Chapter IV

Contribution of Reputed Academic Centers of Medieval Uzbekistan

Uzbekistan is the third largest of the central Asian republics in the area and the first in population, which esteemed 27,780,059 in 2007. The territory of Uzbekistan was at the centre of the rich cultured and religious and commercial developments that occurred in Central Asia over a period of two millennia. Especially along the axis defined by the Silk Route between Europe & China, included in Uzbekistan are the three chief silk routes out posts of Bukhara, Khiva and Samarqand. Medieval Uzbekistan had established strong religious and cultural ties with Arab, Iraq and Persia and has remained a hub of Islamic civilization which flourished during 9th and 10th centuries.

Andijon, city and administrative centre in far eastern Uzbekistan in Andijon province, is at the southeastern edge of the Farghana Valley. Andijon is about 475 Km east of Tashqand, and about 45 km west of Osh, Kyrgyzstan. Andijon is a centre for oil production and has a few oil refineries. Cotton growing and processing remain the dominant economic activities. Andijon sits on an ancient riverbed (Say River) and is known to have existed since the 9th century on a trade route into western China. Andijon was the 15th century capital of the Farghana Valley, and in the 18th and 19th centuries a part of the Khokand Khanate centered in present day Quqon. In 1876, Andijon was captured by Russian forces and annexed to the Soviet Federation.

The Farghana Valley's last local rebellion against the rule of the Russian Tsar took place at Andijon in 1898 which opened a new phase of political disturbances. The Babur Literary Museum is in Andijon. The museum is named after Zahiruddin Muhammad Babur, who was born in Andijon in 1483 A.D and founded the Mughal Empire of northern India. The museum was opened in 1989 on the site of his residence in celebration of the 460th year of publication of his autobiography entitled Baburnamah, published in English as the Memories of Babur.¹

Bukhara city, western Uzbekistan, capital of Bukhara Wilayat (region), is located in an oasis on the Zeravshan River. The city is situated in a region producing natural gas, cotton, fruit and silk. It has industries manufacturing textiles, processed karakul pelt, carpets and clothing. Among Bukhara's many architectural monuments, some dating from the 9th century are several mosques, the Ark Fortress (now a museum) and the mausoleum of Isma'il Samani (9th-10th century). Founded by the 1st century A.D, Bukhara was an important trade and cultural centre when it was conquered (early 8th century) by the Arabs. It was a leading centre of Islamic learning under the Arabs and the Persian Samanid dynasty, which held the city in the 9th and 10th centuries. It later was captured successively by the Qarakhanids and Tatars. In the 16th century it became the capital of an Uzbek Khanate, and in the 18th century became an Emirate. The Emirate was captured in 1866 by Russia, which held it as a protectorate

from 1868 - 1920, the Amir was removed, and the city was made the capital of the Bukharan People's Soviet Republic. From 1924 - 1991, Bukhara was incorporated into the Uzbek Soviet Socialist Republic, once being a meritorious centre of Islamic civilization.

Farghana city is in eastern Uzbekistan, located at the southern edge of the Farghana Valley. Farghana is about 420 km east of Tashqand, the capital of Uzbekistan, and about 75 km west of Andijon. Farghana has been a centre for oil production in the Farghana Valley since the region's first oil refinery was built near the city in 1908. Since then more refineries have been added, and Farghana is one of the most important centers of oil production and refining in Uzbekistan. Natural gas from western Uzbekistan is transported by pipeline to the Valley, where it is used to produce fertilizer. The Farghana Valley was the most important irrigated cotton region of the former Union of Soviet Socialist Republics (USSR). Cotton growing and processing has been the dominant economic activity here for centuries, supplied by water from small streams flowing from the surrounding mountains. The great Farghana Canal, built almost entirely by hand during the 1930s, passes through the northern part of the city. Farghana was founded as a garrison town by the Russians after they captured the Khanate of Khokand.

Tashqand city is in eastern Uzbekistan. It is capital of the country and of Tashqand Wilayat. It is located in an Oasis near the Chirchiq River in a cotton and fruit growing region.

Tashqand is the major industrial and transportation centre. It has industries producing machineries, cotton and silk textiles, chemicals, tobacco products, and furniture. As a centre of Uzbek culture, Tashqand has several large libraries and is the seat of the Uzbek Academy of sciences and numerous other institutions of higher learning. The first mention of Tashqand dates from the 7th century A.D, although it was probably founded by the first century B.C. The city was conquered, successively, by the Arabs in the 8th century A.D, by Changiz Khan in the early 13th century, and by Amir Tamur in the 14th century. It was annexed by Russia in 1865 A.D, and the new Russian city was built around the older town. Tashqand succeeded Samarqand as the capital of the Uzbek Soviet Socialist Republic of the Soviet Union in 1930. Tashqand became the capital of independent Uzbekistan in 1991.1

Samarqand city is situated in central Uzbekistan. It is located in the irrigated valley of the Zeravshan River; the city has industries that produce tea, wine, textiles, fertilizers and motor-vehicle parts. It is the oldest city in Central Asia and is divided in to a newly built section and an old quarter that has, among other monuments, mosques dating from the 9th - 15th centuries and 15th century's mausoleum of the Turkic conqueror Amir Timur. Nowadays, the city is the seat of a University and a Museum of Ancient History.2

The site of Samarqand was settled about 2000 B.C. It was the capital of Sogdiana, an ancient

Persian province. It subsequently grew as a trade centre on the route between China and the Mediterranean region. In the early 8th century A.D., it was conquered by the Arabs and soon became an important centre of Islamic culture. In 1220 A.D., Samarkand was almost completely destroyed by the Mongol army led by Changez Khan. It flourished again when Amir Tamur made it the capital of his empire in 1367. The empire declined in the 15th century, and Samarkand was taken in 1500 A.D by the Uzbekhs. In 1784, it was conquered by the Emirate of Bukhara and in 1868 captured by Russia. From 1924-1930, Samarkand was the capital of the Uzbek Soviet Socialist Republic and remained an important garrison for Russian troops.¹

The cities mentioned above contain Central Asia’s oldest and most important cultures. As a matter of fact Islam has been the dominant cultural tradition since the 8th century. The emergence of Islamic civilization revolutionized almost all the spheres of life and contributed an everlasting stuff to develop its relation with the central authority of the Caliphate. Keeping in view the cultural religious and civilizational aspect, this region has contributed a lot to the development of Islamic religious and social sciences cultivated during the Abbaside period in various reputed academic centers.²

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Reputed Centers of Academic Excellence in Medieval Uzbekistan
(8th – 15th Century A.D.)
Regarding the prestigious regions of the Islamic Caliphate of medieval times, Uzbekistan has a marvelous history of flourishing the various branches of Islamic religious and social sciences. It is this land to which the scholars traveled from distant and far off places to study the valuable and rare treatises of Islamic Sciences.\(^1\) From 715-750 A.D, the teachers of the Quran and Hadith were sent to the unruly of steppe in order to propagate the new faith with an immediate effect. In the reign of Ummayad caliph Hisham 724-743 A.D, a special class of scholars and students Ah al-'iim was deputed to this region to spread the knowledge of Islam throughout the conquered lands.\(^2\) A renowned historian and prolific writer Jalaludin Sayyuti (1445-1505 A.D) holds, "They collected people around them and began to teach the most necessary principles and obligations to the common people to impart the knowledge of Islam".\(^3\)

When the series of conquests in Mawara al-Nahr was going on, special attention was paid to the construction of mosques. In this way the mosque appeared as a special centre for instruction and learning the Quran and the Prophetic traditions. Simultaneously the scholars and the students were associated with the mosques and formed the starting point regarding the study and understanding of Quran and Prophetic Sunnah.\(^4\) Dahhak bin Muzahim (d. 105/723 A.D), the exigist, traditionist

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and grammarian had a *Madrasa* in Kufa attended by 300 scholars and students, who are reported to have traveled to the far off places to spread the knowledge of Islam. A number of them are reported to have settled here in order to disseminate what they had attained from their predecessors and the reputed scholars.¹

In the region of Al-Waleed (705-715 A.D), his able governor Qutaybah advanced against Balkh and Tukharistan. In 706 A.D he marched to Bukhara and in 711 A.D he crossed the Oxus conquering Khawarism and Khiva. In 712 A.D Muslims conquered Samarqand and in 714 A.D Qutaybah crossed Jaxarates and captured Farghana, Khojand and Shash. Turkistan, Kashgar and Neshapur were annexed in the same year. During the governorship of Qutaybah, mosques were constructed in these regions and special missions were carried out to propagate Islam in newly conquered lands.²

The Ummayad caliph Hisham (724-743 A.D) sent various missions to Transoxiania to invite the non Muslims to Islam. Promises of reward and remitting of Poll-tax was guaranteed to the converts to the new faith, with the result conversions took place in large numbers. At this stage the scholars, traditionists and jurists played an important role by recruiting themselves and their disciples in the newly annexed areas. These scholars, as it was a common practice, gave their compilations and treatises for public benefit which irradiated and illuminated a new chapter for institutionalization and the process of higher learning in Transoxiania.³

³Ibid, p.179.
Moreover, apart from the mosques in Transoxania, there existed many other centers of learning and the institutions imparting general course of study in various branches of education especially Kutab Khanas and Madrasas. Khateeb Baghdadi has reported:

"Among other centers of the academic excellence were Khizanat al-Kutab and Madrasas. The Khazinat al-Kutab (libraries) were public, semi-public, private and some under state patronage. The semi-public libraries, often supplemented the libraries of the mosques, because they contained books in which the mosques were not much interested, notably on Mantiq (logic), falsafa, geometry, astronomy, music, medicine and alchemy, the later were called al-Ulum al-Qadima or al-Ulum al-Awail. In this respect the academy Bayt al-Hikmah, founded by Mamun (198-218/813-833) in Baghdad deserves first mention as his successors instructed to follow the same pattern in establishing academic canters throughout their jurisdictions."¹

The academic institutions established in Transoxania during Abbasid period (750-1258 A.D) applied inter-disciplinary and multi-disciplinary approach for the study of the religious, social and natural sciences. The courses were studied with an equal consideration without separation of one from the other.²

ʿAli bin Yehya (d.275/888 C.E) had a palace with a rich library to which the scholars and students of Transoxania used to travel for the search of knowledge. The library was so highly equipped that the learners were able to study all branches of learning and was known as ‘Khizanah al-Hikmah’ (The Treasure of Wisdom).³

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In Mawsil, it is reported that Jafar bin Muhammad al-Mawsili (d. 323/935 C.E), founded *Dar al-'ilm* (The House of Knowledge) with a library in which the scholars and students worked together to improve the standard of teacher-learner activity in all branches of knowledge and were even supplied with free paper. The founder of this institution used to deliver lectures on poetry and Arabic grammar.¹

When al-Maqdisi (985 A.D) visited the institution founded by 'Adz al-Dawlah (367-372/977-983 C.E), in Shiraz, he reported that the books were arranged in cases and listed in catalogues and the library was and administrated by a director (*Wakil*), an assistant (*Khazin*) and an inspector (*Mushrif*) who worked in a disciplined manner to serve the scholars and students.²

During the reign of al-Mamun (d. 833 A.D), the intellectual and academic activity received full attention. The academic centers throughout his caliphate worked in a systemic manner in order to promote the venture of knowledge. He gave special instructions to jurists, traditionists and scholars to remain in touch with the central authority. He collected valuable material on different aspects and fields of knowledge and supplied it to the academic and intellectual centers of Transoxania. The *Kutab Khanah* of Muhammad bin Husayn Baghdadi contained rare books, valuable manuscripts, ancient Persian and Greek writings, which were copied and sent to Transoxania to benefit the learned community.³

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Muhammad bin Husayn's academic centre was such an excellent one, that it carried the Prophet's letters written to different authoritative men and tribal chiefs in their original form. Like wise the statements of Hazrat 'Ali, Imam Hassan and Imam Husayn also added to the richness of this centre. The valuable material on jurisprudence and Prophetic traditions was written on Khurasani, Chinese and Egyptian paper, which was copied and carried to distant provinces of Mamun's caliphate.

Samarqand occupies a unique place regarding the literal and academic atmosphere. It is this city where the Muslims established the first paper making industry during Ummayad period. From here was supplied the paper to other parts of the caliphate to copy the valuable material on different branches of knowledge. This process strengthened the establishment of Kutab Khanas and the centers of academic excellence. The city of Samarqand remained a great centre of learning in almost all the branches of Islamic religious and social sciences especially during the Abbasid, the Samanid, Khawarizmshahi and Mongol periods. In the reign of Ulug Bey (767-827 A.H), an extraordinary observatory was established in this city, where the eminent scholars like 'Ala udin 'Ali Qushaji, the commentator of the Tajrid (Book of fundamentals

regarding Jurisprudence), Qazi Zadah Rumi, Gayathudin Jamshed and Mo'imudin of Kashan worked in collaboration and produced astronomical tables, Day-night Duration Charts, Seasonal calendars and equipments to check the cardinal directions.¹

In 1257 A.D, Nasirudin Tusi (1200-1274 A.D), established a Kutab Khanah and an observatory adjacent to it at Maragah. It was a vigorous centre where the scholars of almost all the fields contributes respectively. The library of this academic centre comprised of 400,000 books compiled by the scholars of Jurisprudence, grammar, Astronomy, logic, arts and physical and natural sciences.²

Samarqand has remained a centre of Islamic Jurisprudence as well, it is this city where the Jurists like Qays bin Ishaq Samarqandi (d.527 A.H) lived. He was a grand Jurist, who acquired the knowledge from Imam Jurjani, especially known as Hujjat al-Islam (The Authority of Islam). Ahmad bin 'Umar Samarqandi (d.552 A.H) is another great Jurist who transmitted a good number of Juristic books here to benefit the learners community. 'Ali bin Muhammad Asbijabi (d.535 A.H), a famous commentator of 'al-Ziyadat', 'al-Mabsut' and 'al-Jami al-Sagir' is also reported to have served in this city.³

The academic centers of Samarqand especially at Rigistan, Shir Darr and Tilla Rari were having Madrasas and Kutub Khanahs in order to promote interdisciplinary and multi-disciplinary approach in

academic professionalism.

Bukhara has also served as a prestigious centre of academic excellence during Abbasid, Samanid and Khwarizmshahi periods. Particularly in the period of Samanids, it was known as Qubbat al-Islam. Ibn Batutah (1304-1377A.D), a reputed traveler and historian has given a scholarly account during his visit to Bukhara. He visited the graves and tombs of the famous traditionists and jurists of this city. He was wander struck on seeing the names and titles of their works inscribed on stone- plates adjacent to their tombs.

During the Samanid regime (874-1005 A.D), Bukhara was made the capital and a large number of jurists, traditionists, poets, writers, learned men, artisans and craftsmen flocked and flourished here.\(^1\)

The reputed Jurists who flourished in Bukhara during second and third century A.H, were Muhammad bin Salam Bayqandi, 'Abdullah bin Muhammad Musandi, Muhammad bin 'Urwa, Harun bin Shagaf, Sahal bin Sharuzia Bukhari, 'Ubeydullah bin wasil, Qasim bin Zakariya Matruz, Abu Qureysh, Hashid bin Isma'il Bukhari, Ishaq bin Dawud, Muhammad bin 'Abdullah bin Junayd, Muhammad bin Musa, Jaf'ar bin Muhammad Neshapuri, Abu Bakr bin Daw'ud, Abu al-Qasim Baghvi, Abu Muhammad bin Sa'id, Muhammad bin Harun Hazrami, and Husayn bin 'Aamili. These jurists were having a strong grip over Hadith sciences as well, and people used to flock round them in Majalis (gatherings), Halqas (sittings) and Masajid (Mosques) in order to seek the excellent knowledge of Hadith and Fiqh (Islamic Jurisprudence).\(^2\)

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Burhan al-A'imah 'Umar bin 'Abd al-'Aziz bin Mazah (d.532 A.H) was a grand Jurist of Bukhara. He compiled books on philosophy, Ilm al-Kalam and Jurisprudence. Among his compilations on Jurisprudence are Fatawa al-Kubra, Fatawa al-Sugra, and 'Sharah Jami al-Sagir'.²

Ahmad bin 'Abd al-'Aziz a famous commentator on 'Usul al-Fiqh' (Principles of Jurisprudence) wrote books and delivered lectures on Fiqh in the mosque of Bukhara and a good number of scholars and students flocked round him in order to transmit the knowledge of Sha'riah to the coming generations.³

Sheikh Muhammad bin 'Abd al-Rehman Bukhari (d. 546 A.H), Sir named as "Zahid al-'Aml", was a reputed and towering personality in almost all the fields of religious sciences. He wrote a voluminous commentary on Quran and paid special attention to juristic and law related issues in order to adjust the Quranic injections with the changing circumstances.¹

Sheikh 'Uthman bin 'Ali Bakandi and Muhammad bin MahmudTarazi (d. 570 A.H) also had their centers in Bukhara. Both the scholars have contributed in the field of Islamic Jurisprudence.²

The 'Mir-i-Arab Madrasa' at Bukhara (942), Ulug Bey Madrasa, 'Lab-i-Hawd' were considered as the prestigious centers of academic excellence during tenth and eleventh century A.D. The Ilkhanids, Timurids and Mongols constructed religious institutions during thirteenth, fourteenth and fifteenth centuries. Halugus's mother built two Madrasas in Bukhara, where 1000 students studies different branches of Islamic sciences.³

Before the October Revolution of 1917, there were 380 Madrasas in Bukhara where 40,000 students were on rolls. In Turkistan, Siberia, Adal, Aural and Qafqaz the number of religious institutions extended to 1075. These institutions were managed by Auqaf and the teachers were served with handsome salaries.⁴

Farghana was a famous and reputed centre of academic excellence. 'Umar bin Haseeb Zindramasi (6th century A.H) was chief Qazi of Farghana. He was a great Jurist and reputed scholar of Tafsir (exegesis) and Hadith (Prophetic Traditions). Who annotated Qazi Ahmad bin 'Abd al-Aziz's book 'Masa'il al-Asrar'.

Minhaj al-Shari'ah Muhammad bin Muhammad was a towering scholar and Jurist. He used to deliver lectures on Hadith and Fiqh in Farghana mosque. 'Abul Ma'ani Zahir udin and Sheikh 'Usman bin Ibrahim were also the natives of Farghana who associated themselves with the academic centers of Islamic Jurisprudence in this region.

Merghinan was also a great centre of learning. The scholars of Hadith and Fiqh flourished here and made valuable contribution to their respective fields. Burhanudin 'Ali bin Abi Bakr Merghinani (d.539 A.H), the author of celebrated 'Al-Hidayah', 'Abdullah bin Abi al-Fath Khanqahi, Fazlullah Asfurgani, Zahir udin Hassan bin 'Ali, famous disciple of Imam Tirmizi, Zia udin Sa'ad bin Asad were reputed scholars of Hadith and Jurisprudence. Abu-Hafs 'Umar bin 'Ali, the author of Jawahar al-Fiqh, and Al-Fawaid and Sheikh Imadudin, the author of 'Adab al-Qazi', also were from Merghinan.

The cities Shash, Osh & Rushdan were also famous for religious institutions and the learned people of different fields. Ahmad bin Muhammad Shashi, (d.325 A.H), the author of 'Usul al-Shashi', Naseer bin Muhammad Sulaiman Oshi, Muhammad bin Ahmad and Abu Bakr bin Hatam Rushdani were the men of knowledge, repute and academic excellence.1

Merv and Khiva have also served as the centers of Islamic sciences. Both the cities have remained hub and cradle of Hadith and jurisprudence. Muhammad bin Abi Bakr, was a great scholar of Merv who contributed a lot in the field of Jurisprudence. ‘Ali bin Ahmad, the author of ‘Al-Tafsir al-Wasit’ belonged to this city. Sheikh Zia udin Muhammad bin Husayn (d.570), a famous narrator of ‘Sahih al-Muslim’, ‘Kitab al-Risalah’ and Kitab al-Tamhid’ remained in Khiva and benefited the scholars and the students of Jurisprudence.2

Muhammad bin Hassan bin Mas’ud, (d.562 A.H), flourished in Merv, visited Khiva and compiled ‘Sharah Maa’ni al-Aasar’. Abul Fath Muhammad bin ‘Abdul Rehman Maruzi (d. 565 A.H), a famous disciple of Imam al-Bukhari resided in Merv and delivered lectures on Sahih al-Bukhari. In this way Merv and Khiva went on side by side to contribute to the knowledge of Islam with full zeal and zeal.3

Balkh and Heart were also the prestigious seats of learning. The Madrasas Nizamia in Balkh and Herat were extremely sub servant to the scholars and students. Qazi Sa’eed bin Yusuf al- Hanafi held the

chair of Muhadith, Zia al-Islam 'Umar bin Muhammad held the seat of Faqih, Muhammad bin Muhammad held the seat of Qazi and Faqih during sixth century A.H. These scholars have contributed especially in the field of Islamic jurisprudence and Prophetic Traditions.¹

Maki bin Ibrahim, Yehya bin Kathir, Qutaybah, Muhammad bin Shuja Balkhi (d.266 A.H), Imam Abu Ja'far Balkhi (d.362) and Mo'in al-Haravi also served in Balkh and Heart to impart the knowledge of Islam to forecoming generations.²

Tirmiz was a reputed centre for acquisition of knowledge. It was known as 'Madint al-Rijal' (The city of learned). The famous traditionist and compiler of 'Jam' al-Tirmizi' Abu 'Isa Muhammad al-Tirmizi (d.279) acquired his knowledge from different scholars who flourished here during third century A.H. The distinguished traditionists and jurists from this city include 'Abdul 'Abas Muhammad bin Ahmad, Al-Marazi, Ahmad bin yusuf Nasafi, Dawud bin Nasr Bazudi, Hatham bin Kalib al-Shahi, Abu Hamid Ahmad Maduzi, 'Abd bin Muhammad and Muhammad bin Mehmood.³

The academic institutions of Neshapur have been discussed widely because of their well-equipped management and academic excellence. The first Madrasa established in this city was 'Madrasah al-Bayhaqiyah' (f. 458/1066 A.D), by Bayhaqi a great scholar of Hadith. Ibn Khaliqan reports us that the prestigious institutions of Neshapur included Madrasa al-Saadiyah founded by Amir Naser in 999 A.D.

2. Gangohi, Zafr al-Muhasilin, Delhi, 1996, pp.103-104.
founded by Amir Naser in 999 A.D. Madrasah al-Nizamiyah (f. 456 A.H)\(^1\), Madrasah al-Bayhaqiyah (f. 458 A.H)\(^2\) and Madrasah al-Nasriyah which were great centers of learning during fifth century A.H were equipped with valuable material in almost all the fields of knowledge.\(^3\) The scholars of various disciplines added to the magnificent contributions which influenced and introduced many social and political institutions during the Abbaside period.

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Taj al-Mulk (d.1073 A.D.), founded a Madrasa Shatibiyah in Baghdad, the 'Madrasa Ma'ani' and Madrasa Shatibiyah were founded in Neshapur some years earlier. These institutions had teachers for Quran, Hadith, Fiqh and Falkiyat. Attached to them were the Kutab Khanas, Hamams, Mustashfas and Matbakhs. There was a clock at the entrance, a physician to take care and an administrator for supervision of academic activities.1

The institutions developed in Transoxania, Persia, Iraq and eastern lands of the caliphate were having the same nature, curriculum and courses of the study as in those of Arabia and Baghdad. These institutions produced the Muftis (jurisconsults) and the Faqih (jurists), who were afterwards involved in the public administration and civil services. Later on other institutions came into existence especially 'Dar al-Hadith'. In this institution, the 'Muhadith' was raised to the level of the 'Muddaris' in the Madrasa. Dar al-Hadith served to bring together students of all Madhabs and devised the courses of law and ancillary sciences. The students of each Madhab were taught separately and there were the scholars of different Madahab teaching the students of their respective fields.2

Among other conventional establishments were Dar al-Quran, Khanaqah and Zawiyah (Persian term synonyms to Madrasa), where the study of Islamic sciences took place. In the 'Khanaqah-i-Shaykhun', founded 756/1355 A.D, an extensive course of lectures, Fiqh according to all four Madahib, Hadith

& Iqra was given. The scholars of different subjects, and disciplines were having an intense care for the institutions as well as for students. The general designation for a master was 'Sheikh', when used with a complement, the term designated the master of various fields, for example 'Sheikh al-Qirat' for the professor of Quranic studies, 'Sheikh al-Hadith' was designation of a professor teaching prophetic traditions and was considered an authority in his respective field. The term 'Rais' was applied to any scholar who had reached the summit of his field in his locality. This term was used especially in the field of law. In the academic institutions of Neshapur, Rais was assisted by a deputy called 'Naib Rais' who taught during the absence of Rais. The term used to designate the director of an institution was Sheykh al-Ribat who was held responsible for the smooth functioning of the academic activities as well as for the administrative affairs.

The expert of Islamic jurisprudence or the professor of law was having a special status in scholarly community. To obtain the license (Ijazah) to teach law, one had to study many years under a jurist or professor of Law, become proficient in the scholastic method of disputation and build up with a vast knowledge of dissolving the disputes with mind and skill. Then one had successfully to defend ones thesis or opinion by sound reasoning. More rarely a law student could study under as many as five professors, but the process was always the same i.e.

defend his thesis by absolute skill and sound reasoning. Then student was given the status of Rais or Muid (repetator) or Mufid (Scholar to add necessary notes), and provided a license (Ijazah) attesting his competence in the field of Islamic Law.¹

The marvelous works compiled by the reputed scholars of Islamic jurisprudence contained the concept of legal justice, decrees resolutions and solutions for the queries related to the following aspects of family, criminal, economic, judicial and constitutional aspects:

Marriage (Nikah), Divorce (Talaq), Manumission of slaves (Utaq), Laws of Vows (Aiman), Laws of Crimes and Punishments (Hudud), Laws of Unspecified Punishments (Taz'ir), Laws of Theft (Sirkah), Laws of Qundlings (Laqit), Laws of Trove (Luqtah), Laws related to absconding of slaves and prisoners of war (Aabaq), Laws related to missing persons (Mafqud), Laws of Partnership or Company law (Shirkah), Laws of Trusts (Waqf), Laws of Contracts and Transactions or Sales (Bayu), Laws of Bails (Kafalah), Laws of Transfer of Debts (Hawaiah), Procedural laws of Duties of Judges (Aadab al-Qazi), Laws of Loans (‘Aariyah), Laws of Deposits (Wadi‘ah), Laws of Co-Partnership in Profits of Stock and Labour (Muzaribah), Laws of Compositions (Sulah), Laws of Agency (Wakalah), Laws of Claims (Dawa), Laws of Evidence (Shihadah), Laws of Retraction of Evidence (Raju an al-Shihadah), Laws of

Prohibition of Liquors (Ushribah), Laws of Cultivation of Waste Lands (Ahya al-Mawat), Laws of Partition (Qismah), Laws of Pre-emption (Shufa‘ah), Laws of Cultivation (Zira‘ah), Laws of Usurpation (Ghazab), Law of Pawns (Rahn), Laws of Treatment of Wills (Wasayah), Laws of Levying of Fines (Ma‘aqil), Offences against the Persons or Criminal law (Janayat), Law of Torts; Law of Fines and Damages (Diyyat).\(^1\)

The books related to different aspects of family, economic, judicial, criminal and constitutional laws became so important that the Muslim rulers during that period and for the times to come, had to entertain this valuable material for resolving the socio-religious and legal problems. In this regard, it is to mention here that laws were framed accordingly and put to practice with relevance to the changing circumstances, by virtue of concentration upon the Fiqh material, sources, and mode of imparting legal expertise while codifying Shari‘ah laws. It is extremely by the sincere concern, concentration and collaboration of the jurists and the scholars that the then state administration got a sufficient ideological, constitutional and legal material which had been rooted in the Islamic fundamentals.\(^2\)

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1. Marghinani, Al-Hidayah, Delhi, 1925, Vol I&II. The Translation of Arabic Terms has been made by the authority of Dairat al-Ma‘arif, Vol 20, pp. 468,469, Daneshgahi Punjab Lahore, Pakistan, 1984 and by Charles Hamilton’s Translation of Al-Hidayah Delhi, 1994, pp. xiv, xv, xvi, xvii.