differences in approaches and make more informed conclusions.

Thus, «Al-Hidaya» underscores the importance of the authenticity of hadiths and their proper application in Islamic law. This work remains an important guide for Muslim jurists and students seeking to understand and apply hadiths in legal practice.

«Al-Hidaya» by Burhanuddin al-Marghinani is an important work in Islamic jurisprudence, especially in the Hanafi school. This treatise details various aspects of Islamic law, including fard prescriptions. Fard refers to obligatory religious prescriptions that Muslims must perform. Let's explore the main fards discussed in «Al-Hidaya».

1. Purification (Tahara): Islam places great importance on both physical and spiritual cleanliness. Purification before performing prayers and other religious rituals is a fard. «Al-Hidaya» discusses different types of ritual purification:

- Wudu: Partial ablution, which includes washing the face, hands, feet, and wiping the head.

- Ghushl: Full ablution required after certain conditions, such as sexual intercourse or menstruation.

- Tayammum: Ritual purification with earth or sand in the absence of water.

2. Prayer (Salat): The five daily prayers form the foundation of worship in Islam and are the primary fard for every Muslim. «Al-Hidaya» discusses various aspects of performing prayers:

- Obligatory elements of prayer: Include reciting Al-Fatiha (the first surah of the Quran), bowing, and prostration.

- Prayer times: It is important to observe the correct times for each of the five prayers: Fajr (morning), Zuhr (noon), Asr (afternoon), Maghrib (evening), and Isha (night).

- Conditions for performing prayer: Cleanliness of the body, clothing, and place where the prayer is performed.

3. Fasting (Saum): The annual fast during the month of Ramadan is another key fard for Muslims. «Al-Hidaya» discusses the rules and conditions for fasting:

- Fasting time: From dawn to sunset.

- Conditions for observing the fast: Abstaining from food, drink, and sexual relations during daylight hours.

- Exceptions to fasting: Illness, travel, pregnancy, and other circumstances that may allow for a postponed fast.

4. Zakat: The obligatory almsgiving that Muslims must pay to support those in need. «Al-Hidaya» discusses the following aspects of zakat:

- Conditions for paying zakat: Possession of a certain amount of wealth (nisab) that remains with a Muslim for a year.

- Zakat calculation rules: Zakat amounts to approximately 2.5% of accumulated wealth.

- Goals and recipients of zakat: The funds should be given to the poor, needy, and other charitable purposes.

5. Hajj: The pilgrimage to Mecca, obligatory for every Muslim who has the physical and financial means to perform it at least once in a lifetime. «Al-Hidaya» details the rituals of Hajj:

- Stages of Hajj: Ihram (entering a state of sanctity), Tawaf (circumambulation of the Kaaba), Sa'i (running between the hills of Safa and Marwah), standing at Arafat, and other rituals.

- Conditions and restrictions of Hajj: The need to complete all stages on specific days and adhere to corresponding rules.

In «Al-Hidaya», Burhanuddin al-Marghinani provides evidence from the Quran and hadith, as well as the opinions of other Islamic scholars, to explain the importance and procedure for fulfilling these obligatory prescriptions. These fards are fundamental elements of Islamic faith and practice that must be observed by all Muslims. Additionally, «Al-Hidaya» offers practical recommendations and explanations to help Muslims adhere to these prescriptions in their daily lives.

Scholars from Pakistan highly regard Burhanuddin al-Marghinani's legal insight, writing the following: «Alaama Marghinani was a great jurist, muhaddith, devout person, and researcher in the eyes of his contemporaries, scholars, and jurists. According to Abdul Hay Lakhnawi, Sheikh Burhanuddin al-Marghinani was the imam of his time, a great jurist, hafiz of hadith, commentator, expert in various sciences and arts, a devout and pious person, ascetic, and researcher. He had a broad and critical view of various fields of science and literature. He held a high position in the knowledge of halkiyat and had a legal approach to religions. Allah Ta'ala elevated Imam Marghinani to the highest position in knowledge, jurisprudence, interpretation, decrees, grace, and perfection, granting him such greatness that besides Akaabir and Mashayikh, contemporary jurists recognized his greatness and superiority, as Imam Fakhruddin Razi, Qazi Khan, Zahiruddin Bukhari, and others referred to Marghinani as an unparalleled researcher and jurist of his era.» (Abdul Ghaffar, Amat ur Rehman, & Jamil M.S., 2023:323).

Additionally, Marghinani, in his book, describes disagreements concerning the category of mustahab. In fiqh literature in Arabic, the term «mustahab - (يُحِبُّ) and verbal forms derived from the root (ح ب س) (يُحِبُّ، يُحِبُّ، يُحِبُّ) and others are used to express the meanings of «commendable actions, not strictly obligatory but desirable to perform,» «good, pleasing action,» «desirable.» Mustahab is a part of halal (permissible actions in Islam). In Shariah, there are no punishments for not performing actions categorized as mustahab, but those who perform them receive «the grace of Allah» (Ali-Zade A.A., 2007:101).

«Mustahab denotes commendable, good actions. These are actions recommended to be performed because they were usually practiced by the Prophet Muhammad and his companions. However, failing to perform them does not lead to sin. In this sense, the concept of mustahab is close to the concept of non-emphasized Sunnah (sunnah ghayr mu'akkadah). Examples of mustahab include prayers like Tahiyat

al-Masjid, Awwabin, and commendable fasts» (Philips A., 2002:56).

«Al-Hidaya» by Burhanuddin al-Marghinani pays significant attention to the category of mustahab. Mustahab (also known as sunnah or mandub) refers to actions and practices that are recommended and encouraged but not obligatory. They bring additional reward to those who perform them, but failure to perform them does not incur punishment.

Mustahab signifies actions that the Prophet Muhammad (peace be upon him) regularly performed but did not establish as obligatory. These actions are acts of piety that are recommended for obtaining additional reward from Allah. Performing mustahab helps Muslims strengthen their faith, improve their moral qualities, and draw closer to Allah.

Main Examples of Mustahab in «Al-Hidaya»

1. Additional Prayers (Sunnah Salat): In addition to the five obligatory prayers, «Al-Hidaya» recommends performing additional (sunnah) prayers. These include:

- Two Rakats before Fajr: Performing two rakats before the Fajr (morning) prayer.

- Four Rakats before Zuhr and two after: Additional prayers before and after the Zuhr (noon) prayer.

- Two Rakats after Maghrib: Additional prayers after the Maghrib (evening) prayer.

- Two Rakats after Isha: Additional prayers after the Isha (night) prayer.

2. Fasting on Additional Days: Besides the obligatory fast during the month of Ramadan, «Al-Hidaya» discusses additional fasts which are considered mustahab. These include:

- Fasting on Mondays and Thursdays: Fasting on these days is recommended as the Prophet Muhammad (peace be upon him) often fasted on these days.

- Fasting on the Days of Ashura: Fasting on the 10th day of the month of Muharram and a day before or after it.

- Fasting in the Months of Sha'ban and Shawwal: Fasting during these months is also mustahab as the Prophet Muhammad (peace be upon him) fasted during these times.

3. Engaging in Dhikr (Remembrance of Allah): «Al-Hidaya» recommends frequently remembering Allah by engaging in dhikr. This can include various phrases such as «Subhanallah» (Glory be to Allah), «Alhamdulillah» (Praise be to Allah), «Allahu Akbar» (Allah is Great), and others. Dhikr helps strengthen the connection with Allah and purifies the heart.

4. Reading the Quran: Reading the Quran is mustahab, and «Al-Hidaya» encourages regular reading and reflection upon its meaning. The Prophet Muhammad (peace be upon him) encouraged his followers to read the Quran and follow its guidance.

5. Sadaqah (Charity): While the obligatory act is the payment of Zakat, «Al-Hidaya» also recommends voluntary charitable donations (sadaqah). This can include money, food, clothing, or other items that help those in need.

The Importance of Mustahab in Islamic Practice

Mustahab plays an important role in the daily lives of Muslims as performing these actions helps strengthen religious practice and improve moral qualities. «Al-Hidaya» emphasizes that mustahab is an expression of love for the Prophet Muhammad (peace be upon him) and a desire to follow his example.

Example from «Al-Hidaya»: Additional Prayers

«Al-Hidaya» discusses various types of additional prayers, their benefits, and the rules for performing them. For example, performing two rakats before the Fajr prayer is mustahab and brings great reward. These additional prayers help Muslims better prepare for obligatory prayers and strengthen their connection with Allah.

Example from «Al-Hidaya»: Fasting on the Days of Ashura

Fasting on the Days of Ashura (the 10th day of the month of Muharram) is also considered mustahab in «Al-Hidaya.» The Prophet Muhammad (peace be upon him) encouraged his followers to fast on this day and the day before or after it. This fast expresses gratitude to Allah for saving the Prophet Musa (Moses) and his followers from Pharaoh.

Example from «Al-Hidaya»: Reading the Quran

Reading the Quran is mustahab and recommended in «Al-Hidaya.» Regular reading of the Quran helps Muslims better understand the religious prescriptions and guidance of Allah. The Prophet Muhammad (peace be upon him) often read the Quran and encouraged his followers to do the same.

Example from «Al-Hidaya»: Sadaqah

Voluntary charity (sadaqah) is an important aspect of mustahab in «Al-Hidaya.» The Prophet Muhammad (peace be upon him) encouraged his followers to help those in need and make donations. Sadaqah can include money, food, clothing, or other items that alleviate the difficulties of the needy and bring the blessings of Allah.

Example from «Al-Hidaya»: Engaging in Dhikr
«Al-Hidaya» recommends frequently remembering Allah (engaging in dhikr) by reciting various phrases

of praise. Dhikr helps strengthen faith, purify the heart, and improve moral qualities. It is also an expression of gratitude and worship of Allah.

The Role of Mustahab in the Spiritual Life of Muslims

Mustahab plays a key role in the spiritual life of Muslims as performing these actions helps strengthen their connection with Allah and improve moral qualities. «Al-Hidaya» emphasizes that mustahab consists of voluntary actions that bring reward from Allah and help Muslims better adhere to religious prescriptions.

Examples of Mustahab in Daily Life

«Al-Hidaya» discusses various aspects of daily life where performing mustahab can bring spiritual benefit. These can include additional prayers, fasting, charity, reading the Quran, dhikr, and other actions that help Muslims strengthen their faith and spirituality.

CONCLUSION

«Al-Hidaya» by Burhanuddin al-Marghinani is an important source of knowledge for Muslim jurists and students seeking to understand and adhere to Islamic prescriptions. The category of mustahab in «Al-Hidaya» underscores the importance of additional voluntary actions that bring reward from Allah and help strengthen the faith and moral qualities of Muslims.

These actions, while not obligatory, play an important role in the spiritual life of Muslims, helping them draw closer to Allah and follow the example of the Prophet Muhammad (peace be upon him). Mustahab contributes to the strengthening of religious practice and moral values, which is crucial for a harmonious and just society.

«Al-Hidaya» remains relevant to this day, helping Muslims follow religious prescriptions and strengthen their faith. This work serves as an important guide for Muslim jurists, students, and all believers striving to follow the path of the Prophet Muhammad (peace be upon him) and adhere to religious norms and prescriptions.

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