

## THE IMPORTANCE OF "RU'ŪS AL-MASĀ'IL " IN THE SOLUTION OF MODERN FIQH PROBLEMS

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### Abstract

Maḥmūd Zamakhsharī is a great mufassir, mutakallim, jurist who came from Movarounnahr. When the scientific, cultural and economic situation in Mā Warā' al-Nahr was in decline, Maḥmūd Zamakhsharī served to revive and restore science with selfless scientists. Ten of his works are known today, and scientific researches on these works continue without stopping.

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The importance of "Ruusul-masail" was manifested in the religious and educational situation in Uzbekistan in the 80s and 90s of the 20th century. It is known that in the first years of the country's independence, it has become an extremely urgent task to reveal the scientific foundations of the Hanafi sect, which has been practiced in Central Asia for centuries, and to protect it from the influence of new currents. The reason is that the religious and educational situation was directly affected by jurisprudential issues and conflicting judgments between sects. The initial disagreement began with saying the word "Amen" in a high or low tone in prayer. In the Hanafi madhhab, after the "Fatiha" surah, "Amen" is said in a whisper, without making a sound. In the Shafi'i school, this phrase is said out loud. Muslims of Central Asia have performed their prayers in the Hanafi sect for centuries, so they used to recite the word "Amen" without making a sound. In the 1990s, some sects began to introduce jurisprudential issues of the Shafi'i school into worship.

The 55th issue of "Ruusul-Masail" is about reciting Surah Al-Fatiha in prayer<sup>1</sup>. The Hanafi and Shafi'i sects differed on this matter. Zamakhshari says: "In our opinion, prayer is permissible if one cannot recite Surah Fatiha (reciting another surah). It is not permissible in the eyes of Shofei. Our evidence in this regard is from the Qur'anic Surah "Muzzammil": "Recite from the Qur'an as much as is easy for you!" is verse 20 in its content<sup>2</sup>. In this verse, Allah Almighty did not differentiate between Surah Fatiha and another Surah. The meaning of the matter is: "reciting any verse from the Qur'an" and thus it became obligatory for the prayer to be authentic. It is like the one who performs ruku' for a short period of time, then he goes into ruku'. Shafi'i documented the hadith narrated by Ubadah ibn Somit from the Prophet: A prayer without reciting Surah Al-Fatiha is not a prayer"<sup>3</sup>. In response to this, we say that

<sup>1</sup> Abdulhalim ibn Muhammad. Scientific and critical text of Az-Zamakhshari's Ruus al-Masail. University of St Andrews (Scotland), 1977. – P.311.

<sup>2</sup> Translation and interpretation of the meanings of the Holy Qur'an. The author of the translation and commentary is Sheikh Abdulaziz Mansur. -Tashkent: Sano-standard, 2021. –B.575

<sup>3</sup> Buxoriy Muhammad ibn Ismoil. Sahih al-Buxoriy. – Damascus: Dar ibn Kasir, 2002.B.186.

there is also a tradition that says: "A prayer without reading the Qur'an is not a prayer."

It is well-known and well-known that in the 90s of the 20th century, many disputes arose on the same issue. Those who, without knowing the evidence of the Hanafi sect, under the influence of foreign false preachers, believe that it is fard to recite Surah Al-Fatiha, caused conflicts and instability in the religious and educational sphere. "Ruusul-masail" of scholars like Zamakhshari was missing. There were almost no people who knew him. For this reason, the propagation of the teachings of the Shafi'i school among the followers of the Hanafi school caused misunderstandings. Many conflicts took place due to the fact that those who follow the teachings of the Shafi'i school of thought say: "Our work is in accordance with the hadith, while the Hanafis do not have a hadith," and the followers of the Hanafi school say that the followers of the Shafi'i school: "They are lost, in error."

Issue 58 of "Ruusul-Masail" is also relevant. One of the factors that influenced the religious and educational situation at the end of the last century is "the recitation of someone who is praying behind the imam". In the Hanafi madhhab, one who follows the imam remains silent. According to the Shafi'is, it is obligatory to read Surah Al-Fatiha. In this matter, Zamakhshari notes the following: "Reciting behind the imam is not wajib in our nazl." According to Shofei, it is obligatory. Our evidence in this matter is in a hadith narrated from the Prophet, peace be upon him, who said: "The imam is appointed to be the leader in prayer: when he bows, bow, when he prostrates, prostrate, and when he recites, listen quietly." This hadith was narrated by Imam Bukhari<sup>4</sup> and Muslims<sup>5</sup>. One day, the Messenger of Allah said about a person who was reciting behind him: "Why am I arguing about the recitation?" Meaning: "Why are you reciting behind me?" means<sup>6</sup>.

Shofei documented the following hadith narrated from the Prophet (pbuh): He said: "There is no prayer without Surah Al-Fatiha" and in this hadith they did not distinguish between imam and others.

This expression in "Ruusul-masail" has not lost its social significance even now. It is still important in maintaining social stability today. It is the basis for refuting the false claims of various currents. This caused a social conflict between jurisprudential sects and people who did not understand the differences between them. There was a need for works similar to "Ruusul-Masail" that reveal the differences between sects.

Mahmud Zamakhshari writes in the 59th issue of the work "Ruusul-Masail": "In our opinion, it is Sunnah to say the word Amen without making a sound, whether it is an imam or a follower. According to Shafi'i, "Amen" is said out loud. Our evidence in this matter is: "Amen" is not a verse to be recited in the Holy Qur'an. It is a rosary. It is Sunnah to say the rosary silently. And this is evidenced by the ruling on reciting other rosaries silently. Shofei included it among those to be recited and ordered it to be recited aloud<sup>7</sup>".

Around 1992, in one of the mosques in Tashkent, the issue of raising the hand in prayer was raised, contrary to the teachings of the Hanafi sect. Some people wanted to introduce the ruling of the Shafi'i madhhab "raf'ul-yadayn". When it was said that their actions were contrary to the Hanafi madhhab and the norms accepted in Uzbekistan, they said: "Give us evidence from the hadith." Then, in search of evidence, the Office of Muslims of Uzbekistan turned to teacher Muhammad Sharif Jumanov, who worked for many years in the editorial office of the "Islam Nuri" newspaper and taught Islamic sciences to many students at the Tashkent Islamic Institute. Muhammad Sharif Juman explained that there is a solution to this problem in "Ruusul-Masail" and presented Mahmud Zamakhshari's attitude to this problem and showed the hadith narrated by Zamakhshari. The hadith was conveyed to those who disagreed, and as a result, the situation was moderated to a certain extent. Regarding the raising of

<sup>4</sup> That source. – P.172.

<sup>5</sup> Muslim ibn al-Hajjaj. Sahihu Muslim. – V:1.- – Beirut: Dor al-kutub al-ilmiya, 1991. – P.310.

<sup>6</sup> Termiziy Abu Iso. Sunan at-Termixiy. Qohira: Dar at-ta'sil, 2014. J.1. B.460

<sup>7</sup> Chester Beatty Library. CBL AR 3600. – P.15.

hands in prayer, the 61st issue in "Ruusul-Masail" is as follows: "Hands are raised in prayer only when the takbir is recited at the beginning of the prayer, and this is according to us. According to Shofei, the hands are raised when bowing and prostrating before standing. Our evidence: In a hadith narrated from the Prophet, may Allah bless him and grant him peace, he said to the Companions: "Why do I see you raising your hands in prayer as if horses were moving their tails? Be quiet in prayer." Shofei gives a comparative argument in this matter: "This takbir was introduced in prayer, and it is obligatory to raise the hands when saying it. Evidence: It is the takbir when starting the prayer. Zamakhshari's approach in this matter is unique. In other sources of the Hanafi school, we do not find this hadith in the chapter "Raf' al-Yadayn". They cite other arguments about not raising hands excessively in prayer. Today, jurists support this approach of scholars and recognize it as an important proof of the Hanafi sect."<sup>8</sup>.

Issue 66 of "Ruusul-Masail" is also relevant. Zamakhshari says: "Vitr, according to us, is obligatory. According to Shofei, it is sunnah. Our evidence: In a hadith narrated by Amr ibn Shuayb from his father, he from his grandfather, and he from the Prophet, peace be upon him, he said: "Allah the Exalted has increased one prayer for you, and it is better than a red camel." It is a window and protect it"<sup>9</sup>. In the hadith, the saying of the Prophet, peace be upon him, "Prayer increased", means that it is obligatory from the point of view of Sharia. And Sunnah will not be at the level of Wajib. Imam Darukutni, who narrated this hadith from Amr ibn Shuayb, gave it a weak verdict. But it was Darukutni in his "Sunani" that the hadith confirming this meaning was narrated with another sanad: "Abdullah ibn Sulaiman ibn Ash'as, from Isa ibn Hammad, from Lays ibn Sa'd, from Yazid ibn Abiy Habib, from Abdullah ibn Rashid az- On the authority of Zufi, on the authority of Abdullah bin Abi Murrah al-Zufy, on the authority of Kharijah bin Khuzafa: The Messenger of Allah came to us and said: "Allah, the Exalted, supported you with a prayer, which is better than a red camel, introduced between the time of night and dawn"<sup>10</sup>.

Shofei proves his point of view as follows: "The ummah agreed that there are five times of prayer. If witr is called wajib, the time of prayer will be six, which is not possible." This topic continues in the 74th issue of the book. Zamakhshari says: "With us, the Witr prayer is three rak'ahs. According to Shafi'i, one rak'at and the two preceding rak'ats are sunnah. Our evidence is a narration from Ibn Mas'ud. He said: By Allah, one rakat prayer was not allowed at all. Shofei proved his view as follows: "This prayer was called witr, that is, odd prayer. His name indicates one rakat"<sup>11</sup>.

In the last decade of the last century, the various currents that threatened the security and stability of Central Asia caused the initial disagreements on the issue of prayer, which at first glance seemed to have no effect on social stability. At first glance, from the point of view of tolerance, who believes in which religion and which direction is his personal business. However, the goal of trying to introduce teachings contrary to the teachings of Hanafi Madhhab and Moturidiyyah, which have been the reason for the stability of the atmosphere of unity and solidarity among Central Asian Muslims for centuries, was not tolerance and diversity. The development of subsequent events showed this. Disagreements in prayer, such as loudly saying "Amen" in mosques, raising hands in inappropriate places, reciting behind the imam, praying in a different way than with the congregation, led to ideological conflicts.<sup>12</sup> The main elements of the teachings of extremist and terrorist organizations are "takfir" - accusing Muslims of irreligion, "hijrat" - inciting young people to leave their homeland to different countries, "jihad" - armed struggle by following unknown people. and destructive ideas such as "martyrdom" - self-sacrifice, which do not conform to any rules, began to influence the minds of some uneducated and

<sup>8</sup> Abdulhalim ibn Muhammad. Scientific and critical text of Az-Zamakhshari's Ruus al-Masail. University of St. Andrews (Scotland), 1977. – P.312.

<sup>9</sup> Doruqutniy Ali ibn Umar. Sunan ad-Doruqutniy. – V:2. – Beirut: Dar al-ma'rifa, 2001. – P.150

<sup>10</sup> That source. – P.149.

<sup>11</sup> Mahmud Zamakhshari. "Ruus al-Masail". Prepared for publication: Abdullah Nazir Ahmed. – Beirut: "Dar al-Bashair al-Islamiya", 1987.–P.173.

<sup>12</sup> Shayx Muhammad Sodiq Muhammad Yusuf. Ixtiloflar, sabablar, yechimlar. –T: Hilol nashr, 2019.

gullible youth<sup>13</sup>.

In fact, the goal of those who are creating differences in matters of worship among the Muslims of the region is not to promote sects in Islam and to ensure tolerance between them, but to spread the idea of non-sectarianism. They misled people with the idea that every Muslim should follow the Qur'an and the Sunnah independently and not the sect. The malicious goal was put forward that if every person understands the Qur'an and hadith by himself, there is no need for the activities of scientists, scholars, imams and muftis. As a result, some misguided people are deceived by the ideas of foreign false preachers, not recognizing officially recognized and legally registered religious organizations, imams and teachers of mosques and madrasahs, the Fatwa Committee of the Office of Muslims of Uzbekistan, the Council of Scholars. . As a result, currents such as "Hizbut-Tahrir", "Akromiya", "Nurchilar", "Jihadists" caused religious fragmentation and enmity among citizens and became a threat to the stability of the existing constitutional system.

Comparative jurisprudence justifies "tamazhub", the need for a person whose knowledge has not reached the level of ijihad to follow a legal school. "Lamazhabiya", that is, non-sectarianism, is an important factor in justifying the negative consequences it can have. Mahmud Zamakhshari's work "Ruusul-Masail" is important in fighting against the idea of sectarianism with enlightenment. It is still relevant today to scientifically substantiate the fact that Mahmud Zamakhshari, who was recognized by the world and recognized that no one could reach the meanings of the Qur'an at his level, followed the sect.

Currents that threatened peace and stability sought to achieve their malicious goals by "attacking" the teachings of the Hanafi sect and the Muturidiya. As a result, the idea of non-sectarianism threatened the region. Prominent scholars wrote books against sectarianism<sup>14</sup>. They tried to explain the foundations of Hanafi as far from the foundations of Islam, the Qur'an and the Sunnah, and this situation continues even now in the Internet world. Some false preachers who are declared by the Hanafis and Moturidis as "misguided" are leading the youth to various destructive paths. Mahmud Zamakhshari's work "Ruusul-Masail" is important in the scientific justification of "tamazhub", that is, following a sect, which is one of the foundations of Islamic teachings. The work describes the scientific foundations of Sunni sects. The main thing is that in almost all of the 406 issues mentioned in the work, Jorullah Mahmud Zamakhshari, speaking on behalf of Hanafiism, states the views of Hanafiism with the sentences: "We have, in our eyes" and presents its arguments. In some places, he notes the Hanafi attitude to the arguments of the opposing school is important in proving the relevance of following.

<sup>13</sup> J,Karimov. Jaholatga qarshi ma'rifat. –T: O'zbekistn xalqaro islom akademiyasi nashriyot-matbii birlashmasi, 2019.

<sup>14</sup> Muhammad Said Ramazon Butiy. Mazhabsizlik islom shariatiga tahdid soluvchi eng xatarli bid'atdir. T: Hilol-nashr, 2018.