



CONFERENCE ARTICLE

SHARIA-BASED COURT SYSTEM AND JUDICIAL PRACTICE IN THE BUKHARA EMIRATE

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ABSTRACT

This in the article Bukhara in the emirate of the 19th century second half of the 20th century at the beginning formed to Sharia based court system historical-legal sources based on analysis Research during judgeship of the institute come output , its period passing with improvement and emirate state management in the system place historicity principle based on consistent will be covered . In the article judges , judges , muftis and of the scholars judicial law in the processes role modern historiography approaches with in comparison is studied.

KEYWORDS

Bukhara emirate , sharia court system , qazikalon , qaziar , muftis , scholars , historical-legal sources , jurisprudence practice , historiography approach.

INTRODUCTION

In all areas of our society, national in socio-legal and spiritual directions understanding our identity, studying the history of our statehood, to research related to shedding light on the rich scientific and creative lives of our statesmen and thinkers Great attention has been paid to it during the years of our independence. The journey our country has taken during the years of independence fundamental analysis of the path of development, currently the court on developing the independence of government reforms, the world market situation has changed dramatically, Ensuring the true independence of the judiciary, aimed at increasing the legal literacy of the population The beginning of a completely new stage is a vital necessity President of the Republic of Uzbekistan By Sh.M. Mirziyoyev on October 21, 2016 adopted Resolution No. PF-4850 "On further strengthening the judicial system" reform, secure the rights and freedoms of citizens measures to strengthen protection guarantees [1] The independence of judges in the true sense of the word and they only follow legal norms regarding obedience to the law created the basis for its full realization in practice. In addition, "Further development of the Republic of Uzbekistan" "On the Strategy of Actions on" and "In 2017-2021, approved by this Decree Five priorities for the development of the Republic of Uzbekistan The Action Strategy for the direction of "Working with the People" regarding the implementation of the "Year of Dialogue and Human Interests" The state program includes the true independence of judges ensuring, increasing the authority of the court, strengthening the judicial system A number of measures were envisaged for democratization and improvement. The implementation of the judicial system in our country The wide-ranging reforms that have been implemented ensure human rights and freedoms and ensure the impartiality of the judiciary in politics. The magnitude of our policy is reflected in our policies. The first As our president said, "identity is history." begins with knowledge" [2 , p. 11]. In this respect, our national statehood The period of the Bukhara Emirate, which holds a special place in the series There is also a certain amount of impartial and objective study research is being carried out. [3, p. 186]. In the Bukhara Khanate Early

historiography of the Mangkhita dynasty (1747-1920) in the region considered the center of the Islamic world in his works various possibilities for legitimizing rule and strategies are extensively described [4, p. 331]. Background Kugelgen "Legitimation of the Middle East dynasty in the work mangitov proizvedeniyax ix istorikov (XVIII-XIX). specifically the period from 1747 to 1826 received. Because exactly this periods between new one dynasty authority to the top that he came and his/her strengthened our vision possible says. Moreover exactly first four of the rulers social policy and religious views special requires study . Mang' dogs dynasty during Religious leaders in Bukhara intelligent layers organization would do These were theological scientists , lawyers , madrasahs and of schools teachers , Muslim jurisprudence according to experts , residents religious and spiritual teachers are representatives of mosques and madrasas calculated . They are enlightened. were own society people , their all modern language with in other words , supreme Muslim to the knowledge of has to be spiritual and moral principles guardians , educators The moral code of Islam principles based on young generation educated . Historian from politics from scientists one , the mang' dogs dynasty slander during living creativity The person who died is Muhammad Wafo Karmingani. Those people Among them, the name " Qazi Vafo" with famous to be , judgeship to the position new dynasty - the gods dynasty During the time of its founder, Muhammad Rahimkhan achieved [5, p. 180]. " Tuhfat ul-khani " (The Khan's Gift) gift of) the work the author also Sadriddin Ayni Shahmurodni is considered the legitimate ruler . recognizes as and him/her dogs dynasty as the founder confession [6, p. 187]. Amir Shahmurad every one-sided ingenuity , the state reasonable office law priority availability to them obedience to be able to , and knowledge - enlightenment supporter such as characteristics in consideration take historians to him/her science enlightenment supporter saying definition [7 , 11-20]. Shahmurad state figure as in the formation mysticism of the flow impact very strong this is about especially his sheikh Journey muridiecanism important importance profession He is a scientist . its people respectfully their teaching on the road put . But Sufism his/her fierce hard The ruler was Emir Shah Murad .

to reach , Mang' dogs dynasty state authority reinforcement regarding one how much reforms done to increase no how obstacle Amir Shahmurad period from taxes crushed of the people movement intensified at the time to the throne right arrival first for reform taxes order from planting [8, 15-26]. The whole Bukhara city to the population tarragon label giving , previous rulers current committed to Sharia right unreachable tax , duty , tax , tushmol , yasok such as one how much taxes void to do Amir Shahmurad achieved reforms inside especially the court reforms in the emirate court activity with related to injustices end to be given , judges from the bottom certain at the level to justice to achieve , humanitarianism to their ideas partially if achievement our vision This reform is possible . see every one Muslim , even The slave is also a judge. own complaint with to come and illegal work doing own boss to responsibility to weigh right Such a policy that's it in the period Bukhara only in the emirate not , all Turkestan in the countries trial positivity for thrown big step This is the judicial law reforms again one important aspect judge from the judgment dissatisfied was side to the judge-ulquzzat no to the emir complaint to do the right in hand in the introduction It seems . Bukhara in the emirate court of work separately attention owner aspect then was judges every one fallen petitions certain money in return seeing those who came out . Usually judges court meetings in mosques take in the markets , many in cases to them own in their homes doing things out , analysis to do and negotiations take to go on the road Disputes many in terms of water in the distribution disadvantages , taxes , duties and other various kind payments to collect such as from issues come came out . in turn , to the Qazikalon or in the name of the emir written complaint learning come out , judge judgment reasonable accordingly judge void to do and his/her decision only the emir is invalid to do possible [9, p. 210]. From this except , forty consisting of scholars (lawyers) supreme court (judge's) chamber is made . Its members Sharia right based on Shahmurad's himself/ herself to compose gave the ball into his hands take , offer and complaints solution in the process of to him/her looking at work seen [10, p. 210]. Higher in the courts work while watching the emir's to be the head himself standing Therefore this the organization the emir's supreme to call a court possible was . Moreover , in court work while watching plaintiff's personally himself/ herself participation Districts and bigger judges for villages (towns) He also made the appointment . from the news During the reign of Amir Shahmurad Bukhara in the emirate new court system : town , district, region judges , chief judge and forty world court current was done , the most supreme judge the emir's himself/ herself would be considered Sharia law based on Created by Shahmurod rules set to praise is worthy of it , society to life implementation to grow and application of the people marriage style fundamentally changing sent if we say exaggeration It won't be possible . Historian our scientists in front of from tasks one our history deeper learning to our people from delivering consists of . Because in our country verdict pushed from the dynasties came out state leaders hand blank structured rules sets very less We will meet . Bukhara Islam in the world separately place caught because of the Sharia laws protection doer Kazikalon The position is also important. in place He is the leader of Islam. and Islam legislation boss to be the most heavy crimes and important citizenship works with engaged . Kazikalon under Muftis office activity showed their number 12 from someone consists of The chairman's job is also the most important . big from positions one to be mainly From Said and Prophet from the generation was individuals this to the position [11 , page 26]. His main stone scales and length measurements law the rules those who violated from punishment consists of consists of The chairman's job is also the most important . big from positions one to be mainly From Said and Prophet from the generation was individuals this to the position appointed . His main task stone scales and length measurements law the rules those who violated from punishment consists of was . Mang ' dogs dynasty during province governors and judges past affairs report to the emir send were standing . Messages every Friday day good morning from prayer then to the emir delivered . High

ruler please reports After looking , they solution to grow regarding measures responsible to individuals command given by . Bukhara emirate mango dynasties reign during socio-economic and cultural in life row promotions to be especially Emir Shahmurod activity during of statehood scattered arrived formation and the rise witness We are . State power organization to judge , to judge authority shaping regarding history to our past look put him/her deep grain reached without today's on the day time from the demands of the world of experience progressive sides in the room accumulated independent court authority build We are young. historians for important importance profession will reach .

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