



## THE ĀL-I MĀZA (BURHĀN) FAMILY AND THE CONSOLIDATION OF THE ḤANAFĪ SCHOOL IN BUKHARA IN THE ELEVENTH AND TWELFTH CENTURIES

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**Abstract.** *This article examines the historical process through which the Ḥanafī school of law became the dominant legal and intellectual tradition of Bukhara, with particular attention to the role of the Āl-i Māza, a family of jurists known in the sources as the Āl-i Burhān or Banū Māza. Drawing on classical biographical dictionaries (ṭabaqāt), chronicles and bibliographical works, the study first outlines the conditions that allowed the Ḥanafī school to take root in Transoxiana, including the early foundation of madrasas, the patronage of rulers and the scholarly exchange between Bukhara and Baghdad. It then reviews the leading Bukharan jurists of the fifth/eleventh century who prepared the ground for the Māza family, and reconstructs the genealogy and scholarly output of the family itself from ‘Abd al-‘Azīz b. ‘Umar b. Māza to the Ṣadr-i Jahān of the early seventh/thirteenth century. The article argues that the Āl-i Māza combined hereditary religious leadership (riyāsa), judicial office and systematic legal authorship, and that this combination turned Bukhara into one of the principal centres of Ḥanafī jurisprudence in the eastern Islamic world. The findings also show that the family’s authority survived changes of political masters, from the Qarakhanids and Seljuks to the Qara Khitai, which confirms that their standing rested primarily on scholarly prestige rather than on political appointment alone.*

**Keywords:** *Ḥanafī school, Bukhara, Transoxiana, Āl-i Māza, Āl-i Burhān, ṣadr, al-Ṣadr al-Shahīd, Islamic legal history, ṭabaqāt literature*

### INTRODUCTION

The history of Islamic law in Central Asia cannot be written without Bukhara. From the late second/eighth century onward the city produced a continuous line of jurists whose works were copied, commented upon and cited far beyond Transoxiana (Māwarā’ al-Nahr). Classical Muslim authors were fully aware of this. Biographers such as al-Sam‘ānī, ‘Abd al-Qādir al-Qurashī, Ibn Quṭlūbughā, Ṭāshköprizāde, al-Kafawī, Taqī



al-Dīn al-Tamīmī, Ḥājjī Khalīfa and ‘Abd al-Ḥayy al-Laknawī devoted numerous entries to Bukharan jurists and, in particular, to members of the Āl-i Māza family (al-Sam‘ānī, 1988: 2/338; Ibn Khallikān, 1978:1/28). Their testimony makes clear that by the fifth and sixth centuries of the hijra the Ḥanafī school in Bukhara was not merely one legal option among many but the framework within which public religious and judicial life was organised.

Modern scholarship has approached this subject from several directions. Omeljan Pritsak drew attention to the Āl-i Burhān as a local dynasty of religious dignitaries in Bukhara (Pritsak, 1952), and Murteza Bedir has studied the “Bukharan school of law” with special reference to endowment (*waqf*) law between the tenth and thirteenth centuries (Bedir, 2010). In Uzbekistan and Kazakhstan, A. K. Muminov has investigated the social role of Ḥanafī scholars in the cities of central Transoxiana (Muminov, 2018), while I. I. Bekmirzaev has examined the judicial legacy of Burhān al-Dīn Maḥmūd al-Bukhārī, a leading member of the same family (Bekmirzaev, 2011). Turkish researchers, notably Abdulhalik Uygur and Abdulnasır Hakimi, have published critical studies on individual works and on the biography of al-Ṣadr al-Shahīd (Uygur, 2021:309–333; Hakimi, 2019:389–409). Nevertheless, there is still no study that places the Āl-i Māza within the broader history of the Ḥanafī school in Bukhara and explains how the family’s scholarly, judicial and political functions reinforced one another.

The aim of this article is therefore twofold: first, to identify the factors that led to the dominance of the Ḥanafī school in Bukhara before the rise of the Māza family; and second, to reconstruct the family’s genealogy, scholarly production and public role on the basis of primary sources. Methodologically, the study relies on historical-comparative and source-critical analysis of biographical dictionaries, chronicles and bibliographical catalogues, cross-checking the data wherever the sources diverge.

## MAIN PART

The Ḥanafī school originated in Kufa with Abū Ḥanīfa al-Nu‘mān b. Thābit (80–150/699–767) and spread widely from the fourth/tenth century onward. A distinctive feature of the school is that it consists not only of the opinions of its eponym but also of those of his companions, especially Abū Yūsuf, Muḥammad b. al-Ḥasan al-Shaybānī, Zufar b. al-Hudhayl and al-Ḥasan b. Ziyād al-Lu’lu’ī. According to the account preserved by al-Muwaffaq al-Makkī, Abū Ḥanīfa elaborated his doctrine through consultation



(*shūrā*) with his students, discussing each question with them, sometimes for a month or more, before Abū Yūsuf recorded the agreed position. This collegial method explains why the later school could accept the divergent views of the two companions (*ṣāhibayn*) as legitimately Ḥanafī.

Ḥanafī scholars appeared in Transoxiana as early as the second/eighth century, and several factors contributed to their rise: the attention paid to them by local rulers and governors, some of whom were themselves Ḥanafī jurists, and the involvement of viziers and high officials who encouraged jurists to compose works of the school. An important institutional element was the madrasa. While some historians associate the emergence of the madrasa with the Nizāmiyya founded by Nizām al-Mulk in 459/1067, the sources point to a considerably earlier date. The madrasa of the Bukharan jurist Abū Ḥafṣ al-Kabīr (150–270/767–883) appears to be one of the earliest institutions of this kind; its association with the name of its founder indicates that it was established during his lifetime. In the early fourth/tenth century a madrasa was founded in Nishapur by the Shāfi‘ī scholar Abū Ḥātim Muḥammad b. Ḥibbān al-Tamīmī (270–354/883–965) (al-Rajūb, 2004:94). Such institutions were typically devoted to the teaching of a single school, a pattern that reflected the rivalry between legal schools in Baghdad and its extension to the eastern provinces.

The prestige of Transoxianan Ḥanafīs was acknowledged in the caliphal capital itself. A Baghdadi scholar who could not answer a legal question is reported to have told the questioner: “When you reach Bukhara, ask about it from the Sayyid Imām Abū Ḥafṣ al-Bukhārī or from one of his sons” (Ibn Khallikān, 1978:1/28). Some Transoxianans rose to the rank of chief Ḥanafī *imām* and *muftī* in Baghdad, among them Abū Muḥammad b. Mūsā al-Khwārazmī (d. 403/1013), under whom Baghdadi jurists studied (al-Subkī, 2019:2/197). Baghdad was also a principal station on the pilgrimage route, which allowed scholars from Transoxiana to hold teaching sessions in the city and even to teach in the mosque of Abū Ja‘far al-Manṣūr, a venue reserved for eminent scholars (Ibn Mākūlā, 1990: 1/483).

Before the Māza family came to prominence, Bukhara had already produced a generation of jurists whose works became foundational for the whole Ḥanafī tradition. Abū Zayd ‘Ubayd Allāh b. ‘Umar al-Dabūsī, from the small town of Dabūsiyya between Bukhara and Samarqand, is regarded as the first scholar to establish the discipline of



juristic disagreement (*‘ilm al-khilāf*). His best-known works are *Kitāb al-Asrār* and *Taqwīm al-adilla*, together with *al-Amad al-aqṣā*; he died in Bukhara in 430/1039 (al-Qurashī, 1993:2/499–500). His reputation as a formidable debater is preserved in the verses he composed about an opponent who answered his arguments only with laughter (al-Dabūsī, 1985:6).

‘Abd Allāh b. al-Ḥusayn Abū Muḥammad al-Nāṣihī, appointed judge of Bukhara by Sultan Maḥmūd of Ghazna, was described as the leading Ḥanafī of his age; he abridged the endowment treatises of al-Khaṣṣāf and Hilāl b. Yaḥyā in his *Mukhtaṣar fī al-wuqūf* and died in 447/1055 (al-Qurashī, 1993:2/305–306). Shams al-A’imma ‘Abd al-‘Azīz b. Aḥmad al-Ḥalwānī, the “imam of the Ḥanafīs of his time” and author of *al-Mabsūṭ fī al-madhhab*, died in Kish in 448 or 449 AH and was buried in Bukhara (al-Qurashī, 1993:2/429). ‘Alī b. al-Ḥusayn al-Sughdī, known as Shaykh al-Islām, presided over fatwa-giving and the judiciary in Bukhara; with him, according to the biographers, the leadership of the Ḥanafīs came to its culmination. His *al-Nutaf fī al-fatāwā* and his commentary on *al-Siyar al-kabīr* are frequently cited, and he died in 461/1069 (al-Qurashī, 1993:2/567).

The most influential figure of this generation was Shams al-A’imma Abū Bakr Muḥammad b. Aḥmad al-Sarakhsī. A student of al-Ḥalwānī and teacher of Burhān al-A’imma ‘Abd al-‘Azīz b. ‘Umar b. Māza, he was imprisoned by the Khāqān Ḥasan, reportedly because he alone issued a fatwa declaring that the ruler could not marry his freed concubine before the end of her waiting period. During more than ten years of imprisonment he dictated his works from memory to students sitting at the prison entrance; part of the fourteen-volume *al-Mabsūṭ* was produced in this way between 466/1073 and 477/1084, and the *Sharḥ al-Siyar al-kabīr* was completed in Marghinan in 480/1087 (al-Laknawī, 1998: 158). Other members of this milieu include Iftikhār al-Dīn Ṭāhir b. Aḥmad al-Bukhārī (b. 481/1088), author of *Khizānat al-wāqī‘āt* and *al-Niṣāb*, who died in Sarakhs in 542 AH (al-Qurashī, 1993: 2/276); Rukn al-Islām Ibrāhīm b. Ismā‘īl al-Ṣaffār, who died in Bukhara in 534/1139 (al-Ghazzī, 1983:997); and Muḥammad b. ‘Abd al-Raḥmān al-Zāhid al-Bukhārī (d. 546/1151), one of the teachers of the author of *al-Hidāya* (al-Qurashī, 1993:2/76).

This period also witnessed the formation of two approaches to Ḥanafī legal theory. The Iraqi approach, associated with Abū al-Ḥasan al-Karkhī, continued the line of Abū



Ḥanīfa and his first students, while the approach of the Samarqand masters, associated with Abū Manṣūr al-Māturīdī, linked questions of legal theory more closely with theology. The Bukharan jurists were heirs to both approaches, but in practice they were most productive in the fields of applied law, fatwa collections and judicial manuals. The stage of expansion and systematisation, which began after the death of al-Ḥasan b. Ziyād (d. 204 AH) and ended with that of Ḥāfiẓ al-Dīn al-Nasafī (d. 710 AH), was the richest in the school's history, and a considerable part of its literature was produced in Bukhara.

The Āl-i Māza, also known as the Banū Māza or Āl-i Burhān, were one of the great families of Bukhara. Their lineage is traced back to the Umayyad caliph 'Umar b. 'Abd al-'Azīz, and their great-grandfather 'Umar bore the nickname "Māza", from which the family name derives. The sources describe the family as renowned for learning, generosity and leadership, and state that the headship (*riyāsa*) of the Ḥanafī school, which was the common school of the people of Transoxiana, passed down within it from father to son. Writing in the second half of the seventh/thirteenth century, Zakariyyā' al-Qazwīnī noted that Bukhara had always been a gathering place of jurists and a source of learning; the head of the blessed household was addressed as *Khwāja Imām Ajall*, the family traced its descent to 'Umar b. 'Abd al-'Azīz, and its leaders inherited the patronage of scholarship generation after generation. Al-Qazwīnī adds that he had seen no city whose inhabitants honoured scholars more than those of Bukhara, and he estimates the number of jurists supported there at about four thousand (al-Qazwīnī, n.d.:510).

The first prominent member of the family was 'Abd al-'Azīz b. 'Umar b. Māza, known by the titles Burhān al-A'imma, Burhān al-Dīn al-Kabīr, Sirāj al-A'imma and al-Ṣadr al-Kabīr. According to later reports, Sultan Sanjar sent him to Bukhara on an important mission in 495/1102 and conferred upon him the title *ṣadr*, which thereafter became the characteristic title of the family; for this reason he is also called *Abū al-Ṣudūr*, "father of the *ṣadrs*". He had two sons: Ḥusām al-Dīn 'Umar, known as al-Ṣadr al-Shahīd, and Tāj al-Dīn Aḥmad, known as al-Ṣadr al-Sa'id. The latter was among the teachers of Burhān al-Dīn al-Marghīnānī, who reports that Tāj al-Dīn granted him permission to transmit everything he had heard and honoured him with a certificate in his own hand (al-Laknawī, 1998:29). After the killing of his brother in 536/1141, Tāj al-Dīn was appointed supervisor of Bukhara on behalf of Alptegin, the governor installed in the city by the Qara Khitai ruler Gūrkhān.



Al-Ṣadr al-Saʿīd Aḥmad had two sons. The first was Burhān al-Dīn Maḥmūd, known as Ṣadr al-Dīn, the author of *al-Muḥīṭ al-Burhānī* and *al-Dhakhīra al-Burhāniyya* (al-Laknawī, 1998:114). Al-Laknawī describes him as one of the great imams and a *mujtahid* in legal questions who studied with his father and with his uncle al-Ṣadr al-Shahīd (al-Laknawī, 1998:85). The biographers list among his works *al-Tajrīd*, *Tatimmat al-fatāwā*, commentaries on *al-Jāmiʿ al-ṣaghīr*, *al-Ziyādāt* and al-Khaṣṣāf's *Adab al-qāḍī*, as well as *al-Wāqīʿāt* and *al-Ṭarīqa al-Burhāniyya*. His son Ṭāhir, known as Ṣadr al-Islām, was likewise distinguished in legal theory and substantive law and wrote *al-Fawāʿid* and *al-Fatāwā* (al-Laknawī, 1998:73). The second son, Masʿūd b. Aḥmad, was the father of the jurist Burhān al-Islām ʿUmar, who died in 615/1218 (al-Qurashī, 1993: 1/399).

Al-Ṣadr al-Shahīd himself had a son, Shams al-Dīn Muḥammad Abū Jaʿfar (511–561/1117–1166), who enjoyed great esteem at the courts of kings and sultans. He came to Baghdad as a pilgrim in 552/1157 and transmitted hadith there from his father (al-Laknawī, 1998:183); he recorded this journey in a book entitled *Laṭāʾif al-adhkār li-l-ḥuḍḍār wa-l-safar* (Ibn Māza, 2013: 254). The family's cultural patronage is also visible in the history of Narshakhī's *Tārīkh-i Bukhārā*. The work had originally been written in Arabic in 332/943; it was translated into Persian in 522/1128 and later abridged in 574/1178 by Muḥammad b. Zufar b. ʿUmar for the assembly of ʿAbd al-ʿAzīz b. Muḥammad, whom the preface honours with a long series of titles such as *Ṣadr al-Ṣudūr*, *Burhān al-Milla wa-l-Dīn* and *Sulṭān al-Sharīʿa* (al-Narshakhī, 1965:15–16).

The line continued with Burhān al-Dīn Muḥammad b. ʿAbd al-ʿAzīz, known as *Ṣadr-i Jahān* (d. 616/1219). The sources describe him as an unrivalled master of disputation who wrote a commentary on the questions of juristic disagreement, and report that nearly six thousand jurists lived under his protection. When he came to Baghdad as a pilgrim in 605/1208, accompanied by a group of jurists from his homeland, he was received by a large delegation of state dignitaries (Ibn al-Fuwaṭī, 1995:3/541). The poet Muʿizzī composed a long ode in praise of the family, declaring that whoever believes all felicity to be joined to the Āl-i Burhān is right in his claim, and that while honour may turn into arrogance in some people, this is not so among the Banū ʿAbd al-ʿAzīz (al-Kafawī, 2017:243).

The rise of the Māza family must be read against the political history of Transoxiana. In 482/1089 the Qarakhanids, who had ruled Transoxiana since 395/1004, submitted



to the Seljuk Sultan Malikshāh (r. 465–485/1072–1092). When Sultan Sanjar (r. 511–552/1117–1157) took control of Khurasan, he first entrusted Samarqand to his Qarakhanid nephew Muḥammad Arslān Khān and then conferred the offices of judge, chief judge and *ṣadr* of Bukhara upon ‘Umar b. ‘Abd al-‘Azīz b. Māza, that is, al-Ṣadr al-Shahīd, who was also related to the sultan by marriage. Because these offices were inherited within the family, a local Māza or Burhān dynasty took shape in Bukhara and remained in place until the end of Khwārazmshāh rule, roughly between 490 and 617 AH (1097–1220).

The family’s position did not collapse with the defeat of Sanjar at Qatwān in 536/1141, in which al-Ṣadr al-Shahīd was killed. The new Qara Khitai overlords, who ruled Transoxiana for some eighty-nine years, relied on the family and appointed its members as arbiters in matters of land tax (*kharāj*). As noted above, Tāj al-Dīn Aḥmad was appointed supervisor of Bukhara alongside the governor Alptegin. This continuity under non-Muslim suzerains is significant: it shows that the *ṣadrs* of Bukhara were regarded by successive rulers as indispensable intermediaries between the state and the urban population, and that their authority derived from recognised religious and scholarly leadership.

The scholarly output of the family was closely linked to its public functions. The works of al-Ṣadr al-Shahīd provide a clear example. His short treatise known as *Kitāb masā’il al-shuyū’*, edited by Abdulhalik Uygur, deals with transactions involving undivided shared property. The author divides such property into divisible and indivisible types and limits the main questions to seven: sale, lease, loan for use, gift, charitable donation, endowment and pledge. For each he sets out the opinions of the Ḥanafī masters, relying on al-Shaybānī’s *al-Aṣl* and *al-Jāmi’ al-ṣaghīr*, Ibn Samā’a’s *al-Nawādir* and al-Sarakhsī’s *al-Mabsūṭ* (Uygur, 2022:145–179). The treatise contains almost no Qur’anic verses or hadith and refers to another school only once, which indicates that it was designed as a practical reference for judges and notaries rather than as a work of polemics. The same practical orientation characterises the family’s fatwa collections and judicial manuals, which were consulted by the courts of Transoxiana for centuries.

## CONCLUSION

The analysis leads to several conclusions. First, the dominance of the Ḥanafī school in Bukhara was the result of a long process that began in the second/eighth century and was supported by early madrasas, by the patronage of rulers and officials, and by



continuous scholarly exchange with Baghdad and the Hijaz. The reputation of Bukharan jurists reached the caliphal capital, where some of them held the highest Ḥanafī positions.

Second, the jurists of the fifth/eleventh century, including al-Dabūsī, al-Nāṣihī, al-Ḥalwānī, al-Sughdī and al-Sarakhsī, created the textual and methodological foundation on which the Māza family built. Through al-Sarakhsī, who taught ‘Abd al-‘Azīz b. Māza, the family was directly connected to the central chain of transmission of the school.

Third, the Āl-i Māza combined three roles that were usually separate: hereditary leadership of the Ḥanafī community, high judicial office and systematic legal authorship. Over four generations the family produced works such as *al-Muḥīṭ al-Burhānī*, *al-Dhakhīra*, the fatwa collections and commentaries of al-Ṣadr al-Shahīd, and numerous shorter treatises, many of which remain in manuscript. Their authority survived the transition from Qarakhanid and Seljuk to Qara Khitai rule, which shows that it rested on scholarly prestige and social trust.

Finally, the history of the family demonstrates that the Bukharan school of law was not a provincial offshoot of Iraqi Ḥanafism but an independent and creative centre. The preparation of a scholarly catalogue of the writings of the Āl-i Māza and of other Bukharan Ḥanafī jurists, and the critical edition of their unpublished works, remain urgent tasks for the study of the religious and legal history of Uzbekistan.

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