



FORMATION OF THE LEGAL SYSTEM IN BUKHARA EMIRATE (IN THE PERIOD OF DONYOLBIY)

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Abstract:

In this article, the formation and development of the legal system in the Bukhara Emirate during the time of Amir Donyolbi, as well as the implementation of various issues in the management of the society, were carried out in consultation.

Keywords: Legal system, Society, Khoja, court, Donyolbiy, Society.

The Emirate of Bukhara occupies a unique place in the history of Uzbek nationalism. It is worth noting that the socio-political reality during the 167-year rule of the Mangit dynasty has been the object of research by scientists to a certain extent.¹ At the same time, various aspects of the life of the emirate were considered by these researchers within the framework of certain social sciences. Consequently, the political-legal, economic and social reforms, foreign economic and political relations, and the activities of the Mangit emirs, which were carried out during the reign of the Mangit dynasty, have not been studied separately from the point of view of their negative or positive impact on the life of the society. During the time of the former union system, representatives of the Mangit dynasty were treated one-sidedly, no reforms were implemented during their time, and there was a prevailing view that the heads of this state were mainly occupied with avarice and fighting, and did not try to make serious changes in the life of the country. The study and analysis of the information of historians of the Mangit period, historical documents, primary sources and travel memories of travelers, in turn, show that these opinions are unfounded. The studied historical sources of the representatives of the Mangit dynasty all of them indicate that their activity is not worthy of evaluation based on the above approaches. From this point of view, based on the analyzed sources, taking into account the objective and subjective factors affecting the development of the society, we believe that it is appropriate to study the formation and development of the statehood of Bukhara Emirate in certain stages. We tried to establish as a criterion for periodization that the reforms carried out by the first representatives of the Mangit dynasty, in turn, had a

certain positive significance in unifying the country and easing the lifestyle of the population. If we look at the development of the statehood of the Bukhara Emirate from this point of view, it is appropriate to study it within the framework of the following two stages:

The first stage includes the period of political-legal, economic and cultural-educational activities of the first four Mangit rulers (Muhammad Rahim, Muhammad Daniyalbi, Amir Shahmurad, Amir Haydar) in the formation and development of the state. This stage of the development of Bukhara Emirate can be recognized as a period in which positive results were achieved in political-legal, religious, cultural life, foreign diplomacy and foreign trade issues.

Muhammad Rahim (1747-1759), the founder of the Mangit dynasty, began his reign by trying to strengthen the country and reunify the administrative-territorial units that had become independent or semi-independent, which were important for the state.

In turn, Muhammad Rahim faced external political obstacles in the way of strengthening the state and uniting administrative-territorial units. According to the testimony of local historians Muhammad Sharif and Khumuli, the Afghan general Ahmadshah Durrani was the cause of the recent political riots in the Burgut and Miyanqal regions and supported the local population from the sidelines in the fight against Muhammad Rahim's army. Muhammad Rahim is the only head of state among the emirs of Bukhara who was able to maintain a certain level of peace in all regions of the country, strengthened the borders of the state and protected it from external enemies. Managing the state on the basis of strictness will allow it to achieve victory in the conflict with the rebels and completely transfer the control of Hisar and Shahrisabz to the emirate. In

¹ Ziya A. History of Uzbek statehood: (from the earliest times to the Russian invasion). - Tashkent: Sharq, 2001. - 386 p



turn, he manages to sign a peace treaty (1750) with the state of Afghanistan, which is an obstacle to the unification of the country.² Muhammad Rahim shows the "new state" (dynasty, state, government, power, happy turn of fate) formed by him as the most optimal way of managing the state. According to the historian Khumuli, the "new state" of Muhammad Rahim was connected with the arrival of a new dynasty - the Mangit dynasty. At the same time, an in-depth analysis of the relevant sources allows us to conclude that there were no serious changes in the organization of the state during the time of Muhammad Rahim. It can only be pointed out that Muhammad Rahim was limited to giving titles and making partial changes to the system of public positions.³ At the same time, Muhammad Rahim partially put an end to the negative consequences inherited from the era of the Ashtarkhanids, that is, constant wars with neighboring countries, and managed to establish a certain level of order in the country. This, in turn, stimulated the development of trade and agriculture in the emirate. Foreign studies based on primary sources also give a positive assessment of Muhammad Rahim's government. In particular, Anke von Kügelgen said, "Muhammad Rahim developed the country and made the people living in the country happy." While managing the state, he did not forget to manage himself and respect the citizens and live with their pain.⁴

Historian Sami also describes Muhammad Rahim as a generous, kind, noble and decisive ruler in punishment. Muhammad Daniyolbi (1759-1785), the next representative of the Mangit dynasty, worked as his assistant and adviser on political and economic issues during the reign of Muhammad Rahim.⁵ As soon as he came to the top of the state, various riots were caused by other clans that were against the Mangits. The rioters claim that the rule of Muhammad Daniyalbi is not legitimate and demand that Genghis (Ashtar Khanites) come to power. In Shahrisabz, Miyanqal and Karshi districts, which belong to the emirate, the struggle for independence will intensify again. Under these conditions, Muhammad Daniyalbi, with the advice of his son Shahmurad, succeeded in suppressing the

riots by strengthening control in the state. It should be noted that after the death of Muhammad Daniyolbi Muhammad Rahim, he was the person with the highest title and position in the country. That's why Muhammad Daniyalbi started to rule the country based on the choice of all scholars and religious leaders.

Muhammad Donyolbiy first of all paid attention to the elimination of disturbances in the state and the prevention of violations. In the second place, he was able to develop trade and crafts, and ensure peace and security for citizens, not only in Bukhara, but also in all the provinces of the emirate.

Muhammad Daniyolbi was a supporter of regulating social relations on legal grounds. Therefore, he supported the scholars of jurisprudence from all sides. According to the sources, Muhammad Daniyalbi received advice from Islamic jurists on all legal issues.⁶

Muhammad Daniyolbi implemented various issues of state and community management in consultation with the council. In particular, in 1781, the proposal of the Russian government to conclude a trade agreement in Bukhara, he mentioned that the opinion of the representatives of 92 Uzbek clans should be obtained first.⁷ It is worth noting that Muhammad Daniyolbi paid special attention to the teachings of Sufism. In particular, he sought advice from Ishaq Khoja, one of the descendants of Mahdumi A'zam, who is considered one of the exponents of Sufism, in order to prevent various riots that started in the country after the death of Muhammad Rahim, and to ensure the peace and security of the people. Therefore, although there is no complete information about Muhammad Daniyalbi's ardent supporter of Sufism, he created all the opportunities for his son Shahmurad to become one of the major exponents of this doctrine.

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³ Humuli. History of Khumuli: Manuscript Own FA SHI, inv. No. 37/VI.

⁴ Anke von Kugelgen. Legitimatsiya sredneaziatskoy dynastii mangitov v proizvedeniyax ix istorikov (XVIII - XIX centuries) - Almaty.: Dyke-Press, 2004. - P.80-81

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