

**ISSUES DISCUSSED IN THE CHAPTER "THE BOOK OF MARRIAGE" IN THE  
WORK "FATAVOI KHOJANDI"***Isaqov Abdulvohid Qobilovich**Independent researcher at the Department of Social Philosophy,**Namangan State University.**e-mail: [isaqovabdulvohidisaqov@gamil.com](mailto:isaqovabdulvohidisaqov@gamil.com)**Tel: +998 90 596-02-52*

**Annotation:**In the section "The Book of Marriage" of "Fatavoi Khodjandi", the issues related to the conditions of marriage, its legal implications, and the circumstances under which a marriage may be annulled are discussed. This section provides a detailed analysis of the necessary conditions for marriage, the legal relations between husband and wife, the preservation and modification of the marriage, as well as matters related to divorce (talaq). Additionally, the section includes legal decisions and fatwas that help understand family relations. The significance of the "Book of Marriage" in the context of Islamic law, its uniqueness, and the Hanafi madhhab's approach are explored. This scholarly work analyzes the key issues in the "Book of Marriage" section and their practical relevance.

**Keywords:** Fatavoi Khodjandi, marriage, Islamic law, fiqh, Hanafi madhhab, family, divorce, legal relations, family law.

Tajuddin Abu Bakr Al-Akhsikati Al-Khojandi's work "Fatawai Khojandi" specifically addresses the issue of "Marriage". That is, the issues of marriage are interpreted in the book of Akhsikati as follows. The main purpose of addressing this topic is that nowadays, divorces due to social ills are increasing. The marriage contract is connected with two words that express the past tense (past tense), and according to the method of istihsan, one of the two is also connected with two words that express the future. It is not connected by analogy, because the word future makes the promise probable<sup>1</sup>.

Burhoniddin Marginoni expresses the lexical meaning of the word "Nikoh" as follows: "(The word Nikoh) is also associated with the words "nikoh", "to marry", "gift", "to give as property" and charity."<sup>2</sup>.

They said: If a man says to another man: "Give me your daughter in marriage" or "I have come to be your matchmaker," and he says: "I have given her in marriage," then the marriage is valid and obligatory.

<sup>1</sup> Ўзбекистон ФА Шарқшунослик илмий текшириш институтининг кўлэзмалар фонди инв. № 2392. ابو عبد الله محمد بن علي بن ابي القاسم بن ابي الرج القاعدى الخجندى

<sup>2</sup> Бурҳониддин ал Марғиноний. Ҳидоя. Ҷилд.-Тошкент: Адолат, 2001.-Б.646.

This is not like a betrothal, and if a man says to a woman: "I will marry you for such and such a price," and she says: "I accept," then the marriage is concluded. Every word that expresses ownership of property in a slave-girl expresses marital property. If a man says to another: "Did you give me your daughter?" and she says: "I did," then the marriage is not concluded. If a man says to another: "I gave my daughter so and so to serve you," and she says: "I accepted," then the marriage is not concluded.

They said: If a man and a woman confess in the presence of witnesses that they are husband and wife, then the marriage is not concluded between them. Similarly, if a man says to a woman, "This is my wife," and she says, "This is my husband," then there is no marriage.

Imam Qazi Khan said: The answer should be detailed, if both of them acknowledge that there was a previous contract between them, then there is no contract between them, and there is no marriage. If the woman acknowledges, "He is my husband," and the man acknowledges, "She is my wife," then this is a marriage, and their acknowledgements include the fact that a marriage has been established between them. According to the prohibition of acknowledging a contract that did not exist between them, because this is a clear lie.

A man agreed on a dowry of one thousand dirhams and said to the groom: "From the one thousand dirhams, give the bride five hundred dirhams and give us five hundred dirhams." The groom sent five hundred dirhams, but did not give his five hundred dirhams. The representative of the bride asked for five hundred dirhams. Because the person who is authorized to buy the property owns what he buys. This is correct according to Imam Abu Yusuf and Imam Muhammad, even if no one is appointed to buy it from him.

It is correct for the representative to do the work himself, because the person who is authorized to buy it can take what is ordered, because that is the custom. And it is possible with the word of one person. If he buys two properties, it is correct, but he does not own it. It was said: A man married a girl from his own family to his son from another family. The girl grew up and married another man without having children. Her previous husband came and claimed that there was a marriage. Since the lineage of the children was not established from her, the judge immediately decreed that she should be divorced. The woman is required to observe the iddah of divorce, even if she had never been alone with her husband. Two sisters were married in two marriages, then so-and-so decided that he was the first, and in reality he was the second, and so-and-so became the first, and they both knew this mistake and did not quarrel. Is this position permissible for both of them? I say: "No." It was said in one place: The mufti gives a fatwa based on the outward appearance, just as the judge gives a ruling based on the outward appearance, although confession is an outward matter.

But the inner state is a matter between the two of them and Allah Almighty. It does not fall under the scope of ruling and fatwa. It is also said that if they ask about the inner state, the answer is that if I were there, I would not confirm both of them about the inner state and I would not answer about the inner state. But I say that both of them do not confirm in the presence of the judge. A person does not give a fatwa in the presence of the judge about something that is not confirmed in the inner state, just as a person does not give a fatwa in the presence of the judge about something that is not confirmed in the inner state. Also, in this case, it is not necessary for the woman to agree with that person and confirm him. This woman can

marry another man. When answering in general, it became clear to me that the marriage between the two was invalid due to the apparent act and the mahr is the acknowledgement of the husband.

It was said that if a man says that he will marry a woman on the condition that she divorce him after ten days, and she accepts, the marriage is valid. Because there is no time limit in marriage and the woman is divorced after 10 days<sup>3</sup>.

It was said: A nine-year-old girl was given to a husband and her dowry was paid. Does the groom have the right to force the girl's father to hand over the bride to the groom, if the family has made it a condition that he not have sexual relations with her until she reaches puberty, but that he should educate her and teach her manners, or not? I say: No. Because he has no right to demand that the girl be given to the husband, except until she reaches puberty, that is, until she is capable of sexual intercourse.

“(Kuduri) said: “If someone orders a man to marry his young daughter and he marries her, the father is present at that time and there is another witness besides these two, then the marriage is permissible.” This is because, since the assembly is one, the father is a direct participant in the marriage. In this case, the representative is not only a messenger and a “speaker” but also a witness. This is because, since the assembly is different, the father cannot be a direct participant in the marriage. Accordingly, if a father marries his daughter who has reached puberty in the presence of one witness and the girl is present at that time, the marriage is permissible, but if the girl is not present at that time, it is not permissible.”<sup>4</sup>.

They agreed on a dowry of 1,000 silver coins, and then he gave 300 silver coins in advance. The value of 300 silver coins on that day was 1,000 dirhams. Then the value of 300 silver coins reached 2,000 dirhams. The groom came asking for the 300 silver coins back. He offered to give the value of 300 silver coins on that day, that is, a thousand dirhams, instead of 300 silver coins. If he literally says that 1,000 dirhams are in exchange for the 300 silver coins agreed on that day, and the wife accepts and takes them, it will be correct.

It is not the right of the young girl's father to determine the part of the dowry to be given in advance after marriage, because in doing so he would be violating the young girl's rights. If a woman who is waiting for the iddah from a temporary or final divorce leaves the house where she is waiting for the iddah, will her husband return her to that house?

I answer: The case is brought to the judge and the judge asks the woman about the reason for her departure. If there is harassment, the house has been usurped, the house has been rented and rent is being demanded and the woman is responsible for paying the rent, the house is too small for the woman, there is a risk of assault, or the husband is a sinner and the woman is in danger of being raped, and there are similar, valid reasons, then it is permissible. Otherwise, the judge orders the husband to return the woman to the house where they both lived before the divorce.

<sup>3</sup> Ўзбекистон ФА Шарқшунослик илмий текшириш институтининг қўлғезмалар фонди инв. № 2392. ابو عبيد الله محمد بن علي بن ابي القاسم بن ابي الرج القاعدى الخجندى

<sup>4</sup> Бурҳониддин ал Марғинович. Ҳидоя. Ҷилд.-Тошкент: Адолат, 2001.-649-650 бетлар.

If the marriage took place without a guardian or with wicked witnesses and the husband later disappears from the woman, is it permissible for the judge to send the woman to the Shafi'i school of jurisprudence to annul the marriage?

The answer is that, as mentioned in the book "Multaqiz", there is a similar statement in the fatwa of Sheikhul-Islam, if it is free from bribery.

As mentioned in the book "Nawazil": The jurist Abu Ja'far was asked about a man who sent a piece of furniture to his daughter's husband and did not say that it was a gift at the time of sending it. He said that it is considered a gift. Just like a man who gives his clothes to a washerman to wash and does not mention the azr.

They said: A man claimed that he had married a woman and she denied it, then she died before the husband could draw up the document. Then the woman's heirs claimed the dowry from the man. Is their claim valid? He replied: No, because she had denied the husband's confession.

It was said: A woman died and her husband, on his deathbed, said: "I have a dowry of a thousand dirhams of water for her." Then he died. Is it permissible to demand this dowry from the woman's heirs or not? (According to Abu Hanifa). He replied: "Yes." He demands the dowry of the woman, if the woman's heirs are also the heirs of the man, because he is not important in this confession, because the dowry is established even without his confession. Of course, if the husband pays the dowry, it is permissible. It was said: A woman claimed: "I am the wife of this man and he married my sister's daughter and left me." The husband said: "I divorced him once and her waiting period was over, and then I married his sister's daughter." The woman denied that she had been divorced: What does the judge do? They said: The husband makes the woman swear because she claims that she has divorced him, and if the woman swears, he separates the second wife from the husband and declares the second wife divorced, and the wife waits for the period of iddah from that time. If it is entered into, the marriage of the husband with his sister's daughter is not ruled to be invalid, because the husband did not admit that he had married his wife, and this was not confirmed by the claimant's term.

If the woman refuses to swear, the judge immediately declares that the divorce has been declared against her<sup>5</sup>.

The marriage took place, he gave the money that was agreed upon (it was a gold ornament), and the wife took it. The next day, the things that the wife had bought became cheap. The wife said: "I am losing money." The husband said: "I am not losing money." The husband said: Give it to me, so that I can trade with it and give you (a diamond-shaped ornament). Its price will not be cheap. The wife gave her ornaments. The husband traded with it.

Now the husband says, "I will give you the ornaments that I bought." Can the wife demand the diamond-shaped ornament or not? They answer: If the named dowry is more

---

<sup>5</sup> Ўзбекистон ФА Шарқшунослик илмий текшириш институтининг қўлғезмалар фонди инв. № 2392. ابو عبد الله محمد بن علي بن ابي القاسم بن ابي الرج القاعدى الخجندى

valuable than the diamond-shaped ornament, she cannot demand it. Because it is not enough to pay off the debt that the man has. But if she has made a condition

In this case, the wife can demand the specified dowry herself. But if the specified thing is a diamond-shaped ring, she demands it. Because the diamond-shaped ring is in place of the prescribed dowry. They said: A woman gave her husband something that belonged to her and said: Sell it and spend it on your affairs. The husband did so. Is it the husband's responsibility to pay its price? The answer was "Yes."

It is not permissible for a guardian other than a grandfather or father to marry a girl who is a known jinn. Because the ability to have children is a condition of equality. Just like the ability to pay dowry and maintenance. Perhaps it is more important than these. They said: Is it permissible for a wealthy woman of high rank to marry someone who is related to her in lineage? The answer is that it is not permissible if she marries someone who is a stranger to both of them. By the consensus of our companions, may Allah have mercy on them. If she marries before that, our scholars differed. It is said that the authentic statement is permissible. They said: He who made a condition in marriage that he would not take the girl out of this city now wants to take her out. Can he take her out or not? The answer is given. He can take her out and the agreed dowry is required. If there is a defect in it, it is not permissible to make a condition not to take her out.

They said that a man said to his wife on his deathbed, "Please delay your dowry until we can re-marry and determine a greater dowry." She delayed and re-married and determined a greater dowry. Is this type of dowry permissible? The answer is no. Because this is a deathbed gift. It is only for those who have committed a sin between them and the woman is no longer entitled to inherit from her husband. At that time, there is no gift for the heir. Perhaps it is a compensation. If there is more than the dowry, then the dowry is considered as a gift for all the property. The excess is within. Because it is a gift to a stranger.

It was said: A husband said to his wife, "I owe you 400 silver coins, so forgive me until we conclude a new contract and set the dowry at 500 silver coins." The wife agreed. The wife forgave the 400 silver coins in front of witnesses, and the man did not want to set another dowry. In this case, is the previously agreed dowry forfeited or not? Answer: If the husband and wife share what was due according to the promise of forgiving, it is not forfeited.

A divorced woman married another man. Then she claimed that she had not completed her waiting period before being married. Will her claim be accepted? The answer is no. It is mentioned in a book that the husband is required to swear that he is aware of the completion of her waiting period? Answer: Yes.

It was said that a woman was married for a thousand dirhams. Then she was given ten dinars. in advance. But he did not say anything and years have passed and today this gold is being calculated for silver. Was it not calculated for today's value or for the value on that day? The answer is that the woman has a fixed dowry around her neck. The matter is between the two of them. It was said that the woman got married for a thousand dirhams. In a marriage where there are different financial conditions in the city, there are equal dirhams (there are 2

types). But both are of the same sex, like one with a hole in it and the other flat, or like two different sexes, like a small dirham and a large dirham, now which one will be the contract?

The answer is closer to the example of dowry. Just like the issue of a contract concluded for a thousand or two thousand. It was said that the wife gave her husband some of her equipment and said that she should spend it on your work. The husband sold them and used them for his expenses. Now can the wife demand the price of the things she gave from her husband or does she demand the value? Answer: She can demand it, because the woman is the one who represents her husband in selling the goods. Then she gives the money to a stranger. Giving something like that to a stranger is a debt. If it is said that the woman is not made a gift of the goods or its money to her husband, we say that if we come to the goods, the woman's saying "sell it" does not indicate a gift or ownership according to the Sharia and the Wazan. If we come to the money of the goods, it is permissible for the husband to spend it on his needs. The husband does not own it. He only owns it if it is his property. So the property in money is fixed to the woman without compensation. Sometimes it is by gift, sometimes it is by debt. With debt, it is less than the two. Because the husband is responsible for the loss of the wife in form, not in spirit. Because he pays the loss with a fee in lieu of a gift. What is fixed by necessity is determined by the amount of necessity. Whoever finds the opportunity to remove the necessity, that removal is due to the debt. He is not forced to give it, and this issue is actually in the book of muzriyat.

The heirs of the husband and wife disagreed about the naming of the dowry. The opinion of the husband's heirs is taken. If the heirs of the woman have a document stating that she was named, then they take that. If they do not have documents, the husband's heirs are made to swear that the dowry was not named, and if they refuse, they are sentenced to a problem. If they swear, they are sentenced to something. But not for the sake of the musamma or the example of the dowry. This is according to Abu Hanifa and according to the two disciples, the dowry is judged in the same way. The heirs of the couple disagreed about the name of the dowry. The heirs of the wife testified that when this husband gave his daughter from that wife in marriage, they said that she was the owner. They wanted to determine how much the dowry would be. The husband (i.e. the girl's father) said to his mother, "Tell me the dowry that was determined." He asked how much the mother's dowry was determined.

Then the husband said two thousand dirhams. Will this solve the problem or not? The answer was: yes.

The father gave his daughter to the husband when she reached puberty. The husband sent clothes to the girl from the dowry. The girl wore them knowingly. Then he said (I rejected this marriage when I heard about it). Will his statement be heard or not? The answer is given. No, except with a document. Because the girl wore this dress knowing that it was from the dowry, it was permissible. But if it was not found to be from the dowry, it is considered that it is not truly permissible: she is a virgin. The opinion is her opinion. Of course, she also rejected the third one. This is contrary to Imam Zufar.

The father of the young man and the father of the girl made the marriage agreement. And after that, they sent each other gifts and shepherds. Among the gifts were meat, wheat and halva. Now what is the purpose of sending and what is the purpose of receiving it? The answer will be

given. If the sending is from the dowry, it is in this sense, and if it is in terms of a gift, it is in the sense of a gift, and if he rejects it and is a destroyer of it, there is nothing for him. This is mentioned by Imam Qazi<sup>6</sup>.

A man married his daughter and gave her to her husband with a gift. Then he said, "This gift is a foreigner." Some scholars said that it belongs to the father.

Because the ownership is from the father, some say that the father's statement is not accepted unless there is a document stating that he gave it to the foreigner. Imam Qazi Khan said: If the father is honorable and noble, his statement that "this is a foreigner" is not accepted. If the father is one of those who cannot give his daughter a gift. If the father wants to have the right to take it back, he must bring a witness at the time of sending it that it is a foreigner. It is more prudent for the father to buy it for a certain amount of money from someone rich in the copy. Then the girl will definitely return it to her father. Then the girl will transfer that money from her father. If the possibility is great, the father will give the gift to his daughter, as we have said, it is more prudent. It was said that a man married the daughter of his divorced wife in a corrupt marriage. But he never touched her. Now, can he marry the mother of this girl again? The answer is: he can. In a sense, is it not haram with the mother's daughter's marriage itself, according to this verse? We say that no, but it is haram with the valid marriage itself, not fasid. It was said: He married a woman for a dowry of a thousand niqra and gave 300 niqra in advance. After that, they did hlu for a thousand niqra. Can the husband take back the 300 niqra he gave in advance? The answer is: He can. Because the 300 niqra he gave was a qiyas. It was said: A man and a woman committed adultery. Is the daughter of that woman who was born by consent unlawful for the man who committed adultery? The answer is: It is haram. Because she is the daughter of consent unlawful. Whoever marries a woman, her daughters who are related by blood and marriage are forbidden to him. Even if it is a lawful marriage. It was said: If a man says to a woman, "I will marry you for the equivalent of your dowry," and she says, "I accept you" in the presence of witnesses, and then divorces her before entering into marriage, is it obligatory to pay the dowry or to pay the equivalent of the dowry? The answer is that the equivalent of the dowry is payable. Also, if the property is not mentioned, it is as if it were given.

It was said: A woman forgave her husband her dowry. Then she said to her husband, "Fix the dowry for me again." He said, "How much was the dowry you forgave?" The woman said, "10,000 dirhams." The husband said, "I added another thousand (1,000) to her." Fiqh Abu Layth mentioned in "Nawazil" that if he increases the dowry after giving it to her, the increase is also due. Some of the scholars of our time say that nothing is necessary. Because for the addition to be valid, it requires that something be added to it. They said: A woman forgave her mahram and died. The husband said that ... it was during her health. The heir said that it was when she was on her deathbed. Whose word is it? It is mentioned in the book "Mustaqata". In the book "Jami' us-saghir" it is said that what the woman said cannot be changed. They say that the change of affairs does not mean that it will be changed to the nearest time, we say that it is, but this is the case with equal affairs during the time of health. However, if one of the two affairs is in a healthy state and the other is in a corrupt state, then this is not the case.

<sup>6</sup> Ўзбекистон ФА Шарқшунослик илмий текшириш институтининг қўлғезмалар фонди инв. № 2392. ابو عبد الله محمد بن علي بن ابي القاسم بن ابي الرج القاعدى الخجندى

Do you not see that if the heir claims that the hibban is a corruption, the other proves that it occurred when he was not sick. The issue was the husband's statement. Don't you see that if a man claims that he bought the current one from the owner on Thursday, the owner was with a condition and on Friday it became corrupt. Here, the issue is on the seller to provide evidence that the customer's statement is corrupt. Just like the owner of a gift.

They said: Is it permissible for a man to marry the daughter of his wife's son after the death of his wife or divorce? Shaykh al-Islam answered: It is not permissible. And Imam Ahmad answered that it is permissible. He disagreed with the answer of Shaykh al-Islam. They said: If the judge rules about an extra oath, the wife of the one who swears is lawful.

They said: If he rules about an extra oath that it is lawful until it is annulled, is this annulment apparent for the other wife who was considered after that? The answer is given. If it is a guardian appointed by the judge, yes, and if it is a judge appointed by the governor, no. Imam Ahmad Barghuzi said that it is not permissible even if it is by a guardian appointed by the judge, and he also said that the annulment of the two is based on the ruling on making it lawful, not for the purpose. Because annulment is not one of the things that comes under the ruling. Because it is not one of the rulings of the Sharia. Don't you know that if he rules on the annulment, the oath will not be annulled and the halal will not be established. There is no general meaning in it that it is established by necessity, and this is similar to what Abu Hanifa (may Allah have mercy on him) narrated, "Whoever buys a slave and two witnesses are brought to him and he says to the one who swore an oath that he would be free if he bought him," then the ruling on the freedom of that slave is made. If he then buys another slave, he will not be free. He will be free in appearance. It was said: A man divorced his wife after he had intercourse with her and then left her for a journey. Can the woman remarry? The answer is: No, not until the judge separates them.<sup>7</sup>

They said: A man married his minor daughter and fixed the dowry (the dowry) as a small amount. Then the girl reached adulthood and wanted the fixed amount. Can she have the daughter or not? The answer is: If the contract was fixed before the marriage or if the dowry was fixed in the marriage contract, then no, according to the principle of the musamma. Because the father has the right to give his daughter to his wife if he has not exceeded the limit. According to Abu Hanifa (may Allah have mercy on him). However, if the contract is concluded and the musamma is mentioned, and then the father stipulates a small amount of the muamma, it is not valid. The father has the right to demand the full dowry from the girl's husband. If the father is slow to respond, the girl has the right to demand the full dowry when she reaches adulthood or to forbid it to him. Because the amount of the dowry from the musamma becomes her right. The father's stipulation reduces the girl's right to the least amount of the dowry. The father has no right to do so.

They said: The husband died and the woman claimed her dowry. The heirs denied it. They said, "What is the woman's dowry?" Is the amount calculated? The answer is: What the Mutakjirs preferred, as stated in Jame'us-Saghir, is that if the woman does not surrender, she is

---

<sup>7</sup> Ўзбекистон ФА Шарқшунослик илмий текшириш институтининг қўлёзмалар фонди инв. № 2392. ابو عبد الله محمد بن علي بن ابي القاسم بن ابي الرج القاعدى الخجندى

judged according to the dowry. If she surrenders, she is told that she must submit to the ruling or she will be judged according to what is customary.

They said: A man and a woman are married in a voluntary marriage, can they break the contract before permission is sought? The answer is: So and so, that is, they cannot break another contract by judgment. For example, he married his wife to his sister. He is free in both cases. He chooses whichever one he wants. It is narrated from Abu Yusuf (may Allah have mercy on him): The man has the right to break it. Even if it is a bay'ah. Because the right of permission is established by the contract for whom the contract was made, and it also invalidates that right in other owned things.

When the owner of the right gives the dowry with the intention of preventing harm from himself, or with the reason of returning the contract.

The fuzuli in the marriage chapter is not necessary for the ten rights of the contract because it is on the part of the owner of the right. It consists of giving permission and making a representative. The fuzuli in the bay chapter, on the other hand, does not require the damage of the rights in the contract. It is subject to being violated before the right is completed. Every person has a way to be free from considering the damage necessary and invalidating the right of another. The representative in the two seasons uses the control in it. Because he is in the place of the agent, and the agent is subject to this. Also, the representative completes it in all marriages.

They said: A slave married a virgin in a corrupt marriage. Then he treated them and the judge separated them. The one who entered into the marriage and the dowry was obligatory. Can the wife demand the dowry in that case or after the slave's marriage? Answer: In that case, she demands it, the slave is sold there or, according to Abu Hanifa, the master pays it. Because this marriage is subject to his permission. According to his disciples, it is taken after she is freed.

They said: Umm Walad was married by her master and then freed her. Now, does he have to wait for the Iddah of I'taq for his slave girl? The answer is: If the husband entered into the marriage with his slave girl, it is not necessary. Because the Iddah of I'taq is obligatory for her. The marriage is fixed. And it is stronger than the Iddah of I'taq. Because the bed of Umm Walad is weak.

They said: He gave the married woman 200 and set the dowry at 400. Then there was a difference of opinion. The husband said that he gave 100 to the muajjal and 100 to the loan. The wife said no, but rather that he said 200 muajjal, which was all conditional. Because it was judged as muajjal. If there is a dispute about the actual amount, the two agree that all of the 200 is the property of the woman, and there is a dispute about the ownership of 100 of it. The matter is the husband's because he is the owner. We say that we are talking about the husband. But we are doing the same thing as if the woman gave another 100 as a dowry or for a loan. If she gave 100 as dowry, the husband cannot demand it from the woman. If she gave it as a loan, for example, if the muajjal is 200, he has the right to arrest the woman for muajjal. Because it is from the woman's right.

They said: The father of a virgin who reached puberty demanded her dowry from her husband. The husband said that I had entered into her. He did not have the right to seize it for the father. The father denied this. The husband demanded an oath. Is an oath taken against the father's ignorance? Answer: No.

In conclusion to the third chapter, it can be said that the role of Tajuddin Abu Bakr Al-Akhsikati Al-Khojandi's "Fatawai Khojandi" in the development of the science of fiqh is unparalleled. When we conducted a comparative analysis of the chapter "Book of Prayer" in "Fatawi Khojandi" with other fiqh works, it became clear that this book has hardly been studied in this regard. A comparative analysis of the chapter "Book of Marriage" in "Fatawi Khojandi" with other fiqh works also allowed us to draw similar conclusions. Therefore, a thorough study of "Fatawi Khojandi" by Tajuddin Abu Bakr Al-Akhsikati Al-Khojandi is a requirement of the present era. The main reasons for divorces in the present era are the lack of knowledge of the rights of husband and wife in the family, the husband's inattention to dowry and maintenance, and the wife's disrespect for her husband.

#### References:

1. Ўзбекистон ФА Шарқшунослик илмий текшириш институтининг қўлёзмалар фонди инв. № 2392. ابو عبد الله محمد بن علي بن ابي القاسم بن ابي الرج القاعدى الخجندى
2. Бурҳониддин ал Марғиноний. Ҳидоя. Ҷилд.-Тошкент: Адолат, 2001.-Б.646.
3. Ўзбекистон ФА Шарқшунослик илмий текшириш институтининг қўлёзмалар фонди инв. № 2392. ابو عبد الله محمد بن علي بن ابي القاسم بن ابي الرج القاعدى الخجندى
4. Бурҳониддин ал Марғиноний. Ҳидоя. Ҷилд.-Тошкент: Адолат, 2001.-649-650 бетлар.
5. Ўзбекистон ФА Шарқшунослик илмий текшириш институтининг қўлёзмалар фонди инв. № 2392. ابو عبد الله محمد بن علي بن ابي القاسم بن ابي الرج القاعدى الخجندى
6. Ўзбекистон ФА Шарқшунослик илмий текшириш институтининг қўлёзмалар фонди инв. № 2392. ابو عبد الله محمد بن علي بن ابي القاسم بن ابي الرج القاعدى الخجندى
7. Ўзбекистон ФА Шарқшунослик илмий текшириш институтининг қўлёзмалар фонди инв. № 2392. ابو عبد الله محمد بن علي بن ابي القاسم بن ابي الرج القاعدى الخجندى