



## **COURT OF THE ISLAMIC TEACH SPIRITUAL AND MORAL FOUNDATIONS**

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Annotation: This scientific article is analyzed the spiritual and moral foundation of the Balik formed based on the Islamic doctrine. A scientific conclusion is developed on the spiritual and moral foundations of the judiciary.

Key Words: Quran, Shari'ah, Islamic Teach, Balik, Spiritual Moral Moral Basics.

The establishment of a free civil society that covers the development of human rights and freedoms, education and freedoms, based on justice and human rights and freedoms, is an eternal dream of mankind. Our great ancestors also fought for justice for the whole life and protected him. Today, the people of Uzbekistan are implementing huge democratic reforms in all areas of society and the country, especially in the field of livelihood and building a democratic life, and forming a democratic legal state, and to create a fair free civil society, and in the judicial.

"Uzbekistan is a sover, democratic, legal, social and secular state" with the form of the republican formation"<sup>1</sup>. These ideas, which determining the basics of the new Uzbek statehood, are directly related to the Islamic doctrine with its ancient and rich scientific and historical roots.

After all, the Islamic doctrine of Uzbekistan is one of the oldest science, culture and enlightenment centers in the world

In the past, there have been their country-legal institutions, human rights systems, forming huge states in the territory of the current region. Today, scientific and theoretic research plays an important role. According to scientific and historical sources, during the periods of the Arab Calipet period in the days of establishment, Bukhara was completely submissive to him<sup>2</sup>.

This shows that the Islamic teaching shows that in the Arabian Peninsula in the VIII-VIII centuries, it has arisen in the Arabian Peninsula and its legal philosophy and its legal philosophy is also developed in other Islamic.

It can be said that in the current region of Uzbekistan, the Islamic Teacher develops in the post-Ibn Kutayba Institute, based on a judiciary, one of the ancient judgments, and is widely used in social life. The Bible, as well as the Bible, was also carried out on the basis of the Qur'an and was a symbol of destruction.

For example, do not follow the past. If you turn your tongues or testify, Allah is Aware of what you do"<sup>3</sup>. **The main source of Islamic teachings The Qur'an was formed Sura 114 and 6210, in which religious issues were often a common approach.**

<sup>1</sup> Ўзбекистон Республикаси Конституцияси. <https://lex.uz/docs/6445145>

<sup>2</sup> Мухаммад ибн Жаъфар ал-Наршахий. Бухоро тарихи. "Мерос" тўплами. -Т.: "Камалак", 1991. 4-бет.

<sup>3</sup> Қуръони карим. Нисо сураси. 135-оят. -Т.: "Чўлпон", 1992. 68-бет.



**In particular, practical prayers, personal rights (family, divorce, etc.), criminal and punishment, court and judicial, and the court and others are also subjects to testimony and lawsuits, as well as duties related to the field of state law.**

**Based on the above, this scientific article is formed in the field of Islamic teaching and the spiritual and moral foundations of the Balika, which play an important role in providing the interests of various social groups, is a scientific basis. It should be noted that the Islamic teachings should not necessarily, "Allah Himself is no other laws that Allah compelling Sabrati (saas, the Lord, the Law)"<sup>4</sup>. According to the source, the Messenger of Allaah (peace and blessings of Allaah be upon him) belongs to the Imam of the Messenger of Allaah (peace and blessings of Allaah be upon him). He is the scholars of the judges"<sup>5</sup>. These ideas show that our Prophet Muhammad (S.A.W) is being given a judiciary.**

The person who has emerged in the VII century, which is performed on the basis of Islamic teaching, is called the word "judge", that is, the word "judge" (Arabic) - the "solid manuser."<sup>6</sup>"Qaza also comes in the concept of the "judge") to judge in the dictionary, to eliminate the disputes of the claims in Sharia, and bring it to the appropriateness of each sieve according to each sieve lawy"<sup>7</sup>. That is, the "judge" is called "Kasha" in Arabic and means graduation. It is also used in the meaning of "judging judgment." In prison, Sharia, on the other hand, called Journalism to reward and cut conflicts"<sup>8</sup>. Another source is reportedly called "Judge", "Longer in Turkish" and "distributor"<sup>9</sup>. **It should be noted that despite the fact that the meaning of an important understanding is different in different sources, it means that it means more "to judge".**

**It is narrated on the authority of Ibn 'Abbas that the Messenger of Allaah (peace and blessings of Allaah be upon him) said:**

**However, the work of a person who claims the proof is the case of swearing"<sup>10</sup>.**

**In this way, the Messenger of Allah, may Allah bless him and grant him peace, described what arguments in detail that the plaintiff must deny what is the plaintiff. The judiciary is required to separate an unjust mention with the truth according to the same basis.**

<sup>4</sup> А.Саидов., А.Жузжоний. Шарқ ва инсон ҳуқуқлари: тарихий-ҳуқуқий лавҳалар. – Тошкент: Ижтимоий фикр, 1998. – 142. 34-бет.

<sup>5</sup>Шайх Муҳаммад Содиқ Муҳаммад Юсуф. Ҳадис дарслари (19-дарс). Суннатдаги аҳкомларнинг умумий ва хусусийга тақсимланиши. "Ҳадис ва ҳаёт" китобидан. <https://islom.uz/dars-qism/10063>.

<sup>6</sup>Юридик энциклопедия /Юридик фанлар доктори, профессор У.Таджихановнинг умумий таҳририда. – Т.: "Шарқ", 2001. – 656 б. 380-бет.

<sup>7</sup>Мухтасар: (Шариат қонунларига қисқача шарҳ). Нашрга тайёрловчилар: Р.Зоҳид, А.Дехқон; – Т.: Чўлпон, 1994 – 336 б. 3-бет.

<sup>8</sup>Шайх Муҳаммад Содиқ Муҳаммад Юсуф. Кифоя. 3-жуз. – Т.: "Hilol-Nashr" 2018. – 640 б. 469-бет.

<sup>9</sup> Ирзоев, Б. Тошкент шаҳар судлари тарихи: кеча ва бугун [Матн] / Б.Ирзоев. – Тошкент: Akademnashr, 2024. – 216 б. 22-бет.

<sup>10</sup>Закариё Имом Муҳйиддин ибн Шараф Нававий. Қирқ ҳадис (шарҳ ва изоҳлар) – Т.: "Matbaachi", 2022. - 200 б. 152-153 бетлар.



According to Islamic teaching,<sup>11</sup> if only a person to make judges, the person was obligatory to do this man. When a fair man had done things like a judge, he was expelled from the judge, or he immediately resigned.

He who did such things he did such things, it was considered to be his judgment. Along with, he did not consider bribes to be a judge, and his judgment was not true. In particular, the person in the level of muja muja-muja muja was considered considered more right than others and did not ask the judge, "I will be a judge." Only a person who is convinced that his justice will do was entering a judicality. The man, who was appointed his judge, asked his judge in this notebook, and written statement of the priority judgments, records, and other items. The new judge appointed two fairs because he needs these documents and instructed them to receive all the documents from the previous judge. The new judge did not judge before working, where he was dismissed. Because the previous judge was not considered a simple citizen, and it was also possible to judge with a person's testimony.

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The judge should not have used the claimants unable to spoke uniformly, but not to whispered to any of them, but only one of them would have a unique compliment if you did so. The judge also could not teach any of them gesturing or guidance. If one confesses that the second (plaintiff) has the right (the plaintiff), or this is proof of payment, the plaintiff's demand was imprisoned with the plaintiff's request. Of course, this was necessary to take into account that the person accused was accused of paying his debt. For example, the culprit claimed his poverty, he did not imprison him, the culprit and his colleagues asking his financial situation. At the same time, if two people testified that it is rich, the judge was imprisoned to force the guilty to pay the debt. The verdict did not perform the verdict, whether judge forgets and whether it is desirable. The judge was bound to not contradict the consensus of the Qur'an, the Sunnah or Mujtahid. Otherwise, such a sentence has been abolished.

It should be noted that if the terms of the laws are found to be complete during the correctional work, the judge listened to the judge, and then asked. If the responsible person confesses, the

<sup>11</sup>Комилов.М.М, Мирбокиев А.М. Ҳанафий фикҳидан зарур масалалар. – Т.: “Shamsiddinxon Boboxonov”, 2023. -336 б.



matter was resolved. Because the confession of the court was considered a sufficient basis for the verdict. But if he denies the accused, the judge must request a document from the plaintiff. If the plaintiff could bring a statement, the judge decided in favor of the plaintiff, regardless of the words that denied with a powerful venue. These can be accepted as spiritual and moral foundations of the judge. Based on the above, the following conclusion can be made about the spiritual and moral foundations of the Balik, formed on the basis of Islamic teachings:

First, the judge is perfectly knowledgeable by the Qur'an and the Rules of Sharia and to apply them in the practice of judges;

Second, it is the owner of intellect and high human qualities;

Third, there is a faith-believer, honest and determined person of Allah;

Fourth, the judge is well aware not only of religious but also from secular sciences;

Fifth, it is required to have physically healthy, spiritual trigma and exemplary behavior.