

**O‘ZBEKISTON RESPUBLIKASI FANLAR AKADEMIYASI
TARIX INSTITUTI HUZURIDAGI ILMIY DARAJALAR BERUVCHI
DSc.02/30.12.2019.Tar.56.01 RAQAMLI ILMIY KENGASH**

TARIX INSTITUTI

QAHRAMON KARIMDJANOVICH YAKUBOV

**XORAZM VOHASI VAQF MULKCHILIGI TARIXI
(1511–1920-yillar)**

**07.00.01 – O‘zbekiston tarixi,
07.00.08 – Tarixshunoslik, manbashunoslik va tarixiy tadqiqot usullari**

**TARIX FANLARI DOKTORI (DSc) DISSERTATSIYASI
AVTOREFERATI**

Toshkent, 2025

Doktorlik dissertatsiyasi avtoreferati mundarijasi

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**TARIX FANLARI DOKTORI (DSc) DISSERTATSIYASI
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Toshkent, 2025

Fan doktori (DSc) dissertatsiyasi mavzusi O'zbekiston Respublikasi Oliy ta'lim, fan va innovatsiyalar vazirligi huzuridagi Oliy attestatsiya komissiyasida B2025.1.DSc/Tar171 raqam bilan ro'yxatga olingan.

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KIRISH (doktorlik (DSc) dissertatsiyasi annotatsiyasi)

Dissertatsiya mavzusining dolzarbligi va zarurati. Hozirgi davrda jahonda madaniy-ma'rifiy sohada erishilayotgan yutuqlar, xususan, ilm-fan taraqqiyoti va yangi ilmiy kashfiyotlar uchun turli xayriya tashkilotlari va jamg'armalar asosiy moliyaviy harakatlantiruvchi kuch bo'lib xizmat qilmoqda. O'z navbatida, mamlakatimizda ilm-fan rivoji uchun zaruriy shart-sharoitlar yaratish va uning moddiy-moliyaviy mexanizmini shakllantirishda tarixiy tajriba muhim ahamiyat kasb etadi. Shu jihatdan, xayr-ehson va ezgu amallar natijasida yuzaga kelgan vaqf institutining mintaqa madaniy hayotida yuz bergan ijobiy o'zgarishlardagi tarixiy o'rni va roli beqiyos ekanligini e'tirof etish lozim.

Dunyodagi yetakchi ta'lim va ilmiy tadqiqot muassasalarida olib borilgan ilmiy izlanishlar natijasida Xorazm vohasi vaqf mulkchiligi manbashunosligining ayrim jihatlari, madrasa ta'lim tizimi, vaqfning siyosiy vosita sifatidagi roli, xususan, hokimiyat legitimligi va ma'muriy-byurokratik apparatni xodimlar bilan ta'minlash moddiy asosi bo'lgani hamda jahon iqtisodiyoti ta'sirida mazkur hududda pul vaqfining jadallik bilan rivojlanib borish jarayoni yoritilgan. Ammo Xorazm vohasida so'nggi ikki sulola davrida vaqf mulkchiligining tadrijiy rivojlanishi, vaqfga oid birlamchi manbalarning tasnifi va ahamiyati, vaqf mulkchiligining nazariy-huquqiy jihatlari, ayollarning vaqf munosabatlaridagi ishtiroki, madaniy-ijtimoiy muassasalar faoliyat yo'nalishlari, ular ma'muriy va xo'jalik boshqaruvi hamda vaqf mulklari turlari va ulardan foydalanish asoslari kabi masalalar mutaxassislar e'tiboridan chetda qolgan. Vaqf mulkchiligini tadqiq etish nafaqat vaqf institutining faoliyat tartibi, balki o'lkamizda ilm-fan, madaniyat va san'at sohasida yuz bergan ijobiy o'zgarishlar, jumladan, birinchi va ikkinchi renessans poydevorining qo'yilishiga sabab bo'lgan omillarni aniqlash imkonini beradi. Shu sababli vaqf mulkchiligi tarixi mavzusi mintaqamizda kechgan madaniy, tarixiy jarayonlar bilan birga, iqtisodiy-ijtimoiy munosabatlarni o'rganishda dolzarb ahamiyatga ega.

O'zbekiston tarixini tadqiq etish va qayta tiklashda birlamchi manbalardan hisoblangan, arab, fors va turkiy tillarda bitilgan qo'lyozma asarlar va tarixiy hujjatlar qimmatli yozma yodgorliklardan hisoblanadi. Ayniqsa, mazkur turdagi manbalarni saqlash, ularda aks etgan boy ilmiy-madaniy merosni o'rgangan holda keng jamoatchilik, xususan, yoshlarga yetkazish kabi ulkan vazifalarga hukumat darajasida ahamiyat berilayotgani e'tiborga molikdir¹. Shu jihatdan, Xorazm vohasi vaqf mulkchiligi tarixini sharq tillarida bitilgan birlamchi manbalar asosida o'rganish, xalqimiz ongi va shuuridan joy olgan xayr-ehson, yaxshilik qilish va saxovat ko'rsatish kabi ezgu amallar tarixiy ildizlarini aniqlash hamda shu orqali boy madaniy merosimizni qayta tiklagan holda targ'ib etish imkoniyatining mavjudligi tanlangan ilmiy mavzuning dolzarbligini ko'rsatadi.

O'zbekiston Respublikasi Prezidentining 2022-yil 28-yanvardagi PF-60-son "2022–2026-yillarga mo'ljallangan Yangi O'zbekistonning taraqqiyot strategiyasi

¹ O'zbekiston Respublikasi Prezidentining 2017-yil 24-maydagi "Qadimiy yozma manbalarni saqlash, tadqiq va targ'ib qilish tizimini yanada takomillashtirish chora-tadbirlari to'g'risida"gi PQ-2995-son va 2022-yil 10-fevraldagi "Qadimiy yozma manbalarni saqlash va tadqiq etish tizimini takomillashtirishga doir qo'shimcha chora-tadbirlar to'g'risida"gi PQ-126-son qarorlari.

to'g'risida"gi Farmoni va sohaga oid boshqa me'yoriy-huquqiy hujjatlarda belgilangan vazifalarni amalga oshirishda ushbu tadqiqot muayyan darajada xizmat qiladi. Shuningdek, so'nggi yillarda amalga oshirilayotgan keng ko'lamli islohotlar orasida O'zbekiston Respublikasi Prezidentining 2018-yil 16-apreldagi "Diniy-ma'rifiy soha faoliyatini tubdan takomillashtirish chora-tadbirlari to'g'risida"gi PF-5416-son farmoniga muvofiq, "Vaqf" xayriya jamoat fondining tashkil etilishi qariyb 100 yil davomida unutilayozgan diniy-madaniy merosimizning tarkibiy qismini qayta tiklash yo'lidagi muhim qadamlardan bo'ldi. Mazkur dissertatsiya tadqiqoti esa ushbu jamoat fondining faoliyatini yanada rivojlantirish va istiqboldagi ishlash mexanizmini takomillashtirishda muayyan darajada amaliy ahamiyat kasb etadi.

Tadqiqotning respublika fan va texnologiyalar rivojlanishining ustuvor yo'nalishlariga mosligi. Dissertatsiya respublika fan va texnologiyalari rivojlanishining I. "Axborotlashgan jamiyat va demokratik davlatni ijtimoiy, huquqiy, iqtisodiy, madaniy, ma'naviy-ma'rifiy rivojlantirishda innovatsion g'oyalar tizimini shakllantirish va ularni amalga oshirish yo'llari" ustuvor yo'nalishi doirasida bajarilgan.

Dissertatsiya mavzusi bo'yicha xorijiy ilmiy tadqiqotlar sharhi². Xorazm vohasi vaqf mulkchiligi tarixi bo'yicha ilmiy izlanishlar dunyoning yetakchi ilmiy muassasalari va oliy ta'lim dargohlarida, xususan, Nyu-York universiteti (Nyu-York, AQSh), Eron dunyosi tadqiqotlari markazi (Parij, Fransiya), Avstriya Fanlar akademiyasining Eronshunoslik instituti (Vena, Avstriya), Erjiyes universiteti (Kayseri, Turkiya) va Sharja Amerika universiteti (Sharja, Birlashgan Arab Amirliklari)da olib borilmoqda.

Hozirgacha Xorazm vohasi vaqf instituti tarixiga oid quyidagi ilmiy natijalar olingan: Xiva xonligining 19-yuzyillikka oid arxiv hujjatlari, jumladan, vaqfnomalarining Rossiyaning Sankt-Peterburg shahridan Toshkentga olib kelinish tarixi va ularning O'zbekiston Milliy arxivi fondlaridan birining tarkibiga kiritilishi bilan bog'liq tarixiy hujjatlar jamg'armalarining yaratilish tarixi aniqlangan (Nyu-York universiteti San'at va fan kollejining Yaqin Sharq va islomshunoslik fakulteti, Nyu-York, AQSh); Xiva shahrining Ichan-qal'a qismida joylashgan Fozilbiy madrasasining vaqfnomasi asosida ushbu muassasaning vaqf ma'muriyati, madrasa xodimlari va talabalar huquqlari, majburiyatlari, ta'lim jarayoni, o'quv dasturlari hamda darsliklar haqida ma'lumot berilib, Qo'ng'irotlar sulolasi vakili Fozilbiyning madrasa qurishga undagan omil "legitimatsiya" nazariyasi orqali ochib berilgan (Eron dunyosi tadqiqotlari markazi, Parij, Fransiya); Xiva xonligida pul vaqfning ko'payishiga ta'sir ko'rsatgan iqtisodiy omillar va mahalla masjidlariga tegishli vaqfnomalar shartida aks etgan, vaqf qiluvchilarning asosiy maqsadi savob olishga qaratilgan xatti-harakat ekanligi yoritilgan (Avstriya Fanlar akademiyasining Eronshunoslik instituti, Vena, Avstriya); Xiva xonligida madrasa(lar) qurilish jarayonining ko'payishi Qo'ng'irotlar boshqaruvining ajralmas qismi, davlat apparatining kadrlarga bo'lgan ehtiyojining qondirish vositasi sifatida baholangan

² Dissertatsiya bo'yicha xorijiy ilmiy-tadqiqotlar sharhi <https://as.nyu.edu>, <https://cermi.cnrs.fr>, <http://www.oeaw.ac.at>, <https://www.erciyes.edu.tr>, <https://www.aus.edu> va boshqa manbalar asosida tayyorlandi.

(Avstriya Fanlar akademiyasining Eronshunoslik instituti, Vena, Avstriya), Xorazm vohasida so‘nggi ikki sulola – Arabshohiyalar va Qo‘ng‘irotlar hukmronligi davrida bunyod etilgan madaniy-ijtimoiy muassasalar, xususan 5 ta masjidning qurilish tarixi, me‘morchiligi va vaqf mulklari kabi masalalar ochib berilgan (Erjiyes universitetining Adabiyot fakulteti, San‘at tarixi bo‘limi, Kayseri, Turkiya); 19-yuzyillik davomida Xiva xonligida pulning vaqf mulki sifatida ta‘sis etish jarayonining keskin kuchayishi va unga ta‘sir etgan omil jahon sanoat kapitalizmining xonlik iqtisodiyotiga ta‘siri kontekstida tadqiq qilingan (Sharja Amerika universitetining San‘at va fanlar kolleji, Sharja, Birlashgan Arab Amirliklari).

Jahonda Xorazm vohasining 16–20-yuzyillik boshlari tarixi bo‘yicha quyidagi ustuvor yo‘nalishlarda tadqiqotlar olib borilmoqda: Xiva xonligining Qo‘ng‘irotlar sulolasi boshqaruv tizimi va unda yasovulboshining tutgan o‘rni, hujjatshunoslik madaniyati holati, so‘fiylik tariqati vakillarining bilim va hokimiyat kontekstidagi o‘rni, qulchilik tarixi va uning o‘lkadagi holati va boshqalar.

Muammoning o‘rganilganlik darajasi. 16–20-yuzyillik boshi Xorazm vohasi vaqf mulkchiligi tarixshunosligini ikki jihatdan yoritish mumkin. *Birinchidan*, mavjud tadqiqotlar uchun aksariyat hollarda xos bo‘lgan an‘anaviy tarixiy-davriy yondashuv:

1) Rossiya imperiyasi tomonidan Xiva xonligi bosib olinishidan oldingi va imperiya mustamlakachiligi davrida yaratilgan tadqiqotlar;

2) sovet davri mutaxassislarining ilmiy ishlari;

3) mustaqillik yillarida olimlar tomonidan e‘lon qilingan nashrlar.

Ikkinchidan, mavzu yuzasidan yaratilgan ilmiy ishlarni muammoviy hamda mavzuiy aloqadorlik jihatlaridan guruhlashtirgan holda o‘rganish mumkin. Shuni alohida qayd etish lozimki, mazkur dissertatsiya tadqiqotida mazkur ikki yondashuvni birgalikda qo‘llash hamda ilmiy muammo yuzasidan hozirga qadar yaratilgan asarlarni har bir davriy bosqichda muammoviy jihatdan tahlil qilgan holda ko‘rib chiqish maqsad qilingan (muammo tarixshunosligi holati va uning dinamikasi haqidagi atroflicha fikr-mulohaza va xulosalar dissertatsiyaining I bobidan o‘rin olgan).

Tadqiqotning dissertatsiya bajarilgan ilmiy tashkilot ilmiy-tadqiqot ishlari rejalari bilan bog‘liqligi. Mazkur dissertatsiya O‘zbekiston Respublikasi Fanlar akademiyasi Tarix institutining ilmiy tadqiqot rejasiga muvofiq holda PZ 20170921162: “XIX asr oxiri – XX asr boshlarida Turkistonda tibbiyot va xalq tabobati (fors va turkiy tillardagi toshbosma asarlar, arxiv hujjatlari va davriy matbuot materiallarini tizimlashtirish va tadqiq etish)” mavzusidagi amaliy loyiha hamda O‘zbekiston Respublikasi Fanlar akademiyasi Tarix instituti va Xorazm Ma‘mun akademiyasi bilan hamkorlikda I-FA-201925 “Xorazm shaharlarining tarixi, madaniy meroslari, obidalari va san‘at asarlarining tadqiqotlari asosida SMART texnologiyalarini yaratish” mavzusidagi innovatsiya loyihasi doirasida bajarilgan.

Tadqiqotning maqsadi 16–20-yuzyillik boshlari Xorazm vohasi vaqf mulkchiligining Turkiston siyosiy, iqtisodiy va madaniy-ijtimoiy munosabatlar

tizimi tarixida tutgan o‘rnini birlamchi manbalar, xususan, tarixiy hujjatlar asosida ochib berishdan iborat.

Tadqiqotning vazifalari:

Xorazm vohasi vaqf mulkchiligi tarixshunosligining rivojlanish bosqichlari, bugungi holati va olib borilgan tadqiqotlarning yo‘nalishlari doirasini aniqlash;

vaqf mulkchiligiga oid birlamchi manbalar tasnifi va ularning ilmiy ahamiyatini ochib berish hamda hujjatshunoslik an‘anasida ro‘y bergan o‘zgarishlarni tahlil qilish;

vaqfning kelib chiqish tarixi, uning nazariy-huquqiy asoslarining shakllanishi va Xorazm misolidagi amaliyotini tadqiq etish;

Xorazm vohasida yuz bergan siyosiy o‘zgarishlar va amalga oshirilishi boshlangan yirik davlat loyihalarining vaqf institutiga ko‘rsatgan ta‘sirini aniqlash;

vaqf qiluvchilarning ijtimoiy tarkibi va ayollarning vaqf ta‘sis etishdan ko‘zlagan maqsadlari hamda ularning vaqf munosabatlaridagi ishtirokini ochib berish;

madaniy-ijtimoiy muassasalar faoliyat turlarini aniqlash, vaqf ma‘muriyati va xo‘jaligining ishlash mexanizmi hamda vaqf daromadlari taqsimot tartibini o‘rganish;

vaqf mulklari turlari va ulardan foydalanish borasidagi nazariy-huquqiy ko‘rsatmalar hamda ularni amaliyotga tadbiq etishning o‘ziga xosliklarini aniqlash va tahlil qilishdan iborat.

Tadqiqotning obyekti sifatida 16–20-yuzyillik boshlari Xorazm vohasi vaqf mulkchiligi tarixi masalasi belgilangan.

Tadqiqotning predmetini Xorazm vohasi vaqf mulkchiligining huquqiy asoslari va uning o‘ziga xos amaliyoti, mamlakatda yuz bergan siyosiy voqealarning vaqf mulkchiligiga ta‘siri, vaqf kontekstida gender masalasi, madaniy-ijtimoiy muassasalar va ularning faoliyati, vaqf mulklari turlari, ulardan foydalangan holda daromad olish tartibini yoritish tashkil etadi.

Tadqiqotning usullari. Dissertatsiyada diaxronik, sinxronik, mazmuniy tahlil, qiyosiy tahlil, miqdoriy tahlil, yaxlit tahlil (*holistic analysis*) va statistik tahlil kabi usullardan foydalanilgan.

Tadqiqotning ilmiy yangiligi quyidagilardan iborat:

mustamlaka tuzumining an‘anaviy hujjatshunoslik va ish yuritish tartibiga ta‘siri natijasida qozilik daftarlari va turli notarial hujjatlarni tuzishda qayd raqamlaridan foydalanilgani hamda ushbu o‘zgarish ish yuritishdagi tizimlashuvga sabab bo‘lgani aniqlangan;

vaqf institutining markaziy hokimiyat bilan bog‘liqligi, jumladan, Arabshohiylar va Qo‘ng‘irotlar sulolalari hukmronligi davrida saroyda vaqf ustidan nazorat olib boruvchi shaxs, ya‘ni *mutavalli* lavozimining joriy etilgani hamda mashhur ulamolar maqbaralariga hukmdorlar tomonidan *mutavalli* tayinlash tartibi amal qilgani ochiqqlangan;

Xorazm ayollarining vaqf munosabatlarida voqifa, mutavalli va hatto *koranda*, ya‘ni ijaraga oluvchi sifatida faol ishtirok etgani hamda ayollarning vaqf vositasida mulkning moliyaviy boshqaruvi va uni tasarruf etish huquqlariga asoslangan yangi iqtisodiy imkoniyatlarga ega bo‘lgani dalillangan;

madaniy-ijtimoiy muassasalar (madrasa, masjid, maktab, xonaqoh, maqbara, qorixona) va gidrotexnik inshootlar (quduqlar tizimi) faoliyat yo'nalishlari, xodimlar tarkibi, xo'jalik boshqaruvi ko'pincha vaqfnomalarda aks etgan bo'lib, mazkur masalalarni belgilashda asosan vaqf qiluvchi shaxsning xohish-istaklari inobatga olingani ochiqdigan;

Arabshohiylar sulolasi hukmronligi davrida ekanligidan vaqf yerlaridan asosan *muzora'a* kelishuvi, ya'ni olingan hosilni belgilangan ulushga ko'ra taqsimlash orqali foydalanish amalda bo'lgani va Qo'ng'iroqlar sulolasi davriga kelib madaniy-ijtimoiy muassasalar uchun manfaatliroq hisoblangan, xususan, vaqf haqini hosildan emas, balki oldindan o'rnatilgan miqdor bo'yicha hamda bu haqida *ijara* shartnomasini tuzgan holda daromad olish keng tarqalgani aniqlangan.

Tadqiqotning amaliy natijalari. Tadqiqot davomida O'zbekiston Milliy arxivi, Xiva davlat "Ichon-qal'a" tarixiy-me'moriy muzey qo'riqxonasi, O'zbekiston Respublikasi Fanlar akademiyasi Abu Rayhon Beruniy nomidagi Sharqshunoslik instituti, Rossiya Fanlar akademiyasining Sharq qo'lyozmalari instituti (Sankt-Peterburg), Rossiya Milliy kutubxonasi va shaxsiy fondlarda saqlanayotgan Xorazm vohasi vaqf mulkchiligi tarixiga oid vaqfnomalar (2000 ga yaqin), mutavalli tayinlash bo'yicha hukmdor yorliqlari (6 ta), vaqf masalasiga oid fatvo hujjatlari (5 ta), vaqf yeri ijarasi bilan bog'liq hujjatlar (*khatt-i ijara*) (60 ta), mulkni garovga qo'yish yo'li bilan sotish (*bay'-i ja'iz*) haqidagi hujjatlar (1500 ga yaqin), vaqf masalasiga oid arizalar (*mahdar*) (30 dan ortiq), oldi-sotdi (*bay'-i batt*) hujjatlari (200 dan ortiq), Xiva xonligidagi madaniy-ijtimoiy muassasalar xodimlar tarkibi, vaqf mulklari va ular taqsimoti yoritilgan vaqf daftarlari, shuningdek, o'zida vaqf masalasiga oid turli mazmundagi notarial aktlarni (1200 dan ortiq) jamlagan Xiva qozilik kitoblari, ya'ni qayd daftarlari aniqlanib, ularning aksariyati ilk marotaba ilmiy iste'molga kiritildi.

Shuningdek, Xorazm vohasida yaratilgan, turli uslubda yozilgan qo'lyozma manbalar, xususan, saroy muarrixlari va mahalliy o'lkashunos olimlarning asarlari, shuningdek, manqibalar, jo'ng to'plamlari tadqiq etilib, ularda kelgan vaqfga oid ma'lumotlar, jumladan, madrasalar tarixi, mutavallilar shaxsi, vaqf munosabatlari ishtirokchisi bo'lgan tariqat vakillari va ulamolarning iqtisodiy faoliyati hamda vaqf institutining nazariy-huquqiy asoslari yoritildi.

Tadqiqot natijalarining ishonchliligi dissertatsiyada zamonaviy tarix fanida qo'llanilayotgan yondashuv va usullardan foydalanilganligi, respublika va xorijiy davlatlar hamda shaxsiy arxiv fondlarida saqlanayotgan, birlamchi manbalar sirasiga kiruvchi tarixiy hujjatlar va turli janrlarda bitilgan asarlarga tayangan holda ilmiy masalalarning yoritilganligi, xulosa, taklif va tavsiyalarning amaliyotga joriy etilganligi, olingan natijalarning vakolatli tuzilmalar tomonidan tasdiqlanganligi bilan izohlanadi.

Tadqiqot natijalarining ilmiy va amaliy ahamiyati. Dissertatsiya natijalarining ilmiy ahamiyati mintaqamiz, xususan, Xorazm vohasida vaqf mulkchiligining tadrijiy rivojlanishi va, umuman olganda, vaqf institutining tarixiy faoliyati, mulkchilik munosabatlari, soliq va ta'lim tizimlari tarixi haqida yangi ilmiy-nazariy bilimlarning shakllangani, tarixiy hujjatlar va qo'lyozma asarlarning

ilmiy iste'molga kiritilgani va yangi ilmiy xulosalarning bayon etilgani bilan izohlanadi.

Tadqiqotning amaliy ahamiyati Turkiston mintaqasi iqtisodiy, madaniy-ijtimoiy tarixini o'rgangan holda davlat va o'lkashunoslik muzeylari, turli muassasalardagi ekspozitsiyalarni shakllantirish hamda yangi ma'lumotlar bilan boyitish, shuningdek, oliy ta'lim tizimidagi o'quv muassasalarda tarixiy manbashunoslik va islomshunoslik yo'nalishlari bo'yicha darslik va o'quv qo'llanmalar yaratish borasidagi davlat dasturlari bajarilishini ta'minlashga xizmat qilishi bilan belgilanadi.

Tadqiqot natijalarining joriy qilinishi. 16–20-yuzyillik boshlarida Xiva xonligida vaqf instituti mavzusi bo'yicha olib borilgan tadqiqot natijasida ishlab chiqilgan ilmiy xulosalar va takliflar asosida:

mustamlaka tuzumining ta'siri natijasida qozilik daftarlari va turli notarial hujjatlarni tuzishda qayd raqamlaridan foydalanilgani hamda ushbu o'zgarish ish yuritishdagi tizimlashuvga sabab bo'lgani haqidagi ma'lumotlardan Avstriya Fanlar akademiyasi Eronshunoslik institutida bajarilgan "Seeing Like an Archive: Documents and Forms of Governance in Islamic Central Asia" mavzusidagi xalqaro loyiha doirasida foydalanilgan (Avstriya Fanlar akademiyasi Eronshunoslik institutining 2024-yil 8-apreldagi ma'lumotnomasi). Ushbu noyob tarixiy hujjatlarning transkripsiyasi asosida ular elektron (*digital*) nusxalarining yaratilishi tadqiqotchilar uchun vaqf hujjatlarining ichki tuzilishi, matn kompozitsiyasidagi o'zgarishlarni anglash hamda Xorazm vohasining siyosiy, ijtimoiy-iqtisodiy va madaniy tarixini o'rganish uchun katta imkoniyat yaratgan;

vaqf institutining markaziy hokimiyat bilan bog'liqligi, jumladan, Arabshohiylar va Qo'ng'irotlar sulolalari hukmronligi davrida saroyda vaqf ustidan nazorat olib boruvchi shaxs, ya'ni *mutavalli* lavozimining joriy etilgani hamda mashhur ulamolar maqbaralariga hukmdorlar tomonidan *mutavalli* tayinlash tartibi amal qilgani borasidagi qaydlardan IFA-201925 raqamli "Xorazm shaharlarining tarixi, madaniy meroslari, obidalari va san'at asarlarining tadqiqotlari asosida SMART texnologiyalarini yaratish" mavzusidagi innovatsiya loyihasi hamda PZ-20170921162 raqamli "XIX asr oxiri – XX asr boshlarida Turkistonda tibbiyot va xalq tabobati (fors va turkiy tillardagi toshbosma asarlar, arxiv hujjatlari va davriy matbuot materiallarini tizimlashtirish va tadqiq etish)" loyihasi doirasida foydalanilgan (O'zbekiston Respublikasi Fanlar akademiyasining 2024-yil 14-oktyabrdagi 3/1255-2281-son ma'lumotnomasi). Tadqiqot natijalari mutavallilik lavozimi, madrasa, masjid, maqbara va qorixonalarining ishlash mexanizmi, ularning tarixiy hujjatlar shartiga muvofiq belgilangan faoliyat yo'nalishlari va ta'lim tizimini, shuningdek, zamonaviy aloqa muassasalari, yo'llar, ko'priklar va ijtimoiy infratuzilma obyektlarining shakllanishi, faoliyatida (vaqf vositasida) xususiy shaxslar emas, balki davlat asosiy rol o'ynay boshlaganini yanada kengroq ochib berish imkoniyatini taqdim etgan;

Xorazm ayollarining vaqf munosabatlarida voqifa, mutavalli va hatto *koranda*, ya'ni ijaraga oluvchi sifatida faol ishtirok etgani hamda ayollarning vaqf vositasida mulkning moliyaviy boshqaruvi va uni tasarruf etish huquqlariga asoslangan yangi iqtisodiy imkoniyatlarga ega bo'lgani haqidagi xulosalardan IFA-201925 raqamli

“Xorazm shaharlarining tarixi, madaniy meroslari, obidaları va san’at asarlarining tadqiqotlari asosida SMART texnologiyalarini yaratish” mavzusidagi innovatsiya loyihasi doirasida foydalanilgan (O‘zbekiston Respublikasi Fanlar akademiyasining 2024-yil 14-oktyabrdagi 3/1255-2281-son ma’lumotnomasi). Mazkur xulosalar masjid, maqbara va qorixonalarni ta’sis etishda va ular xo‘jalik faoliyatida ayollarning sezilarli hisssasi bo‘lganini hamda umuman olganda, ularning xonlik iqtisodiy-ijtimoiy hayotidagi rolini qayta tiklash imkonini bergan;

madaniy-ijtimoiy muassasalar (madrasa, masjid, maktab, xonaqoh, maqbara, qorixona) va gidrotexnik inshootlar (quduqlar tizimi) faoliyat yo‘nalishlari, xodimlar tarkibi, xo‘jalik boshqaruvi ko‘pincha vaqfnomalarda aks etgani hamda mazkur masalalarni belgilashda asosan vaqf qiluvchi shaxsning xohish-istaklari inobatga olingani kabi ma’lumotlardan Toshkent shahar hokimligi huzuridagi Raqamli rivojlanish departamentining “Age Xiva” loyihasi doirasida foydalanilgan (O‘zbekiston Respublikasi Toshkent shahar hokimligi mahkamasining 2023-yil 12-dekabrdagi 10-731-son ma’lumotnomasi). Ushbu ma’lumotlar Xiva shahri tarixi, jumladan, vaqf hisobidan ta’minlangan me’moriy obidalar faoliyatini aks ettiruvchi maxsus saytni yaratishda muhim manbaviy asos bo‘lib xizmat qilgan;

Arabshohiylar sulolasi hukmronligi davrida ekiladigan vaqf yerlaridan asosan *muzora’a* kelishuvi, ya’ni olingan hosilni belgilangan ulushga ko‘ra taqsimlash orqali foydalanish amalda bo‘lgani va Qo‘ng‘irotlar sulolasi davriga kelib madaniy-ijtimoiy muassasalar uchun manfaatliroq hisoblangan, xususan, vaqf haqini hosildan emas, balki oldindan o‘rnatilgan miqdor bo‘yicha hamda bu haqida *ijara* shartnomasini tuzgan holda daromad olish keng tarqalgani kabi ilmiy yangiliklardan “Tarixiy savol” ko‘rsatuvining ssenariysini tayyorlashda foydalanilgan (O‘zbekiston milliy teleradiokompaniyasi “O‘zbekiston teleradiokanali” davlat muassasasining 2024-yil 31-oktyabrdagi 01-44-375-son ma’lumotnomasi). Mazkur masalalar vaqf mulklaridan foydalanish asoslarini ochib berishi bilan birga, tarixiy hujjatlarning tadrijiy taraqqiyotidagi evrilish jarayonlari, xususan, yangi turdagi hujjatlarning paydo bo‘lishi, hujjat tilidagi o‘zgarishlar hamda vaqf mulklaridan foydalanish tartibi va amaliyoti haqida batafsil ma’lumot olish imkonini bergan.

Tadqiqot natijalarining aprobatyasi. Tadqiqot ishi natijalari 13 ta ilmiy konferensiyalarda, jumladan, Turkiya (Kastomanu), Buyuk Britaniya (Oksford), Germaniya (Bamberg), Fransiya (Parij), Tojikiston (Panjikent) va Niderlandiya (Leyden)dagi 7 ta xalqaro va 5 ta umummilliy ilmiy-amaliy anjumanlarda aprobatyadan o‘tgan.

Tadqiqot natijalarining e’lon qilinganligi. Doktorlik dissertatsiyasi mavzusi bo‘yicha jami 22 ta ilmiy ish chop qilingan. Shulardan 1 ta monografiya va O‘zbekiston Respublikasi Oliy ta’lim, fan va innovatsiyalar vazirligi huzuridagi Oliy attestatsiya komissiyasining doktorlik dissertatsiyalari asosiy natijalarini chop etish tavsiya etilgan ilmiy nashrlarda 11 ta maqola, jumladan, ularning 2 tasi xorijiy jurnallarda nashr etilgan.

Dissertatsiyaning tuzilishi va hajmi. Dissertatsiya kirish, to‘rtta bob, xulosa, foydalanilgan manba va adabiyotlar ro‘yxati hamda ilovalardan iborat. Dissertatsiyaning tadqiqot qismi 242 betni tashkil etadi.

DISSERTATSIYANING ASOSIY MAZMUNI

Kirish qismida dissertatsiya mavzusining dolzarbligi va zarurati asoslanib, tadqiqotning respublika fan va texnologiyalar rivojlanishining ustuvor yo'nalishlariga mosligi bayon etilgan, xorijiy ilmiy tadqiqotlar sharhi, muammoning o'rganilganlik darajasi, tadqiqotning dissertatsiya bajarilgan ilmiy tashkilot ilmiy-tadqiqot ishlari rejalari bilan bog'liqligi ochib berilgan, tadqiqotning maqsadi, vazifalari, obyekti va predmeti, ilmiy tadqiqot usullari ko'rsatilgan, ishning ilmiy yangiligi, amaliy natijalari, shuningdek, natijalarning ishonchliligi, ilmiy va amaliy ahamiyati, joriy etilgani, aprotatsiyasi va e'lon qilinganligi hamda dissertatsiya tuzilishi va hajmi bo'yicha ma'lumotlar keltirilgan.

Dissertatsiyaning **“16–20-yuzyillik boshlari Xorazm vohasi vaqf mulkchiligi tarixshunosligi va manbashunosligi”** deb nomlangan birinchi bobida muammo tarixshunosligi, xususan, har bir tarixiy davriy bosqichda vaqf masalasining o'rganilish holati, muayyan ilmiy yo'nalish taraqqiyotiga ta'sir ko'rsatgan omillar tahlil etilgan, shuningdek, vaqf masalasi yoritilgan qo'lyozma asarlar va tarixiy hujjatlar turlari, ular tasnifi, kodikologik ayrim xususiyatlari hamda mustamlaka boshqaruv tizimining vaqf hujjatshunosligi an'anasiga ko'rsatgan ta'siri yoritilgan.

Mazkur bobning **“Xorazm vohasi vaqf mulkchiligi tarixini o'rganishning nazariy va konseptual asoslari”** deb nomlangan birinchi paragrafida asosiy e'tibor mavzu tarixshunosligining tadrijiy rivojlanish holati, ayniqsa, so'nggi yillarda asosan xorijiy tadqiqotlarda aks etgan yangicha yondashuv va nazariyalarga qaratildi. O'z navbatida, o'rganilayotgan davr Xorazm vohasi vaqf mulkchiligi tarixshunosligini ikki: tarixiy-xronologik va muammoviy jihatdan yoritish mumkin. Mazkur dissertatsiya tadqiqotida ushbu ikki yondashuvni birgalikda qo'llash hamda ilmiy muammo yuzasidan hozirga qadar yaratilgan asarlarni har bir davriy bosqichda muammoviy jihatdan tahlil qilgan holda ko'rib chiqish maqsad qilingan. Xorazm vohasi vaqf mulkchiligi tarixshunosligini xronologik jihatdan quyidagi guruhlariga bo'lish mumkin: 1) Xiva xonligining rus bosqinidan avvalgi va mustamlaka davrida yaratilgan tadqiqotlar; 2) sovet davri mutaxassislarining ilmiy ishlari; 3) mustaqillik yillarida olimlar tomonidan e'lon qilingan nashrlar. Shuningdek, aksariyat tadqiqotlarda mazkur an'anaviy davriy tasnifga odatda xorijiy mutaxassislar ilmiy izlanishlari, garchi ular tarixshunoslikning xronologik tamoyiliga mos bo'lmasa ham alohida guruh sifatida kiritiladi. Biroq ushbu tadqiqotda xorijiy mualliflar ishlari maxsus tasniflanmay, balki ular har bir tarixiy bosqich doirasida tahlilga tortilgan.

Rossiya imperiyasi tomonidan Xiva xonligi bosib olinishidan oldingi va imperiya mustamlakachiligi davridagi ilmiy ishlar asosan xorijiy mutaxassislar faoliyati natijasida yuzaga keldi. Xususan, ushbu tadqiqotlar Rossiya imperiyasi vakillari tomonidan ko'pincha amalga oshirilgan bo'lib, ular o'z mazmuniga ko'ra, sayohatnoma, hisobot, harbiy-statistik uslubda yozilgan edi. O'z navbatida, bu davrda bilimlarning shu tariqa shakllanishi boshqa sharq mintaqalari misolida ham namoyon bo'ldi. Umuman olganda, dunyoda g'arb mustamlaka siyosati ayrim sharq mamlakatlarini qamrab oldi va buning natijasida turli madaniy o'zgarishlar qatori

*mustamlaka bilim*³ yuzaga kela boshladi. Jumladan, Rossiyaning yirik imperiyaga aylanishi va Sharqqa tomon kengayib borishi jarayonida o'ziga qo'shni o'lkalar, xususan, mintaqadagi boshqa davlatlar qatori Xiva xonligini ham har tomonlama o'rganish va u haqida ma'lumot to'plashga kirishdi. Natijada boshqa masalalar qatori Xiva xonligi vaqf mulkchiligining ayrim jihatlarini yorituvchi tadqiqotlar vujudga keldi. Ular o'zida shartli ravishda ikki turdagi ma'lumotlarni aks ettirgan edi: 1) xonlik shaharlari tarixiy qiyofasi tavsifini keltirish asnosida vaqf hisobidan ta'minlangan madaniy-ijtimoiy muassasalar holati haqida ko'pincha uzuq-yuluq xarakterdagi hamda cheklangan ma'lumot taqdim etuvchi tadqiqotlar; 2) o'zida vaqfga oid statistik mazmundagi qaydlarni aks ettiruvchi, ba'zan vaqf ma'muriyati va xo'jalik boshqaruvining ayrim jihatlarini namoyon qiluvchi izlanishlar. Ushbu ikki turdagi tadqiqotlarda islom dinining mintaqadagi ahamiyati hamda diniy muassasalar va ulamolar faoliyatiga salbiy baho berish holatlari tez-tez uchraydi. Bu o'ziga xos xorijiy mutaxassislar "bahosi" boshqa sharq o'lkalari misolida ham kuzatilgan bo'lib, mazkur noxolis munosabat ilmiy doirada "orientalizm"⁴ nazariyasi nomi bilan mashhurdir.

Birinchi guruh tadqiqotlari shakllanishining ilk bosqichi Xiva xonligining Arabshohiylar sulolasi hukmronligi davriga to'g'ri keldi. 16-yuzyillikdan boshlab xorijiy sayyohlar, xususan, ingliz va rus diplomat, harbiylari ko'pincha josuslik maqsadlarida o'lkani imkon qadar har tomonlama o'rganish uchun xonlikka tashrif buyurgan edi. Ular orasida A.Jenkinson va F.Beneveni to'plagan ma'lumotlarida vaqfga oid ayrim jihatlar biroz bo'lsa-da yoritilgan edi⁵. Keyingi davrlarda D.Gladishev, I.Muravin, D.Rukavkin, N.Muravev, Muhammad Alixon G'afur, Rizoqulixon Hidoyat, N.Ignatev, F.Baziner, A.Vamberi, A.L.Kun, Ya.A.Mak-Gaxan, G.Lansdell kabilar Xiva xonligiga tashrif buyurgan⁶. Mazkur tadqiqotlarda

³ Bu haqida batafsil qarang: Bayly C.A. *Empire and Information*. – Cambridge: Cambridge University Press, 1996; Dirks N.B. *Foreword / Colonialism and its forms of knowledge: the British in India*. – Princeton: Princeton University Press, 1996. – P. ix–xviii; Ballantyne T. *Colonial knowledge / The British Empire: Themes and Perspectives*. Edited by Sarah Stockwell. Oxford: Blackwell Publishers, 2008. – P. 177–198; Stoler A.L. *Along the Archival Grain: Epistemic Anxieties and Colonial Common Sense*. – Princeton: Princeton University Press, 2009; Wagner K., Roque R. *Introduction: Engaging Colonial Knowledge / Engaging Colonial Knowledge: reading European archives in world history*. Edited by K.Wagner and R.Roque. – Basingstoke: Palgrave Macmillan, 2012. – P. 1–34; Slight J. *British Colonial Knowledge and the Hajj in the Age of Empire / The Hajj and Europe in the Age of Empire*. Edited by U.Ryad. – Brill, 2017. – P. 81–111 va boshqalar.

⁴ G'arb jamiyati vakillari tomonidan sharq madaniyati va tarixini yoritishda g'arb nigohida "o'zgalar" hisoblangan sharqni faqat ular, ya'ni g'arbliklar tasvirlay olishi mumkinligi haqidagi da'vo bo'lib, mazkur tasvir g'arazgo'ylik va past nazar bilan qarashni ifoda etadi. Umuman olganda, "orientalizm"ning postkolonial nazariya sifatidagi mazmuni, uning shakllari haqida batafsil qarang: Said E.W. *Orientalism*. – New York: Pantheon Books, 1978. – P. 4–9.

⁵ Дженкинсон А. Путешествие в Среднюю Азию в 1558-1560 гг. / Английские путешественники в Московском государстве в XVI в. – Ленинград, 1937. – С. 178; Посланник Петра I на Востоке. Посольство Флорио Беневени в Персию и Бухару в 1718–1725 годах / АН СССР Ин-т востоковедения. Редкол.: Н.А. Кузнецова и др. Отв. ред. Н.А. Халфин; Подгот. текста, вступит. ст. и коммент. В.Г. Воловникова. – Москва: Наука, 1986. – С. 131.

⁶ Ханьков Я.В. Поездка из Орска в Хиву и обратно, совершённая в 1740–1741 годах Гладышевым и Муравиным. – Санкт-Петербург, 1851; Рукавкин Д. Описание пути от Оренбурга к Хиве и Бухарам с принадлежащими обстоятельствами бывшего при отправленном в 1753 г. из Оренбурга в те места купеческом караване самарского купца Данилы Рукавкина // Московский любопытный месяцеслов на 1776 год. – Москва, 1776. – С. 203–216; Муравьев Н. Путешествие в Туркмению и Хиву в 1819–1820 гг. гвардейского ген. штаба-капитана Николая Муравьева, посланного в сии страны для переговоров. С карт, черт., ч. I, – Москва, 1822. – 179 с. ч. II. – 144 с., 1 л. карт. (Карта к путешествию капитана Муравьева из Тифлиса в Хиву, 1819 г.); Хоразм сафари кундаликлари. Масъул мухаррир ва гоя муаллифи Ш.Воҳидов. – Тошкент: Янги аср авлоди, 2009. – 236 б.; Игнатьев Н. Миссия в Хиву и Бухару в 1858 году. – Санкт-Петербург, 1897.

Xiva shahri, ba'zan xonlikning boshqa shaharlarida joylashgan madrasa, masjid, maqbara kabilar va ularning soni, madrasa ta'lim tizimi va uning moddiy ta'minoti haqida qisqa qaydlar keltirilgan edi.

19-yuzyillik oxiri – 20-yuzyillik boshlariga kelib, Rossiya imperiyasining Amudaryo bo'limi va Xiva xonligini tadqiq etishga qaratilgan faoliyatida o'zgarish kuzatildi. Endilikda Xorazm vohasiga maxsus ekspeditsiyalar uyushtirgan holda avvallari to'plangan umumiy ma'lumotlarni sinchiklab tekshirish, ular statistik hisobini yuritish hamda masalalar doirasini kengaytirib, e'tibordan chetda qolgan jihatlarini alohida o'rganishga kirishildi. Natijada, boshqa masalalar qatori, vaqf muassasalari soni, ularga tegishli ayrim mulklar haqida hududlar kesimidagi statistik ma'lumotlar shakllandi. Mazkur tadqiqotlarni *ikkinchi guruhga* mansub ishlar sifatida tasniflash mumkin⁷.

Sovet davrida Xiva xonligi vaqf mulkchiligi tarixiga P.P.Ivanov, A.Boltayev, F.I.Rubinshteyn, M.Yu.Yo'ldoshev, A.Koshchanov, Yu.E.Bregel, V.A.Bulatova, I.I.Notkin, L.Yu.Mankovskaya, A.O.Shayxova kabi mualliflar tadqiqotlarida e'tibor qaratildi⁸. Bu davrda Xorazm vaqf instituti holati tarixshunoslikning ilk bosqichida bo'lgani kabi ko'proq Qo'ng'irotlar davri tarixi bilan cheklandi. Mazkur tadqiqotlarda vaqf masalasi asosan uch yo'nalishda o'rganildi: 1) xonlik ijtimoiy-iqtisodiy tarixi, xususan, yerga egalik va agrar munosabatlar tizimi; 2) obidalar qurilish tarixi va me'morchiligi; 3) vaqf institutiga bevosita aloqador masalalar, xususan, vaqf ijarasi va pul vaqfi. Vaqf mulkchiligining bu davrda mazkur yo'nalishlarda o'rganilishiga sovet davrida shakllangan o'ziga xos tarixshunoslik an'anasi katta ta'sir ko'rsatgan edi. Xususan, sovet davri tarixiy tadqiqotlari asosan markscha-lenincha doktrina doirasida olib borildi va natijada tarixiy jarayonlarning talqini ushbu ta'limotga asoslandi. Ushbu turdagi asarlar mazmuniga *prezentistik* yondashuv sifatida baho berildi. Ilmiy izlanishlarning ba'zilar arxiv materiallari va tarixiy hujjatlar tadqiqiga bag'ishlangan bo'lsa-da, ular tahlil va talqinida aksariyat hollarda sovet davri mafkurasi asosida yuzaga kelgan o'ziga xos “yorliq”, “sintaktik konstruksiya”, “namunaviy ibora” va umuman olganda, mafkuraviy klishe'lardan

⁷ O'zMA, I-125-fond, 2-ro'yxat, 33-yig'majild, 4–4-(orqa) varaqlar; Военно-статистическое описание Хивинского оазиса, составленное Генерального штаба капитаном Гиршфельдом, переработанное начальником Аму-Дарьинского отдела генерал-майором Галкиным. – Ташкент, 1902-1903, ч. 1, 1902. – 248 с., ч. 2, 1903. – 214 с.; Лобачевский В. Хивинский район. Военно-статистическое описание Туркестанского военного округа. – Ташкент, 1912. – 117 с.

⁸ Иванов П.П. Архив хивинских ханов XIX века. Исследование и описание документов с историческим введением. – Ленинград, 1940. – 289 с.; Bāltayif 'Abdullah. Khwārazm tārikhīga matir'iallar. – Xiva, 1950. O'zbekiston Respublikasi Fanlar akademiyasi Sharqshunoslik instituti (keyingi o'rinlarda O'zRFASHI), qo'lyozma № 9320; Uning o'zi. Khīwā īsdālīklārī. O'zRFASHI, qo'lyozma № 11645; Рубинштейн Ф.И. Несколько хивинских актов. Материалы к истории Хивы полуколонического периода // Известия АН УзССР. – Ташкент, 1951. – № 2. – С. 69–74; Ёўлдошев М.Ў. Хива хонлигида феодал ер эгалиги ва давлат тузилиши. – Тошкент: Ўзбекистон ССР давлат нашриёти, 1959. – 362 б.; Кошчанов А. Из истории аграрных отношений в хивинском ханстве в конце XIX–начале XX вв.: Дисс. ... кан. ист. наук. – Ташкент, 1966; Брегель Ю.Э. Архив хивинских ханов (предварительный обзор новых документов) // Народы Азии и Африки. 1966. – № 1. – С. 67–76; Булатова В.А., Ноткин И.И. Хива обидалари=Архитектурные памятники Хивы / Отв. ред. Я.Г.Гулямов. – Ташкент: Узбекистан, 1972; Маньковская Л., Булатова В. Памятники зодчества Хорезма. – Ташкент: Издательство литературы и искусства имени Гафура Гуляма, 1978; Хива: альбом/ Авт. текста и сост. Л.Ю. Маньковская. Текст парал. на рус., англ., узб и араб. яз. – Ташкент: Издательство литературы и искусства имени Гафура Гуляма, 1982; Шайхова А. Документы об аренде вакуфных земель в Хивинском ханстве XIX – начала XX века // Общественные науки в Узбекистане. 1986. – № 1. – С. 48–51.

foydalanildi⁹. O‘z navbatida, ateistik tuzum sharoitida vaqf instituti faoliyatiga oid maxsus tadqiqotlarda fiqhiy masalalarga e‘tibor qaratilmadi.

Mustaqillik yillarida vaqf mulkchiligi tarixiga bag‘ishlangan qator ilmiy izlanishlarda Xiva xonligiga oid vaqfnomalar va vaqfga oid hujjatlar manbashunosligi, vaqf vositasida agrar munosabatlar tarixi, madaniy-ijtimoiy muassasalar faoliyati, kitob va pul vaqfi hamda vaqfning tugatilish tarixi o‘rganildi¹⁰. Shuningdek, me‘moriy obidalar epigrafikasini o‘rganish asnosida vaqf masalasiga ham e‘tibor qaratildi¹¹. Umuman olganda, bu davr tadqiqotlarining aksariyati *pozitivistik* yo‘nalishda yozilgan bo‘lib, bu bilan ular tarixshunoslikdagi avvalgi davrlar an‘anasini davom ettirdi.

So‘nggi yillarda Xiva xonligi vaqf mulkchiligi tarixi xorijiy mutaxassislar e‘tiborini tortgan mavzulardan biriga aylandi. Jumladan, muammo tarixshunosligi rivojiga F.Shvars, M.Shuppe va P.Sartori kabi olimlar o‘z ilmiy izlanishlari bilan katta hissa qo‘shdilar¹². Mazkur tadqiqotlarda Xiva xonligining Qo‘ng‘irotlar sulolasi davrida pul vaqfining sekin-asta ko‘payib, ommalashib ketganiga tashqi madaniy va iqtisodiy ta‘sirilar sabab bo‘lgani hamda madrasalar qurishga undagan omillar “legitimatsiya” ehtiyoji va ma‘muriy boshqaruv faoliyatini tashkil etishda devonxona xodimlariga bo‘lgan tabiiy talab kabi talqinlar orqali izohlangan.

Birinchi bobning **“Muammo tarixiga oid manbalar va mustamlaka boshqaruv tizimining an‘anaviy hujjatshunoslikka ta‘siri”** deb nomlangan ikkinchi paragrafida mavzuga oid manbalar ikki katta quruh – *qo‘lyozma asarlar* va *tarixiy hujjatlarga* tasniflangan holda tadqiq qilingan. Vaqf instituti tarixiga oid ma‘lumotlar asosan uch turdagi qo‘lyozma asarlar, xususan, *tarixiy asarlar*, *tazkira* yoki *manoqib* uslubida yozilgan qo‘lyozmalar hamda *jo‘ng to‘plamlari* tarkibida uchraydi.

O‘z navbatida, tarixiy asarlarni mavzuiy kompozitsiyasi va yozilish sabablariga ko‘ra, shartli ravishda ikki guruhga tasniflash mumkin: 1) saroy tarixnavisligi

⁹ Biroq sovet mafkurasi Yu.E.Bregel ilmiy tadqiqot natijalariga deyarli ta‘sir etmagan.

¹⁰ Жалилов О. Хазинамиздаги Хева вақф ҳужжатлари // Шарқшunoslik. 1993. – № 4. – Б. 62–71; Uning o‘zi. Хива мадрасалари ва уларнинг иқтисодий таъминоти ҳақидаги ҳужжатлар // Шарқшunoslik. 1997. – № 8. – Б. 122–133; Джабарова Х.И. Вақфные грамоты как источник по изучению аграрных отношений Хивинского ханства XVII – начала XX в. // Материалы Международной научной студенческой конференции. Востоковедение. – Новосибирск, 2003. – С. 14–15; Каримов Э.Э. Кубравийский вақф XVIII – XIX вв.: письменные источники по истории суфийского братства Кубравийи в Средней Азии. – Ташкент: Фан, 2008. – 279 с.; Абдурасулов У.А. Земельные отношения в Хивинском ханстве во второй половине XVIII – первой четверти XIX в.: Дисс. ... кан. ист. наук. – Ташкент, 2008. – 182 л.; Алимов И. Ўзбекистонда вақф мулкларининг тугатилиши (1917–1929 йиллар). – Тошкент: Фан, 2009. – 222 б.; Худойберганов К. Хива дунёдаги энг кўхна қалъа. – Тошкент, 2012; Халиёров А. Хива хонлигида пул вақфининг ҳуқуқий ва иқтисодий асосларига доир // О‘zbekiston tarixi. – Тошкент, 2014. – № 4. – Б. 12–23; Uning o‘zi. Хива хонлигида пул вақфларининг ишлатилишига доир // Имом Бухорий сабоқлари. – Т., 2014. – №4. – Б. 51–53; Uning o‘zi. “Capitalism in Khiva: Cash Waqf or Cash Loan?” // Journal of the Economic and Social History of the Orient. Vol. 65, issue 1–2, 2022. P. 248–278, Тошов Н. По следам дворцовой библиотеки: рукописная культура в Хорезме при Конгратах. – Vienna: Austrian Academy of Sciences Press, 2023. – С. 36, 45, 66, 72, 84, 90, 100, 151, 180.

¹¹ Худойберганов К. Хива обидалари эпиграфикаси. – Хива, 2010; Бабаджанов Б. Эпиграфика в архитектурном ландшафте Хивы: мечети, погребальные комплексы, медресе, дворцы, ворота. – Vienna: Austrian Academy of Sciences Press, 2020. Ч. 1. – 389 с., ч. 2. – 436 с.

¹² Schwarz F. Bargeldstiftungen im Chanat von Chiva, 1840–1922 // Der Islam. 2003. – No. 80. – S. 79–93; Szuppe M. Dispositions pédagogiques et cursus scolaire à Khiva: Un *waqf-nāma* de fondation de *madrasa*, 1214/1799–1800 / Écrit et culture en Asie centrale et dans le monde turco-iranien, X^e–XIX^e siècles. – Paris: Peeters, 2009. – P. 251–284; Sartori P. On Madrasas, Legitimation, and Islamic Revival in 19th-Century Khorezm. Some Preliminary Observations // Eurasian Studies. 2016. – Vol. 14, issues 1–2. – P. 98–134.

an'anasini namoyon etuvchi asarlar; 2) marksistik mafkura bilan to'yingan tarixnavislik namunalari.

Birinchi guruhga mansub saroy rasmiy tarixnavisligining ilk namunalari Arabshohiylar davrida yaratilgan bo'lib, ular tarkibiga Xorazm hukmdori Abulg'ozixonning (h. 1644–1663) “Shajarayi turk” va “Shajarayi tarokima” asarlarini kiritish mumkin. Xususan, “Shajarayi turk”da katta miqdordagi vaqf mulklariga ega bo'lgan Pahlavon Mahmud maqbarasi siyosiy ziddiyatlar sharoitida tilga olingan: “...ikki kun turg'andin so'ng bir-birina inona bilmay Hazrat Pahlavonning mazorlarina borib Qur'ondin ont ichtilar...”¹³. Ushbu ma'lumot Pahlavon Mahmud maqbarasining o'sha davrda ham o'zaro ichki kurashlarga qaramay, diniy muassasa sifatida faoliyat ko'rsatgani va undan siyosiy guruhlar o'rtasidagi ziddiyatlarga barham berishda o'ziga xos siyosiy-ma'naviy markaz sifatida foydalanilganiga ishora qiladi.

Shu o'rinda, Arabshohiylar davrida yaratilgan tarixiy asarlar bugungi kungacha kam miqdorda yetib kelganini qayd etish lozim. Biroq Qo'ng'irotlar sulolasi hukmdorlari tashabbusi bilan bu turdagi yozma manbalar ko'plab yozildi va natijada o'ziga xos saroy tarixnavislik an'anasi shakllandi. So'nggi sulola xonlari hukmronlik davrini yoritish ishiga dastlab xorazmlik muarrix Shermuhammad Munis jalb etilgan edi. Eltuzarxon (h. 1804–1806) taklifiga ko'ra, Munis “Firdavs al-iqbol” asarini yozishga kirishgan, ammo sulolaning ushbu ilk rasmiy tarixi Muhammadrizo Ogahiy tomonidan nihoyasiga yetkazilgan edi. Asarda Eltuzarxon va Muhammad Rahimxon I (h. 1806–1825) davrlari voqealari aks etgan¹⁴. Ogahiy Qo'ng'irotlar sulolasining keyingi tarixini yozishda faol ishtirok etdi va natijada uning muallifligi ostida yana beshta memuar qissa – “Riyozi al-davla”, “Zubdat al-tavorix”, “Jome' al-voqeoti sultoniy”, “Gulshani davlat” va “Shohid al-iqbol” yaratildi. Mustamlaka davrida saroy rasmiy tarixini yozish an'anasi Muhammad Yusuf Bayoniy va Hasanmurod Laffasiy tomonidan davom ettirildi, natijada “Shajarayi Xorazmshohiy” va “Gulshani saodat” asarlari yuzaga keldi.

Ogahiy qalamiga mansub “Riyozi al-davla” asari Xiva xoni Allohqulixon (h. 1825–1842) davriga bag'ishlangan bo'lib, unda Allohqulixon madrasasining qurilish tarixi ham bayon etilgan: “...hamul (ot) yili madrasai oliyakim Xivaq shahrida karvonsaroy bila Pahlavon darvozasining oroliq'ida voqe'dir, ... aning ta'miri kamoli matonat va istehkom bila itmomg'a yetti...”¹⁵. Bu turdagi qaydlar muayyan madaniy-ijtimoiy muassasa qurilish sanasiga aniqlik kiritishi bilan birga, voqif motivatsiyasi va vaqf qilishdan ko'zlangan maqsad borasidagi fikr-mulohazalarning boyishiga xizmat qiladi.

Ikkinchi guruh tarixiy asarlari asosan sovet davrida yozilgan edi. Mazkur yozma manbalar o'zining tuzilishi va uslubiga ko'ra, saroy madaniyati an'analari

¹³ Абулғозий. Шажарайи турк. Нашрга тайёрловчилар: Қ. Муниров, Қ. Маҳмудов. – Тошкент, 1992. – Б. 152.

¹⁴ Firdaws al-iqbāl. History of Khwarazm by Shir Muhammad Mirab Munis and Muhammad Riza Mirab Agahi. Translated from Chaghatay and annotated by Yuri Bregel. – Leiden-Boston-Köln, 1999. Introduction. – P. XXV–XXIX.

¹⁵ Муниров Қ. Хоразмда тарихнавислик (XVII – XIX ва XX аср бошлари). – Тошкент: Фафур Фулом номидаги Адабиёт ва санъат нашриёти, 2002. – Б. 162.

o'zida aks ettirsa-da, biroq ularda sovet mafkurasi ta'sirlari sezilib turadi¹⁶. Ushbu yo'nalishdagi asarlar Bobojon Safarov va Abdulla Boltayev kabi mahalliy tarixchilar sa'y-harakati natijasida yuzaga keldi. Ayniqsa, Abdulla Boltayevning "Xorazm tarixiga doir material dokumentlar" va "Xiva esdaliklari" kabi asarlarida vaqf mulkchiligiga oid ma'lumotlar ko'proq uchraydi. "Xiva esdaliklari" qo'lyozmasida xonlikdagi masjid va madrasalarning soni va bunyod etilgan sanasi, vaqf mulklari va ulardan keladigan daromadlar miqdori, vaqf muassasasi xodimlari soni haqida qimmatli ma'lumotlar keltirilgan¹⁷. Mazkur ma'lumotlar orasida xonlik bo'yicha madrasa va masjidlar soni haqidagi qaydlar rus mualliflari tadqiqotlarida ham aks etgan bo'lib, ushbu ikki turdagi manbalarning o'zaro qiyosiy tahlili asosida mazkur masalalarga aniqlik kiritish mumkin.

Xorazmda bu davrda tazkira janrida yozilgan asarlar jumlasiga muallifi noma'lum "Xalvati sufiho" va Allohyor Maxzum qalamiga mansub "Riyoziy al-zokiriyn" kabilarni kiritish mumkin. Ularda vaqf mulkchiligi bilan aloqador so'fiylik tariqati vakillari faoliyati va madaniy-ijtimoiy muassasalar homiylari haqida ham noyob ma'lumotlar aks etgan. Shu jihatdan, bu turdagi yozma manbalarni tadqiqotga jalb etish muhim sanaladi.

Qo'lyozma manbalar orasida Xorazmda tuzilgan jo'ng to'plamlari vaqfning nazariy-huquqiy jihatlari hamda vaqfnoma va vaqfga oid qozilik aktlari tuzilishining tarixiy ildizlarini aniqlashda muhim ilmiy ahamiyat kasb etadi. O'zR FA Sharqshunoslik instituti fondida xorazmlik Muhammad Rasul a'lam tomonidan taxminan 1878 yilda yozib tugallangan jo'ng to'plami saqlanadi. Ushbu asarning kompozitsiyasidan "*kitob al-vaqf*" nomli alohida qism o'rin olgan¹⁸.

16–20-yuzyillik boshlari Xorazm vohasi vaqf mulkchiligini tadqiq etishda tarixiy hujjatlar asosiy birlamchi manba vazifasini bajaradi. O'z navbatida, vaqfning turli tomonlari yoritilgan mazkur tarixiy hujjatlarni mazmun-mohiyati, yozilish uslubi va vazifasiga ko'ra, shartli ravishda quyidagi turlarga ajratish mumkin:

1. *Hukmdor yorliqlari*. Xiva xonlari nomidan chiqarilgan ushbu hujjat turi ba'zan o'zida muayyan muassasaga mutavalli tayinlash haqidagi oliy buyruqni aks ettiradi¹⁹. Vaqf masalasiga oid ushbu yorliqlar tahlili markaziy hokimiyatning vaqf instituti bilan aloqadorlik darajasi, mashhur ulamolar qabrlariga tayinlangan mutavallilarning vaqfnomada belgilangan huquqlaridan tashqari boshqa erkinliklarga ham ega bo'lganini tasdiqlaydi.

2. *Idoraviy normativ-huquqiy hujjatlar*. Ushbu hujjatlar qatoriga vaqfga oid masalalar yuzasidan saroy oliy mansabdorlari qo'l ostidagi devonxonalar va qozixonalarda tuzilgan *qayd kitoblari* – *daftarlar* hamda *arizalarni* kiritish mumkin. Mazkur daftarlar o'zida qozixonada tuzilgan hujjatlarning qisqacha mazmunini aks ettiradi va ular xronologik tartibda daftar tarkibiga kiritib borilgan. E'tiborli jihati, har bir hujjatning qisqacha mazmuni qayd etilgan varaqning hoshiya qismiga tartib raqami qo'yilgan. Hozirgi kunga qadar Rossiya bosqinidan avvalgi davrda

¹⁶ Abdurasulov U., Toshov N. Soviet 'Local' Knowledge: Babajan Safarov's Notes on Slavery in Khwarazm. / Aus den Tiefenschichten der Texte: Beiträge zur turko-iranischen Welt von der Islamisierung bis zur Gegenwart. Reichert Verlag Wiesbaden, 2019. – P. 266.

¹⁷ O'zRFASHI, № 11645.

¹⁸ O'sha joyda, № 8470.

¹⁹ O'zMA, I–125- fond, 1-ro'yxat, 3-yig'majild.

yaratilgan bu turdagi hujjatlar qayd jamlanmasining aniqlanmagani ushbu hujjatshunoslik an'anasining paydo bo'lishiga imperiyaning Turkiston²⁰ mintaqasi sud-huquq tizimida kiritgan o'zgarishlarining bilvosita ta'siri sabab bo'lgan, degan xulosani keltirib chiqaradi.

3. *Fatvo hujjatlari*. Mazkur tarixiy hujjat mintaqada rivoyat²¹ nomi ostida mashhur bo'lib, u islom huquqshunosligi sohasidagi mutaxassis – muftiy tomonidan muayyan (odatda murakkab va bahsli) masala bo'yicha chiqarilgan hukmni aks ettirgan. Fatvo hujjatlari orasida vaqf masalasiga bag'ishlangan hukmlar ham uchray turadi. Bu turdagi hujjatlar ichki tuzilishi jihatidan ham o'ziga xoslikka ega bo'lib, u *invokatsiya*, ya'ni Alloh nomini zikr etish va islom olamida mashhur faqihlarning qo'yilgan masala borasidagi fikrlarini so'rash bilan boshlangan. Odatda ikki iboradan tashkil topgan ushbu kirish qismi hujjatda kalligrafik usulda aks etgan. Keyingi o'rinda hujjat formulyarining asosiy qismi, xususan *narratsiya* bo'limida ko'tarilgan masala mohiyati va u bilan bog'liq savol(lar) aniq bayon qilingan. Shundan keyin qisqa javob aks etgan. O'z navbatida, berilgan qisqa javobning fiqhiy asoslari hujjatning yuqori o'ng tomon hoshiya qismida jumla holda keltirilgan hamda undan keyin ushbu shar'iy ko'rsatma olingan fiqhiy asar nomi qayd qilingan. Matnning *korroboratsiya* qismida ba'zan bir shaxs muhri yoki ayrim hollarda bir necha kishilar muhrlarini uchratish mumkin. Fatvo hujjatining ichki tarkibiy tuzilishidan *esxatakolning datum* bo'limi, ya'ni hujjat tuzilgan sanasi o'rin olmagan.

4. *Qozilik aktlari*. Bu turdagi hujjatlar tarkibiga vaqfnomalar, vaqf mulklari bo'yicha tuzilgan ijara va garov hujjatlari, oldi-sotdi, meros taqsimotini kiritish mumkin. O'zMAning "Xiva xonlari arxivi" deb nomlanuvchi I-125-fondining 1-ro'yxat, 486-yig'majildida jami 200 ta tarixiy hujjat mavjud bo'lib, ularning 44 tasini vaqfnomalar tashkil etadi. Mazkur vaqfnomalarda To'rt Shohboz Bobo masjidi, Qadam yasovulboshi madrasa majmuasi va Abdurasul eshon (maqbarasi) yaqinidagi masjid foydasiga qilingan vaqf mulklari zikr etilgan. O'z navbatida, O'zR FA Sharqshunoslik instituti asosiy fondida saqlanayotgan Xiva qozi daftarlarining 1-jildida vaqf masalasiga oid 1250 dan ortiq hujjatning 1052 tasini *bay'-i ja'iz* hujjatlari tashkil etishi aniqlangan²².

Tadqiqot ishining **"Vaqf institutining nazariy-huquqiy asoslari, uning tadrijiy rivojlanishi va ayollarning vaqfdagi roli"** deb atalgan ikkinchi bobida vaqfning shakllanish tarixi va Xorazmda hukmronlik qilgan so'nggi ikki sulola davrida vaqf institutining taraqqiyot dinamikasi hamda xorazmlik ayollarning vaqf munosabatlaridagi ishtiroki yoritilgan.

Mazkur bobning birinchi paragrafi **"Vaqf mulkchiligining shakllanish tarixi va uning faoliyat tartibiga oid nazariy-huquqiy asoslar"**iga bag'ishlangan. Xususan, ushbu qismda islom tarixida vaqf mulkchiligining yuzaga kelishi, uning ilk me'yoriy-huquqiy asoslarining shakllanish jarayoni, vaqfning turlari va uning Xorazm misolidagi amaliyoti kabi masalalarga e'tibor qaratilgan.

²⁰ Bu va keyingi o'rinlarda "Turkiston" atamasi orqali shu vaqtgacha ilmiy doiralarda "Markaziy Osiyo" va "O'rta Osiyo" atamalari orqali anglashilgan tarixiy-geografik makon nazarda tutilgan.

²¹ "Rivoyat" va "fatvo" o'rtasida kichik bir farq mavjud bo'lib, hukm loyihasi hisoblangan "rivoyat" muftiy tomonidan muhr orqali tasdiqlangandan keyingina "fatvo" nomini olgan. Qarang: Pickett J. Polymaths of Islam: Power and Networks of Knowledge in Central Asia. – Ithaca, NY: Cornell University Press, 2020. – P. 15.

²² O'zRFASHI, qo'lyozma № 9490.

Vaqf mulkchiligining shakllanish davri 7-yuzyillik boshlari, ya'ni islomning din sifatida paydo bo'lish jarayoni bilan bog'liqlikda kechdi. Islom huquqining manbalari hisoblangan Qur'on va hadisda sadaqa qilish haqida ko'plab ko'rsatmalar kelgan bo'lib, u, o'z navbatida, vaqf institutining yuzaga kelishiga zamin bo'lib xizmat qilgan. Shuni alohida qayd etish lozimki, mazkur manbalarda "vaqf" so'zi xayriya faoliyati mazmunida qo'llanilmagan bo'lib, ularda asosan *sadaqa*, *sadaqai joriya*, *xayr-ehson* kabilar uchraydi. Biroq hadisda "vaqqafa" fe'lining muqobili va ma'nodoshi bo'lgan "habbasa" so'zi kelgan. "Vaqf" esa atama tarzida keyingi davrlarda ayniqsa mintaqamizda keng qo'llana boshladi va maxsus atama sifatida fiqhga oid manbalardan ham o'rin oldi.

Mulknii vaqf sifatida ta'sis etish jarayonining ilk bora yozma holda rasmiylashtirish an'anasi xalifa Umar (h. 634–644) faoliyati bilan bog'liq edi. Ushbu tarixiy voqea aks etgan hadisda vaqfga oid qoida va talablar belgilab qoy'ilgan edi. Jumladan, hadisdagi ma'lumotdan vaqfnomaning yozma tarzda va guvohlar ishtirokida tuzilishi kerakligi, vaqfga aylangan mulkning turi, miqdori va boshqa xususiyatlari vaqf hujjatida aniq bayon etilishi lozimligi ayon bo'ladi. Shuningdek, vaqf mulkning boshqaruvi va daromadlar taqsimoti, vaqf ishiga muayyan mas'ul shaxs, ya'ni *mutavallini* tayinlash hamda u uchun doimiy haq ajratish kerakligi ushbu hadisda ilk bora belgilangan edi.

Vaqf mulkchiligining shakllanish bosqichi va keyingi taraqqiyotida asosan ikki xil: *ahliy* va *xayriy* vaqf turlari paydo bo'ldi. *Ahliy vaqf* turida voqif vaqfdan keladigan daromaddan faqat oila a'zolari va qarindoshlari foydalana olishlarini shart qilsa, *xayriy vaqf*da esa olingan daromad aholining muayyan yoki barcha qatlami uchun manfaatli bo'ladi. O'z navbatida, Xorazm vaqf hujjatlarining tahlili shuni ko'rsatadiki, hududda *aralash* vaqf ham amalda bo'lib, ushbu uchinchi vaqf turida vaqf mulki daromadidan nafaqat voqifning qarindoshlari, balki boshqalar ham foydalanishlari mumkin hisoblangan.

Vaqf ta'sis etishdan asosiy maqsad diniy ehtiyoj, ya'ni savob olish bo'lgan. Biroq vaqf vositasida turli harbiy, siyosiy, ijtimoiy va iqtisodiy manfaatlarga ham erishilgan. Masalan, vaqf mulklaridan harbiy maqsadlar, xususan, musulmon qo'shinini qurol-yarog' va harbiy anjomlar bilan ta'minlashda foydalanilgan²³. Hukmdorlar, yuqori mansabdorlar va savdo ahllari uchun vaqf siyosiy va ijtimoiy dastak vazifasini ham bajargan. Jumladan, hukmdorlar aholi orasida o'z ta'sir doiralarini saqlash va siyosiy legitimatsiyaga erishish, aholining boshqa yuqori tabaqa vakillari esa ijtimoiy nufuz, obro'-e'tiborga yetishish maqsadida yirik loyihalar, xususan, diniy va jamoat muassasalari qurilishi, ular doimiy ta'minoti hamda boshqa xayriya tadbirlar uchun mulklarini vaqfga aylantirganlar²⁴.

Mutavalli vaqf mulklari ustidan bosh nozir sifatida boshqa bir necha funksiyalarni ham bajargan. Ushbu funksiyalarni shartli ravishda 4 yo'nalishga

²³ Oberauer N. Early Doctrines on Waqf Revisited: The Evolution of Islamic Endowment Law in the 2nd Century AH // Islamic Law and Society. 2013. – Vol. 20, issues 1–2. – P. 3.

²⁴ Peri O. The Waqf As an Instrument to Increase and Consolidate Political Power: The Case of the Khāṣṣekī Sultān Waqf in Late Eighteenth-Century Ottoman Jerusalem / Studies in Islamic Society. Contributions in memory of Gabriel Baer. Haifa University Press, 1984. – P. 47–62. Hoexter M. Waqf Studies in the Twentieth Century: the State of the Art // Journal of the Economic and Social History of the Orient. 1998. – Vol. 41, issue 4. – P. 476; Morgan C. Islam and Civil Society: The Waqf // The Good Society. 2001. – Vol. 10. – No. 1. – P. 22.

bo'lish mumkin: 1) vaqf mulki boshqaruvi bilan bog'liq masalalarni tartibga solish; 2) vaqf mulki (daromadlari) yo'naltirilgan madaniy-ijtimoiy muassasalar binosini lozim darajada saqlash; 3) vaqfdan kelgan daromadlarning umumiy hisobini olib borish va taqsimlash; 4) xodimlar apparatini shakllantirish va ular faoliyatiga umumiy rahbarlik qilish.

Ikkinchi bobning **“Siyosiy o'zgarishlar sharoitida vaqf mulkchiligining rivoji”** nomli ikkinchi paragrafida Xorazm vohasida so'nggi ikki sulola hukmronligi davrida vaqf instituti dinamikasida yuz bergan o'zgarishlarga e'tibor qaratilgan.

Mamlakat siyosiy hayotida ro'y bergan o'zgarishlar an'anaviy vaqf mulkchiligiga sezilarli ta'sir ko'rsata oldi va natijada Arabshohiyar davridagi vaqf xo'jaligi va ma'muriyati, vaqf mulklaridan foydalanish asoslari hamda madaniy-ijtimoiy muassasalar faoliyat tartibi keyingi sulola, ya'ni Qo'ng'irotlar hukmronligi davrida ayrim o'zgarishlarni boshidan kechirdi.

Arabshohiyarlardan Hoji Muhammadxon (h. 1558–1602) davrida Xorazmda yangi kanallar qazildi. Xususan, Urganch va Kat hududlarida hukmronlik qilgan Ali sulton (h. 1558–1567) tomonidan Yangiariq va Toshli Yormish kanallari ochildi²⁵. Natijada, yangi yerlar o'zlashtirilib, dehqonchilik maydonlari yuzaga keldi. O'z navbatida, Yangiariq va Yormish mavzellarida joylashgan ko'plab unumdor yerlar Qo'ng'irotlar sulolasi davrida vaqfga aylantirilgani borasida vaqfnomalarda qaydlar uchraydi²⁶. Ushbu vaqfnomalar hukmron sulola a'zolari va saroy amaldorlariga tegishli bo'lib, yirik yer maydonlari madaniy-ijtimoiy muassasalar foydasiga vaqf sifatida ta'sis etilgan edi.

Arab Muhammadxon (h. 1602–1621) davrida yangi sug'orish inshootlari barpo etish va irrigatsiya tarmoqlarini kengaytirish ishlari davom ettirildi. Xususan, xonning tashabbusi bilan Arab Muhammad kanali qazildi²⁷. Kanallar qazish va yirik sug'orish inshootlarining barpo etilishi yangi yerlarni o'zlashtirish hamda vaqf yerlari resurslarining kengayishiga olib keldi.

Arabshohiyarlardan Abulg'ozixon tomonidan ma'muriy boshqaruv tizimida amalga oshirilgan islohot vaqf mulkchiligi bilan ham bog'liq edi. Jumladan, oliy diniy saroy lavozimlari qatorida *mutavalli* mansabi ham ta'sis etilgan edi.

Keyingi sulola – Qo'ng'irotlar davrida hukmdorlarning vaqf mulkchiligidagi roli ancha sezilarli bo'ldi. Bunga xonlikning birmuncha markazlashuvi, nisbatan barqaror vaziyatning hukm surgani hamda ayrim hukmdorlarning madaniy-ijtimoiy muassasalarni qurishga bo'lgan chorlovi va rag'batlari sabab bo'ldi. 20-yuzyillik boshidagi xonlikni modernizatsiya qilish bilan bog'liq loyihalar va qabul qilingan dasturlar vaqf institutini ham chetlab o'tmadi. Balki hukumatning vaqf mulklari ustidan davlat nazoratini o'rnatish, vaqf daromadlari taqsimotini rasmiy jihatdan kuzatib borishga qaratilgan tizim yaratishga intilishi namoyon bo'ldi. 1910-yil 16-avgustda Sayyid Muhammad Rahimxon II (h. 1864–1910) vafotidan keyin Xiva xonligi taxtini egallagan Asfandiyorxon (h. 1910–1918) mamlakatda islohotlarni amalga oshirishga majbur bo'ldi. Xon qator chora-tadbirlarning bajarilishini

²⁵ Фуломов Я. Ғ. Хоразмнинг суғорилиш тарихи. – Тошкент: Фан, 1959. – Б. 200.

²⁶ Xiva davlat “Ichon-qal'a” tarixiy-me'moriy muzey qo'riqxonasi (keyingi o'rinlarda XDIQTMMQ), KP 1304, KP 1311, KP 1334, KP 1336; O'zMA, I-323-fond, 1-ro'yxat, 608/5, 908, 1367-yig'majildlar.

²⁷ Фуломов Я. Ғ. Хоразмнинг суғорилиш тарихи. – Тошкент: Фан, 1959. – Б. 201.

ta'minlash maqsadida 1328 yilning 10-ramazoni/1910-yilning 13–15-sentyabrida manifest e'lon qildi. Manifest matnida vaqf institutining faoliyatini ham isloh qilish zaruriyati ochiqdan-ochiq bayon etilgan edi. Xususan, unda vaqf ishlarini taftish qilish lozimligiga alohida urg'u berilgan edi. Mazkur tadbirni amalga oshirish maqsadida qator ishlarning amalga oshirilgani o'sha davrda yaratilgan devonxona hujjatlarida ham o'z aksini topdi. Umuman olganda, Asfandiyorxon manifesti asosida 1911-yilning 20–22-yanvar kunlari 10 bo'limdan iborat islohot dasturi ishlab chiqilib, u saroy amaldorlari kengashi tomonidan tasdiqlandi. Dasturning 8-bo'limida vaqf masalasi ham aks etgan bo'lib, saroy, ya'ni markaziy hokimiyat qoshida mamlakatdagi vaqf ishlari uchun mas'ul maxsus muassasa tuzilishi va ular ustidan davlat nazoratini o'rnatish ko'zda tutilgan edi²⁸. 1918-yilga kelib, "Yosh xivaliklar" e'tiborini tortgan vaqf masalasi ular harakat dasturidan ham o'rin oldi. Dasturning 5-bandi vaqf mulklari bilan bevosita bog'liq edi. Unga ko'ra, mamlakatda vaqf mulklaridan keladigan barcha daromadni faqat xalq maorifi uchun yo'naltirish maqsad qilindi. Biroq vaqf instituti faoliyatini isloh qilishga qaratilgan ushbu urinish ham kutilgan natijani to'liq bermagan edi.

Ikkinchi bobning so'nggi paragrafi ***"Ayollarning vaqf munosabatlaridagi ishtiroki"*** deb nomlangan. Unda ayollarning vaqf instituti faoliyatidagi turli pozitsiyalar, xususan, voqifa, mutavalli va ijarachi sifatidagi roli ochib berilgan.

Qo'ng'irotlar sulolasi davrida Xorazmda shakllangan tarixnavislik an'anasi, ayniqsa, saroy tarixshunosligi namunalari o'zining yozilish sabab va maqsadiga muvofiq holda Xorazm ayollarining jamiyatdagi faoliyati masalasini odatda aks ettirmaydi. Biroq mazkur sulola hukmronligining so'nggi davrlarini o'z ko'zi bilan ko'rgan, tarixiy jarayonlar guvohlari – mahalliy tarixchilar tomonidan sovet davrida yaratilgan asarlarda xonlar ayollari va qizlari, ayniqsa, haram masalasi haqidagi ma'lumotlar ham yoritilgan. Mazkur turdagi asarlarning paydo bo'lishiga sovet mafkurasi va uning ta'sirida kelgusida yaratilishi ko'zlangan tadqiqotlar uchun manbaviy ehtiyoj sabab bo'lgan²⁹.

O'z navbatida, Xiva xonligi Rossiya imperiyasi tomonidan egallanishidan oldin mazkur hududga tashrif buyurgan xorijiy sayyoh va elchilarning turli janrlarda bitilgan asarlarida ayollarning jamiyat va oiladagi o'rni hamda kundalik hayotdagi ishtiroki haqida ko'pincha *misrepresentatsiya*, ya'ni (voqelikni) noto'g'ri talqin qilish hollari uchraydi. Umuman olganda, bunday yondashuv boshqa musulmon o'lkalarida ayollarning rolini tasvirlovchi mustamlaka davr g'arb tadqiqotlarida ham ko'plab kuzatilgan. Mazkur mavzu yuzasidan bunday stereotipning shakllanishiga G'arb jamiyatida ayollarning uzoq tarixiy davr mobaynida siyosiy va iqtisodiy huquqlarga ega bo'lmagani hamda uzoq XIX asrga³⁰ kelib jamiyatda ayollarning tengligi va ular emansipatsiyasi bilan bog'liq jarayonlar ham ta'sir ko'rsatgan.

Ayrim adabiyotlarda ayollar mulklarining manbasi meros, hadya va mahr

²⁸ Қўшжонов О., Полвонов Н. Хоразмдаги ижтимоий-сиёсий жараёнлар ва ҳаракатлар (XIX аср иккинчи ярми – XX аср биринчи чорағи). – Тошкент: ABU MATBUOT-KONSALT, 2007. – Б. 188.

²⁹ Masalan, xivalik tarixchi Bobojon Safarovning ayrim qo'lyozma asarlari sharqshunos Muhammadjon Yo'ldoshev buyurtmasiga ko'ra yozilgan. Bu haqidagi uning 3 ta asari o'rin olgan qo'lyozma kitobga ilova qilingan maktubda ochiq bayon qilingan. Qarang: O'zRFASHI, qo'lyozma № 11252.

³⁰ "Uzoq XIX asr" atamasi britaniyalik mashhur tarixchi Erik Xobsbaum tomonidan kiritilgan, 1789–1914-yillarni o'z ichiga oluvchi tarixiy davr.

tashkil etishi qayd qilingan. Biroq shu o'rinda mazkur iqtisodiy manba vaqf mulklaridan keladigan doimiy daromad hisobidan ham shakllanishi mumkinligini ta'kidlash lozim.

Xorazm vaqfnomalarining tahlili ayollar madrasa, masjid, maktabxona, so'fiy xonaqohi, qorixona va umuman olganda, deyarli barcha turdagi diniy va ijtimoiy muassasalar vaqf mulklari tarkibida o'z hissalariga ega bo'lganliklarini ko'rsatadi. Afsuski, Arabshohiylar davriga oid vaqfnomalarning juda kam saqlanganligi ayollarning vaqfdagi ishtirokini kuzatish va ularning vaqf munosabatlariga tortilish darajasini aniqlash imkonini bermaydi. Biroq shuni alohida qayd etish lozimki, Qo'ng'irotlar sulolasi davrida tuzilgan va hozirgacha saqlanib qolgan ko'p sonli vaqfnomalar tahlili ayollarning bu tarixiy davrda ancha faol bo'lganliklariga ishora qiladi. Ayollar ishtirok etgan eng qadimgi vaqf hujjatlaridan birida Malikabeka ismli voqifaning Xiva shahrining Ichan-qal'a qismida joylashgan, Bog'bonli nomi bilan mashhur bo'lgan masjid me'moriy kompleksining qurilishidagi xayriya faoliyati zikr etilgan.

Nufuzli ayollar vaqfnomalari orasida Xiva xonligining 19-yuzyillik oxiri – 20-yuzyillik boshlari siyosiy tarixida muhim rol o'ynagan, bosh vazir, ma'rifatparvarlik harakatining mashhur vakili Sayyid Islomxoja (1872–1913) rafiqasi Saodatjonbekaning vaqf hujjati ham saqlanib qolgan. Unda Saodatjonbeka tomonidan Nayman nohiyasining Choshtepa mavzeida joylashgan 300 tanob yer Sayyid Islomxoja tomonidan qurilgan madrasa majmuasi foydasiga vaqf qilingani aks etgan.

O'z navbatida, Xorazm ayollarining vaqf ma'muriyati va xo'jaligi faoliyatidagi ishtiroklari ham tez-tez kuzatilgan. Masalan, Varag'zon masjidi vaqf xo'jaligi boshqaruvida bir necha ayollarning mutavalli sifatidagi roli vaqf hujjatlarida zikr etilgan³¹. Shuni alohida qayd etish lozimki, ayollarni ijarachi-koranda sifatida belgilash ham Xorazm vaqfnomalari shartida aks etgan. Masalan, 1295/1878-yilda Durjonbeka bint Qurbon So'fi ismli ayol o'ziga tegishli 1,25 tanob yerni Saroy guzari masjidiga vaqf etib, ushbu mulkning mutavallisi va korandasi etib Keshbeka bint Shokirboyni tayinlagan³². Mazkur tarixiy faktlar Xorazm ayollarining vaqf instituti tarixidagi turli darajalardagi faol ishtirokini tasdiqlaydi.

Dissertatsiyaning **“Vaqf mulklari hisobidan ta'minlangan muassasalar va turli ijtimoiy tadbirlar”** nomli uchinchi bobi madrasa, masjid, maqbara, xonaqoh, qorixona, musofirxona kabi madaniy-ijtimoiy muassasalarning faoliyat tartibi, yo'nalishlari, xo'jalik boshqaruvi vaqfnomalar va vaqfga oid tarixiy hujjatlar asosida yoritilgan. Shuningdek, vaqf hisobidan tashkil etilgan turli tadbirlar masalasiga ham aniqlik kiritilgan.

Ushbu bobning **“Xorazm madrasalarining boshqaruvi, vaqf xo'jaligi va ta'lim tizimi”** deb nomlangan 1-paragrafida madrasalar kompozitsiyasi, ularda faoliyat yuritgan xodimlar tarkibi va ta'lim tizimiga e'tibor qaratilgan.

Madrasalarda odatda ikki yo'nalishdagi xodimlar apparati shakllangan edi: 1) ta'lim berish va ibodat amallarini bajarish bilan band bo'lgan shaxslar hamda uchta

³¹ XDIQTM MQ, KP 1344.

³² O'zMA, I–323-fond, 1-ro'yxat, 912/14-yig'majild.

bosqich bo'yicha ta'lim oluvchi talabalar; 2) xo'jalik ishlariga mas'ul xodimlar. Albatta, salmoqli kadrlar apparati va ko'p sonli talabalar kontingentiga ega madrasalar sezilarli darajadagi doimiy moddiy ta'minotga ehtiyoj sezgan. Shu bois, Xiva xonligida yirik madrasalarni bunyod etishda asosan hukmron sulola vakillari jonbozlik ko'rsatganlar, shuningdek, yuqori martabali amaldorlar, yirik savdo ahllari hamda ulamolar ham ushbu xayriya faoliyatiga o'z hissalarini qo'shganlar.

Xiva xonligining Arabshohiylar sulolasi davrida qurilgan madrasalar haqidagi ma'lumotlar yozma manbalarda uchraydi. Shuningdek, ushbu davrda bunyod etilgan, Xiva shahrining Ichan-qal'a me'moriy ansambli tarkibidan hanuzgacha o'rin olgan madrasalar qatoriga 1616-yilda barpo etilgan Arab Muhammadxon madrasasi, 1688-yilda qurilgan Xo'jamberdibiy madrasasi va 1719-yilda qad rostlagan Sherg'ozixon madrasasini kiritish mumkin³³. Arabshohiylar sulolasi davriga oid, Xiva shahridan tashqari, xonlikning boshqa hududlarida bunyod etilgan madrasalar son jihatidan ko'p bo'lib, ularning aksariyati bugungi kungacha yetib kelmagan.

Arabshohiylar davridan qolgan, Xiva shahrida joylashgan Arab Muhammadxon madrasasi³⁴ oliy ta'lim maskanlari orasida eng qadimiysi bo'lib, u haqida "Firdavs al-iqbol" asarida ba'zi ma'lumotlar keltirilgan³⁵. Xususan, o'z davrining mashhur shoirlaridan biri bo'lgan Mavlono Vafo ushbu madrasada tahsil olgan³⁶. Arabshohiy hukmdorlardan Arangxon (h. 1688–1694) hokimiyatga kelgan ilk davrda Xo'jamberdibiy madrasasi Xiva shahrida qad ko'targan edi³⁷. Sherg'ozixon madrasasi o'z davrining eng yirik oliy ta'lim muassasasi bo'lib, u xonning bevosita tashabbusi va homiyligi ostida barpo etilgan. Qo'lyozma asarlarda mazkur madrasaning yirik me'moriy kompleks ekanligi va shuhrati haqida qaydlar mavjud³⁸. Darhaqiqat, Sherg'ozixon madrasasi 55 ta hujradan iborat bo'lib, u salmoqli vaqf mulklariga ega bo'lgan.

Qo'ng'irotlar sulolasi hukmronligi davriga kelib, Xiva shahri va xonlikning boshqa hududlarida ko'plab madrasalar qurildi. Jumladan, 1765-yilda sulola asoschisi Muhammad Amin inoq (h. 1763–1790) tomonidan 18 ta hujradan iborat madrasa barpo etildi. Keyingi sulola vakillari davrida madrasalar qurilish jarayoni avj olib, 1916-yilga kelib, Xiva shahri va uning atrofidagi ushbu oliy ta'lim muassasalari soni 64 taga yetdi. Xonlik bo'yicha esa, bu davrda jami 130 ta madrasa faoliyat ko'rsatgan edi.

Madrasa xodimlarining moddiy ta'minoti va ular har birining vazifalari ham vaqfnomada aks etgan. Masalan, Sherg'ozixon madrasasi mudarrisi bir vaqtning o'zida ham dars berish va ham mutavallilik vazifasini bajarishi lozim bo'lgan. Uning yillik maoshi jami vaqf daromadining 1/5 qismini tashkil etgan. Shuningdek,

³³ Boltayev A. Xorazm tarixiga materiallar. O'zRFASHI, qo'lyozma № 9320. – V. 1a.

³⁴ "Firdavs al-iqbol" asarida "Arab xon madrasasi" tarzida uchraydi. Qarang: Firdaws al-iqbāl. History of Khwarazm by Shir Muhammad Mirab Munis and Muhammad Riza Mirab Agahi. Translated from Chaghatay and annotated by Yuri Bregel. – Leiden-Boston-Köln, 1999. Introduction. – P. 40.

³⁵ Rossiya Fanlar akademiyasining Sharq qo'lyozmalari instituti, Sankt-Peterburg (keyingi o'rinlarda IVRRAN). Qo'lyozma № D 123. – V. 62a.

³⁶ IVRRAN, qo'lyozma № D 123. – V. 69a.

³⁷ O'sha joyda. – V. 69b.

³⁸ O'sha joyda. – V. 77a–77b.

muassasaning boshqa xodimlari, xususan, kitobdor, imom, muazzin va farroshning ish haqi miqdoriga ham aniqlik kiritilgan. E'tiborli jihati, mudarrisning (mutavallilik vazifasi bilan) maoshi yillik vaqf daromadining muayyan qismi tarzida belgilangan bo'lsa, madrasaning qolgan xodimlari ish haqi miqdori natura shaklida va o'zgarmas miqdorda, ya'ni asosan g'allaning muayyan qiymatida berilgan³⁹.

Xiva madrasalarining ba'zi vaqfnomalarida ta'lim tizimi va madrasalarda o'qitiladigan adabiyotlar masalalariga ham aniqlik kiritilgan. Xususan, Muhammad Rahimxon II madrasasida ta'lim jarayoni vaqfnoma shartiga ko'ra tashkil etilishi va olib borilishi kerakligi belgilangan. Jumladan, ta'lim quyi (*adnā*), o'rta (*awsaf*) va yuqori (*a'lā*) kabi uchta bosqichda tashkil etilib, madrasa talabalariga ikki yo'nalish – "mushkulot" va "mas'ala" bo'yicha bilim berish yo'lga qo'yilgan⁴⁰.

Mazkur bobning **"Masjidlar faoliyati, diniy amallar turlari va iqtisodiy ta'minoti"** nomli ikkinchi paragrafida Xorazmda faoliyat yuritgan masjidlar va ular turlari, masjidlarda ibodat amallarini tashkil etish tartibi va vaqf boshqaruvi masalalari yoritilgan. Xonlikda bunyod etilgan masjidlar o'zining maqsadi va me'moriy kompozitsiyasiga ko'ra bir-biridan farq qilgan va shu bois ularni shartli ravishda 3 turga bo'lish mumkin. Birinchi turga odatda juma namozi o'qish uchun qurilgan va asosan shu maqsadda foydalanilgan yirik masjidlarni kiritish mumkin. Ikkinchisi esa madrasalar yoki so'fiy xonaqohlari yoxud maqbaralar tarkibiy qismi sifatida barpo etilgan masjidlar bo'lib, ular xonlikda keng tarqalgan. Va nihoyat, uchinchi tur sifatida muayyan mahalla, ya'ni *masjid qavmiga* tegishli bo'lgan ko'p sonli masjidlarni keltirish mumkin.

Xiva shahrining Ichan-qal'a me'moriy ansambli tarkibidan o'rin olgan, masjidlarning eng qadimiysi – Jome (Juma) masjidi bo'lib, u taxminan 10-yuzyillikda bunyod etilgan⁴¹. Ushbu masjidning ikkita marmar taxtachasi saqlangan bo'lib, birinchi marmar taxtachadagi sana Arabshohiylar davriga ishora qiladi va unda hijriy 1080-yil (milodiy 1666-yil) qayd etilgan⁴². Demak, masjid Anushaxon (h. 1663–1686) davrida, katta ehtimol bilan, qayta ta'mirlangan. Ushbu ma'lumotga tayanib, Juma masjidining Arabshohiylar davrida ham shahar aholisi uchun yirik ibodat markazi va jome' masjidi sifatida o'z ahamiyatini yo'qotmagan, degan xulosaga kelish mumkin. Ikkinchi marmar taxtaga esa vaqfnoma bitilgan bo'lib, uning matnida hijriy 1203-yilni (milodiy 1788–1789-yillar) uchratish mumkin. Matn mazmuniga ko'ra, Abdurahmon mehtar va uning o'g'li Abdurahim boy tomonidan Kuyuktom va Bekobod mavzellarida joylashgan yerlar masjid foydasi uchun vaqfga aylantirilgan hamda muassasa binosi ta'mirlangan⁴³.

Xiva xonligida faoliyat yuritgan deyarli barcha yirik madrasalar qoshida masjidlar xizmat ko'rsatgan. Arabshohiylar davrida asos solingan ushbu oliy ta'lim dargohlari qoshidagi masjidlar qatoriga Arab Muhammadxon, Xo'jamberdibiy va Sherg'ozixon tomonidan qurilgan madrasa majmualarini kiritish mumkin. Masalan,

³⁹ O'zRFASHI, 4-papka, 5-hujjat.

⁴⁰ Якубов Қ. Муҳаммад Раҳимхон II мадрасаси вақф ҳўжалиги: маъмурий бошқаруви, тузилиши ва иқтисоди // O'zbekiston tarixi. 2015. – №3. – Б. 17.

⁴¹ Абдурасулов А. Хива. Тарихий этнографик очерклар. – Тошкент, 1997. – Б. 40.

⁴² Булатова В.А., Ноткин И.И. Хива обидалари=Архитектурные памятники Хивы / Отв. ред. Я.Г.Гулямов. – Ташкент: Узбекистан, 1972. – Б. 30.

⁴³ O'sha joyda. – Б. 183.

Shergʻozixon madrasasi vaqfnomasida muassasada xizmat koʻrsatishi lozim boʻlgan xodimlar orasida imom va muazzin alohida zikr etilib, ularga qoʻyilgan talablar hamda ushbu ikki lavozim egasining yillik maoshlari miqdori alohida qayd etilgan⁴⁴. Bu maʼlumot Shergʻozixon madrasasi tarkibida masjid faoliyati yoʻlga qoʻyilganiga ishora qiladi.

Soʻfiy xonaqohlari qoshida ham masjidlar tashkil etilgan boʻlib, ular orasida Shayx Sulaymon Haddodiy Musaviy xonaqohini zikr etish mumkin. Ushbu xonaqohning 17-yuzyillikda qayta yangilangan vaqf hujjatida xonaqoh(lar) tarkibidagi masjid imom va muazzinlari alohida tilga olinib, ular 5 mahal jamoat namozini ado etish uchun masʼul ekanliklari hamda imomga yillik 100 tanga va muazzinga esa 50 tanga xizmat haqi berilishi lozimligi alohida belgilangan⁴⁵.

Shuni alohida qayd etish lozimki, Arabshohiylar davriga oid madrasalar tarkibiy tuzilishi, ular qoshida faoliyat yuritgan masjidlar haqidagi maʼlumotlar vaqfnomalar matnida aks etgan turli ishoralar asosida aniqlangan boʻlsa, Qoʻngʻirotlar davrida tuzilgan madrasa vaqfnomalarining baʼzilarida muayyan madrasa kompleksi, xususan, uning tarkibiy qismi hisoblangan masjid toʻgʻrisida aniq qaydlarni uchratish mumkin. Xususan, vaqfnomaga koʻra, shahzoda Homid toʻra (1862–1926/1930) tomonidan Xivaning Sangir mavzeida bunyod etilgan meʼmoriy majmua tarkibiy tuzilish jihatidan madrasa hujralari, ayvon, oshxona va masjiddan iborat boʻlgan⁴⁶.

Xiva xonligida eng kichik maʼmuriy-hududiy birlik masjid qavmi deb atalgan va bu holat, tabiiyki, har bir qavm, odatda, oʻz masjidiga ega boʻlganligiga ishora qilgan. 20-yuzyillik boshlarida xonlik poytaxti hisoblangan Xiva shahrida faoliyat yuritgan 79 ta masjidning 65 tasini mahalla masjidlari tashkil etgan⁴⁷.

Qoʻngʻirotlar sulolasi davriga oid vaqfnomalarda masjidda ibodat amallariga bosh masʼul hisoblangan imomning koʻpincha mutavalli sifatida tayinlangani aks etgan⁴⁸. Shuningdek, masjid muazzinini mutavalli lavozimiga tayinlash hollari ham uchrab turgan⁴⁹. Bundan tashqari, mahalla masjidlarida baʼzan masjid qavmining oqsoqol va katxudolarini mutavalli etib tanlash ham amalda boʻlgan⁵⁰.

Masjidlarda kundalik besh mahal farz namozlari va Qurʼon tilovatidan tashqari, ramazon oylarida xatmonalar tashkil etish va ularni oʻtkazish tartibi, moliyaviy taʼminoti kabi jihatlar ham vaqfnomalarda alohida belgilangan.

Uchinchi bobning soʻnggi paragrafi **“Boshqa madaniy-ijtimoiy muassasalar va turli tadbirlarlarning vaqf daromadlari asosida taʼminlanishi”** deb nomlangan.

Xiva xonligida madrasa va masjidlar qatori maktabxona, maqbara (mozor), qorixona (maqsuraxona) kabi muassasalar ham vaqf mulklari keltirgan daromad hisobidan taʼminlangan. Shuningdek, faqirlar va ijtimoiy himoyaga muhtoj kishilar

⁴⁴ OʻzRFASHI, 4-papka, 5-hujjat.

⁴⁵ XDIQTMMQ, KP 1326.

⁴⁶ Oʻsha joyda KP 1328.

⁴⁷ Абдурасулов А. Хива. Тарихий этнографик очерклар. – Тошкент, 1997. – Б. 41.

⁴⁸ OʻzMA, I-323-fond, 1-roʻyxat, 608, 912/7, 912/19, 912/24, 912/25-28, 912/35-37, 912/40, 912/45-yigʻmajild va boshqalar; XDIQTMMQ, KP 1318, KP 1325/1 va boshqalar.

⁴⁹ OʻzMA, I-323-fond, 1-roʻyxat, 851, 912/3, 912/20, 912/38-yigʻmajild va boshqalar; XDIQTMMQ, KP 1342/10, KP 1333/3–1333/4 va boshqalar.

⁵⁰ OʻzMA, I-323-fond, 1-roʻyxat, 912/4, 912/21, 912/41, 1362/7-yigʻmajild va boshqalar; XDIQTMMQ, KP 1329, KP 1329/1 va boshqlar.

uchun xonlikda oshxonalar faoliyati yo'lga qo'yilgan. Bundan tashqari, turli diniy tadbir va marosimlar o'tkazish hamda aholini suvga bo'lgan ehtiyojini qondirish maqsadida quduqlar qazilib, ular doimiy ishlab turishi uchun alohida vaqf mulklari ajratilgan.

Xiva xonligi masjidlari qoshida ko'pincha *maktabxona*, ya'ni maktablar ta'sis etilgan va ular aholi uchun boshlang'ich ta'lim beruvchi maskan vazifasini bajargan. Tarixiy manbalarda Arabshohiylar sulolasi davrida qurilgan maktabxonalar haqida ma'lumot uchramaydi. Biroq Qo'ng'irotlar hukmronligi davrida rasmiylashtirilgan madrasa va masjidlar vaqfnomalari, tarixiy asarlar hamda xorijiy mualliflar tadqiqotlarida maktabxonalar haqida ko'plab qaydlarni uchratish mumkin. Jumladan, rus sharqshunos olimi A.Kunning arxiv materiallariga ko'ra, 19-yuzyillikning 70-yillarida Xiva shahridan tashqari, xonlik tasarrufidagi 19 ta beklik markaziy shaharlarida jami 58 ta maktabxona mavjud bo'lgan⁵¹. Xorazm vohasining harbiy-strategik tavsifiga bag'ishlangan tadqiqotda esa, 1909-yilgi holatga ko'ra, xonlik hududida jami 1500 ta maktabxonalar faoliyat yuritgan va ularda 45000 nafar o'quvchi ta'lim olgan⁵².

Qog'oz o'rami shaklida bugungi kungacha yagona nusxada yetib kelgan, o'zida faqatgina maktabxona vaqf hujjatlarini jamlagan vaqfnomada saroyning nufuzli va martabali amaldorlaridan bo'lgan Muhammad Yusuf yasovulboshi tomonidan qurilgan maktabxonaning mustaqil faoliyati yoritilgan. O'z navbatida, masjidlar qoshidagi maktabxonalar vaqfnomalarida asosan vaqf mulklari turlari va miqdori, mutavalli va maktabdor shaxsiga aniqlik kiritilgan, shuningdek, maktabxona xodimlari hamda muassasaning moddiy ta'minoti kabi jihatlar aks etgan. Biroq Muhammad Yusuf yasovulboshi vaqfnomasida maktab ta'lim tizimi ham yoritilgan.

Xorazmda maqbaralar qurilishi va ular moddiy ta'minotiga alohida e'tibor qaratilgan. O'z davrining yetuk din peshvolari, mashhur olimlar va, ayniqsa, so'fiylik tariqatining nufuzli namoyandalari maqbaralari nafaqat ular shogirdlari, so'fiylik jamoalari vakillari va ular avlodlari tomonidan, balki hukmdorlardan tortib to mayda mulkdorlargacha vaqf mulklari orqali moddiy qo'llab-quvvatlangan. Mashhur diniy namoyandalar, xususan so'fiylik tariqati vakillari maqbaralari atrofida ko'pincha qabristonlar vujudga kelib, o'ziga xos mozarlar tizimi shakllangan. Xorazm vohasida so'nggi ikki sulola davrida faoliyat yuritgan bu muassasalar qatoriga Ko'hna Urganchda joylashgan Shayx Najmiddin Kubro va Majdiddin Bag'dodiy, Xivadagi Sayyid Alovuddin, Pahlavon Mahmud, Uch Avliyo Ota, shayx Mavlon bobo, Qo'shko'pirda ikki va uch gumbazli majmualar, Yangi Urganchda Jon Xoras shayx bobo, Shavod xoja bobo, Yangiariqda Shayx Muxtor Valiy, Shovotdagi Vayengan bobo, Gurlanda Usmon Sayyid Bobo, Hazorasbdagi Muzrob Shoh Xorazmiy maqbaralarini kiritish mumkin⁵³.

⁵¹ IVRRAN, 33-fond, 1-ro'yxat, 120-yig'majild, 1-varaq.

⁵² Лобачевский В. Хивинский район. Военно-статистическое описание Туркестанского военного округа. – Ташкент, 1912. – С. 68.

⁵³ Mazkur maqbaralar joylashgan hudud va ular nomlari hamda maqbaralarning ikki so'nggi sulola davrini qamrab oluvchi qurilish-ta'mirlash tarixi haqidagi ma'lumotlar asosan Xorazm obidalari me'morchiligiga bag'ishlangan tadqiqot asosida to'plandi. Batafsil qarang: Маньковская Л., Булатова В. Памятники зодчества Хорезма. – Ташкент: Издательство литературы и искусства имени Гафура Гуляма, 1978. – С. 87.

Qur'on suralaridan tilovat qilib, o'tganlar ruhiga baxshida etish amalini doimiy yo'lga qo'yish maqsadida maqbaralar yaqinida maxsus hujra yoki qorixona bunyod etish an'anasi ham keng tarqalgan edi. Natijada, muayyan shayx maqbara majmuasi atrofida aholi qabrlari va qorixonalaridan iborat o'ziga xos yaxlit diniy landshaft yuzaga kelgan. Masalan, Qo'ng'irotlar sulolasi hukmdorlari orasida Sayyid Muhammadxon (h. 1856–1864) tomonidan akasi Allohqulixon (h. 1825–1842) uchun Pahlavon Mahmud majmuasi yaqinida 2 ta hujradan iborat qorixona bunyod etilgan. Mazkur muassasa foydasiga vaqf mulklari ta'sis etilgan⁵⁴.

Xiva xonligida vaqf mulklari hisobidan musofirxonalar faoliyati ham yo'lga qo'yilgan edi. Xususan, hozircha yagona bo'lib turgan musofirxona vaqfnomasidan ikkita vaqf hujjati o'rin olgan⁵⁵. Vaqf ta'sis etish haqidagi ilk hujjat 1306/1888-yilda rasmiylashtirilgan bo'lib, unda voqif sifatida Muhammad Murod devonbegi qayd etilgan.

Vaqf mulklari hisobidan moddiy qo'llab-quvvatlangan muassasalar qatoriga quduqlarni ham kiritish mumkin. O'z navbatida, madrasa, masjidlar tarkibida odatda quduqlar tashkil etilib, uning faoliyatiga mas'ul etib quduqchi tayinlangan. Biroq vaqfnomalar orasida alohida quduq foydasiga qilingan vaqf mulklarining uchrashi, ular ayrimlarining mustaqil moliyaviy manbaga ega bo'lganini ko'rsatadi⁵⁶.

“Vaqf mulklaridan foydalanishning nazariy-huquqiy jihatlar va uning Xorazm vohasidagi o'ziga xos amaliyoti” deb nomlangan to'rtinchi bobda vaqf mulklari, xususan, yer, pul, do'kon kabilardan foydalanishning fiqhiy asoslari va mintaqadagi amaliyoti tahlil qilingan.

“Vaqf yerlarining fiskal maqomi va ulardan foydalanish asoslari” deb nomlangan birinchi paragrafda soliq tizimida vaqf mulki va vaqf yerlaridan foydalanish turlariga aniqlik kiritilgan.

Tarixiy hujjatlar tahliliga ko'ra, mulk vaqfga aylanishidan oldin soliq olinadigan mulk maqomida bo'lsa, u vaqf sifatida ta'sis etilishi bilan mazkur mulkning fiskal maqomi o'zgarmagan. Aksincha, soliqlardan ozod etilgan mulklar, jumladan, yer maydonlari vaqf qilingach, ular ushbu soliq imtiyozini saqlab qolgan. O'z navbatida, “Fatavo-yi Olamgiriya” fiqhiy manbasiga ko'ra, vaqf qiluvchi shaxs soliq obyekti bo'lgan yerni qabristonga aylantirsa, shuningdek, savdo obyekti yoki qurilgan uyini qabriston foydasi uchun vaqf qilsa, mazkur mulklar xaroj to'lashdan ozod etilgan⁵⁷. Demak, soliq va davlat majburiyatlari masalasida vaqf ta'sis etish jarayonidagi mazkur jihatlarni inobatga olish muhim sanaladi.

Vaqf yerlari ustidagi mulklarga egalik qilish va foydalanish huquqining o'zgarib turishi boshqa musulmon o'lkalarida ham kuzatilgan amaliyot bo'lgan. Masalan, Usmoniylar imperiyasida 17–19-yuzyilliklar davomida ijarachi/chorikor mehnati bilan davlat yoki vaqf yerida qurilgan inshootlar, tuzatish ishlari va daraxtlar ijarachi/chorikor mulkiga aylangan hamda ushbu egalik huquqi – “kirdor” deb atalgan. Ahamiyatli jihati, ma'no-mazmuniga ko'ra, deyarli *sukniyaning*

⁵⁴ O'zMA, I-323-fond, 1-ro'yxat, 1355-yig'majild.

⁵⁵ XDIQTMMQ, KP 1332.

⁵⁶ O'sha joyda, KP 1329.

⁵⁷ McChesney R.D. Waqf in Central Asia. Four Hundred Years in the History of a Muslim Shrine, 1480–1889. – Princeton: Princeton University Press, 1991. – P. 14–15.

muqobili hisoblangan “kirdor” atamasi ilk bor Turkiston faqihlari tomonidan qo‘llanilgan⁵⁸. Mazkur tarixiy fakt ilk bor Turkiston mintaqasida ishlab chiqilgan fiqhiy nazariyaning Usmoniylar imperiyasi huquq amaliyotida foydalanilganini tasdiqlaydi. O‘z navbatida, ikki mintaq o‘rtasidagi o‘zaro madaniy ta’sir keyingi davrlar, xususan, so‘nggi o‘rta asrlarda ham saqlanib qolgan edi.

Arabshohiylar sulolasi hukmronligi davrini yorituvchi birlamchi manbalar tahlili, vaqf yerlaridan aksariyat hollarda *muzora*’a shartnomasi orqali daromad olinganini ko‘rsatadi. Mazkur shartnomaga ko‘ra, yetishtiriladigan hosil vaqf yeriga egalik qiluvchi muassasa va ushbu yerni ijaraga oluvchi shaxs o‘rtasida o‘zaro oldindan kelishilgan ulush bo‘yicha taqsimlanadi. Demak, hosil miqdorining o‘zgarib turishi ikki tomon ulushlariga ham mutanosib ravishda ta’sir ko‘rsatadi. Biroq Qo‘ng‘irotlar sulolasining hukmronlik davriga kelib, vaqf mulkidan foydalanish amaliyotida o‘zgarish kuzatildi. Xiva vaqfnomalarining yer mulki haqida kelgan shartlarida *ijara* amaliyotining umumiy xususiyatlarini aks ettiruvchi jihatlari namoyon bo‘la boshladi. Endilikda vaqfnomalarda hosildan qat’iy nazar, yerdan foydalanganlik uchun to‘lanadigan haq muayyan o‘zgarmas miqdorda belgilandi. O‘z navbatida, ijara kelishuvi, avvalo, vaqf mulklariga ega madaniy-ijtimoiy muassasalar uchun manfaatliroq bo‘lib, ular amalda barqaror daromadni qo‘lga kiritganlar. Shuningdek, bu davrda xonlikda vaqf yeridan *muzora*’a shartnomasi asosida foydalanish ham saqlangan bo‘lib, u amalda kam uchraganini alohida ta’kidlab o‘tish o‘rinlidir.

Shariatda vaqf mulklari, xususan ziroat yerlarini 3 yildan ortiq bo‘lgan muddatga ijaraga berish taqiqlanadi. Shuningdek, davlat va yetimlarga tegishli mulklar uchun ham ushbu muddat qo‘llaniladi⁵⁹. Islom huquqiga ko‘ra, vaqf yeridan foydalanish davrida ijarachining beparvoligi va e’tiborsizligi oqibatida hosilni kam olishi va hatto daromaddan to‘la mahrum bo‘lishi uni ijara haqini to‘lashdan ozod etmagan. Biroq tabiiy ofat va ijarachining uning oqibatlarini bartaraf etishdagi imkonsizligi sharoitidagina ijara haqi vaqf muassasasiga to‘lanmagan⁶⁰.

Ziroat yerlaridan soliq to‘lash va muayyan davlat majburiyatlarini o‘tash qaysi taraf (mulkdor yoki koranda) zimmasida ekanligini aniqlash ham muhim hisoblanadi. Xususan, Hanafiya mazhabi ulamolarining soliq majburiyati haqidagi fikrlari turlicha bo‘lgan⁶¹. O‘z navbatida, Xiva xonligida vaqf yerida ishlayotgan shaxs, ya’ni koranda, odatda, belgilangan soliqni to‘lash bilan birga, davlat oldidagi turli xil majburiyatlarni bajargan.

Ushbu bobning ikkinchi paragrafi **“Vaqf yerlaridan uzoq muddatli ijara asosida daromad olish tartibi”** deb nomlangan. Xiva xonligida yerdan ijara asosida foydalanishda turli ijara muddatlari amal qilgan bo‘lib, ular orasida uzoq muddatli ijara – *ijāra-i ṭawīla* ham uchrab turgan. Vaqf mulklari, xususan yerlardan uzoq muddatli ijara kelishuvi asosida foydalanishga muayyan holat va shart-sharoitlar

⁵⁸ Joseph S. Islamic Law on Peasant Usufruct in Ottoman Syria: 17th to Early 19th Century. Studies in Islamic Law and Society. – Vol. 35. – Leiden-Boston: Brill, 2012. – P. 107.

⁵⁹ O‘sha joyda. – B. 90.

⁶⁰ IVRRAN, 33-fond, 1-ro‘yxat, 123-yig‘majild, 1-varaq.

⁶¹ Johansen B. The Islamic Law on Land Tax and Rent: The Peasants’ Loss of Property Rights as Interpreted in the Hanafite Legal Literature of the Mamluk and Ottoman Periods. – London-New York-Sydney: Croom Helm, 1988. – P. 16.

yuzaga kelgan taqdirdagina ruxsat berilgan. Ushbu shartnoma turida ijara obyekti nafaqat yer maydonlari, balki boshqa turdagi vaqf mulklari ham bo'lishi mumkin. Islom huquqiga ko'ra, muayyan mulk vaqf sifatida ta'sis etilgach, uning doimiy daromad keltirish xususiyatini saqlash eng asosiy shart hisoblangan. Shu bois, turli fiqhiy asarlar va hatto vaqfnomalarda ham vaqf mulkiga ziyon yetkazmaslik va uni doimo yaxshi holatda tutish haqida alohida ko'rsatmalar kelgan. Ammo vaqf mulklari daromad berish xususiyatini yo'qotgan va yaroqsiz mulk holatiga kelib qolgan taqdirda uni uzoq muddatli ijara asosida foydalanishga berishga ruxsat etilgan. Biroq bu jarayonda qozi tasdig'i ham talab qilingan. Ijara shartnomasida vaqf mulkidan uzoq muddat foydalanishni maqsad qilgan ijaraga oluvchiga yaroqsiz mulkni sekin-asta yaxshilab borish majburiyati yuklangan. O'z navbatida, ijaraga oluvchi shaxs ushbu majburiyatni bajarish ortidan mazkur mulkka nisbatan to'la foydalanish huquqini qo'lga kiritgan. Bundan tashqari, Molikiya mazhab faqihlari fikricha, ijaraga oluvchi uzoq muddatli ijara shartnomasi ob'yekti bo'lgan mulkka hatto sherikchilik asosida egalik qilish huquqiga ham ega bo'lgan⁶².

Hozirgi kungacha Arabshohiylar davrida tuzilgan uzoq muddatli ijara hujjatlari aniqlanmagan bo'lsa-da, biroq uning ba'zi jihatlariga amal qilingani borasida bilvosita ishoralar uchraydi. Bunday ishoralar vaqfnomalar shartida ba'zan aks etgan. Xususan, Sherg'ozixon madrasasi vaqfnomasida vaqf yerlaridan foydalanish tartibi haqida maxsus shart belgilangan. Unga ko'ra, madrasa vaqf yerlaridan ijarachi sifatida foydalanish huquqi ushbu yerni ancha avvaldan obod qilib kelayotgan shaxsda saqlanishi kerakligi ta'kidlangan. O'z navbatida, Sherg'ozixon madrasasi mutavallisi mazkur yerlarni joriy foydalanuvchilari qo'lidan noqonuniy ravishda olib qo'yib, boshqa ijaraga oluvchilarga bermasligi qat'iy talab sifatida qayd etilgan⁶³.

Qo'ng'irotlar sulolasi davriga oid uzoq muddatli ijara shartnomalarining ko'plab saqlanganligi uning mulkchilik va ijaraning alohida turi sifatida Xorazm vohasida nisbatan ommalashganini ko'rsatadi. Masalan, 1315-yilning 12-safar/1897-yilning 13-iyulida rasmiylashtirilgan uzoq muddatli ijara kelishuvida Saroy guzari oqsoqoli Xudoybergan shayx mutavallilik huquqi asosida ushbu guzar masjidi ixtiyoridagi yerni qozi askar Domullo Muhammad Amin maxzumga 70 yil muddatga taqdim etgani aks etgan. Umuman olganda, Xorazm uzoq muddatli ijara shartnomalarida 70, 80 va 90 yillik muddat belgilangan va bu turdagi ijara shartnomalarini har yilning birinchi uch kuni davomida yangilab turish ham talab etilgan.

So'nggi paragraf ***“Pul vaqfi va boshqa turdagi vaqf mulklarining holati”*** deb atalib, unda islom olamida pul vaqfining yuzaga kelish tarixi va uning Xorazmdagi amaliyoti yoritilgan.

Islom huquqshunosligida pulni vaqf sifatida ta'sis etish masalasi bahsli mavzulardan bo'lib, ushbu masala bir necha yuzyilliklar davomida ulamolar e'tiborini o'ziga jalb etib kelgan. Shuni alohida qayd etish lozimki, sunniylikdagi barcha to'rtta mazhab asoschilari tomonidan pulni vaqf sifatida ta'sis etish noshar'iy

⁶² The Encyclopedia of Islam. Brill, 2004. – Vol. 12. – P. 368.

⁶³ O'zRFASHI, 4-papka, 5-hujjat.

ekanligiga hukm qilingan⁶⁴. Hanafiya mazhabi ulamolaridan Imom Zufar fikricha, pulni muayyan shartlar asosidagina vaqf qilish mumkin hisoblangan. Ushbu shartlarga ko'ra, vaqf qilinadigan puldan *muzoraba* amaliyoti orqali foydalanish lozim bo'lgan va olingan daromadni ijtimoiy manfaatlar uchun sarflash kerakligi belgilangan⁶⁵. 1548-yilda Usmoniylar imperiyasi hukmdori Sulton Sulaymon (h. 1520–1566) farmoni asosida pulni vaqf sifatida ta'sis etish rasmiy ravishda joriy qilingan⁶⁶. Keyingi davrlarda pulni vaqf qilish amaliyoti bu hududda rivojlanib borib, ayniqsa 17-yuzyillikda pul vaqfi keng tarqalgan edi.

Pulni vaqf sifatida ta'sis etish haqidagi Arabshohiylar sulolasi davriga oid vaqfnoma hanuzgacha aniqlanmagan. Biroq pul vaqfi bilan bog'liq ko'plab hujjatlar Qo'ng'irotlar hukmronligi davrida tuzilgan. Bu davrga oid vaqfnomalar tahlili, 19-yuzyillik ikkinchi yarmigacha bo'lgan davrda pul vaqfi kam uchraganini ko'rsatadi. Biroq 19-yuzyillik oxiri – 20-yuzyillik boshlariga kelib, pulni vaqf qilish Xorazmda ancha ommalashib, vaqf sifatida ta'sis etiluvchi asosiy mulk turiga aylandi. Xorazmda pul vaqfining umumiy vaqf mulklari tarkibidagi ulushi va mazkur tarixiy davr davomida o'zgarib borish sur'ati ayniqsa muayyan vaqf muassasasi tarixiy faoliyatida yaqqol namoyon bo'ladi. Xususan, Xiva shahridagi Ko'hna Karvonsaroy masjidi vaqfnomasi tarkibida jami 45 ta hujjat mavjud bo'lib, ular xronologik jihatdan 1773–1908-yillarni o'z ichiga oladi⁶⁷. Masjid foydasi uchun pulning vaqf qilinishi 1274-yilning 9-sha'bon/1858-yilning 25-martida rasmiylashtirilgan vaqf hujjatida ilk bora uchraydi. Ungacha bo'lgan muddatda turar-joy, yer maydonlari kabi ko'chmas mulklar vaqfi bilan bog'liq 5 ta hujjat qayd qilingan. E'tiborli jihati, 1858–1892-yillar oralig'ida vaqf mulklari ta'sis etishga oid jami 20 ta vaqf hujjati rasmiylashtirilgan bo'lib, ularning 15 tasini pul vaqfi, qolgan 5 ta hujjatni esa boshqa mulk turlari tashkil etgan. Biroq 1892–1908-yillar davomida vaqf qilingan mulklarning barchasi pul vaqfidan iborat bo'lgan.

Xorazm vohasida pul mablag'larini muayyan turdagi mulk sotib olish sharti bilan vaqf qilish an'anasi ham mavjud bo'lgan. Ushbu holat vaqf huquqida istibdol (*istibdāl*) deb ataluvchi maxsus amaliyotning umumiy xususiyatlarini namoyon etadi⁶⁸. Mazkur atama bir turdagi mulkni boshqasiga almashtirishni ko'zda tutadi.

Pul vaqfi haqidagi Xorazm vaqfnomalari shartida, odatda, ushbu mulk turidan ijara yoki *muzoraba* orqali foydalanish mumkinligi qayd etilgan. O'z navbatida, pul vaqfidan ijara asosida daromad olish keng tarqalgan bo'lib, ushbu amaliyot *bay'-i jāyiz-i shar'ī* shartnomasi orqali rasmiylashtirilgan. Biroq bu turdagi vaqf mulkidan *muzoraba* orqali daromad olish uncha ommalashmagan. Sababi *muzoraba* amaliyotining mazmun-mohiyati tavakkalchilikka asoslangan iqtisodiy sherikchilik munosabatlari bo'lib, ushbu kelishuvda sarmoyador, ya'ni mutavalli tomonidan taqdim etilgan pul mablag'larining yo'qolish xavfi doimo saqlangan. Shu bois,

⁶⁴ Karatas H. The Cash Waqfs Debate of 1545–1548: Anatomy of a Legal Debate at the Age of Suleyman the Lawgiver // *Insan ve Toplum*. 2010. – No. 1. – P. 47.

⁶⁵ Mandeville J. E. Usurious piety: the cash waqf controversy in the Ottoman empire // *International Journal of Middle East Studies*. 1979. Vol. 10, issue 3. – P. 294.

⁶⁶ Karatas H. The Cash Waqfs Debate of 1545–1548: Anatomy of a Legal Debate at the Age of Suleyman the Lawgiver // *Insan ve Toplum*. 2010. – No. 1. – P. 49.

⁶⁷ O'zMA, 323-fond, 1-ro'yxat, 912-yig'majild.

⁶⁸ "Istibdol" arabcha so'z bo'lib, "almashtirish", "ayirboshlash" ma'nolarini bildiradi.

Xorazm vohasida pul vaqflaridan asosan ijara, ya'ni *bay'-i jāyiz-i shar'ī* orqali daromad olish keng tarqalgan edi. Bu amaliyot turi *muzorabaga* nisbatan ancha xavfsiz bo'lib, u orqali, birinchidan, pul vaqfi mablag'lari yo'qolib ketishining oldi olingan, ikkinchidan esa, barqaror daromadga ega bo'lish imkoniyati mavjud bo'lgan.

XULOSA

16–20-yuzyillik boshlari Xorazm vohasi vaqf mulkchiligi tarixining tadqiqi asosida quyidagi xulosalarga kelindi:

1. Xorazm vohasida ta'sis etilgan vaqf mulklari o'sha davrda hududda faoliyat yuritgan madaniy-ijtimoiy muassasalar, jumladan, madrasa, masjid, qorixona, maktab, musofirxona, xonaqoh, maqbara, mozor kabilarni moddiy jihatdan ta'minlagan. Shuningdek, aholining yordamga muhtoj qatlami uchun maxsus oshxonalar faoliyati yo'lga qo'yilib, ular uchun alohida vaqf mulklari ajratilgan. Bundan tashqari, aholi savodxonligini oshirish, diniy marosimlar o'tkazish va aholining ijtimoiy-iqtisodiy ehtiyojini qondirishga qaratilgan turli ko'rinishdagi tadbirlar moddiy asosi ham vaqf resurslari hisobidan shakllantirilgan.

2. 16–20-yuzyillik boshlari Xorazm vohasi vaqf mulkchiligi tarixiga bag'ishlangan tadqiqotlar salmoqli bo'lib, biroq ushbu ilmiy muammoning ko'p jihatlari hanuzgacha yetarli darajada o'rganilmagan. Jumladan, ushbu hudud misolida vaqf institutining so'nggi ikki sulola davridagi rivojlanish dinamikasi, ilmiy muammoning nazariy-huquqiy jihatlari, madaniy-ijtimoiy muassasalar faoliyat yo'nalishlari va vaqf mulklari shakllari, ulardan foydalanish amaliyoti kabi jihatlarni yorituvchi ilmiy izlanishlar olib borilmagan. Rossiya imperiyasi bosqinidan avvalgi va mustamlaka hamda sovet davri tadqiqotlarida imperiya va sovet hukumatining strategik loyiha va madaniy sohadagi siyosati vaqf mavzusidagi tadqiqotlar rivojiga o'z ta'sirini o'tkazdi. Natijada, mavzu tarixshunosligi muayyan yo'nalishlar doirasidagina rivojlandi va ayniqsa sovet davri mafkuraviy ta'siri ko'plab tadqiqotlarga sezilarli ta'sir ko'rsatdi. So'nggi 20-30 yil davomida esa, tadqiqotlar yo'nalishi va mavzular doirasi ancha kengaydi. Xususan, Xorazm vohasi vaqf mulkchiligi jahon tarixshunosligida boshqa mintaqalar misolida qo'llanilayotgan nazariyalar va yangicha yondashuvlar obyektiga aylandi.

3. Birlamchi manbalar, xususan, qo'lyozma asarlar va tarixiy hujjatlar tadqiqoti hamda tahlili Arabshohiylar davriga oid yozma meros namunalari kam saqlanganligini ko'rsatdi. Shunday bo'lsa-da, mavjud manbalar hamda ulardagi bilvosita ma'lumotlarning chog'ishtirma tahlili asosida ushbu sulola davridagi vaqf institutining holati va umumiy manzarasi ochib berildi. Aksincha, Qo'ng'irotlar sulolasi davriga tegishli birlamchi manbalar turli xil bo'lib, ayniqsa, 20-yuzyillik boshlariga kelib ular soni ortib borganini aniqlandi. Ushbu boy va ko'p sonli manbalarning mavjudligi vaqf institutining so'nggi davrlardagi rivojlanish bosqichini birmuncha batafsilroq yoritish imkonini taqdim etdi.

4. Rossiya imperiyasining Turkistonda amalga oshirgan, imperiya manfaatlarini ko'zlovchi turli loyihalari vaqfning hujjatshunoslik an'anasiga ham sezilarli ta'sir ko'rsatdi. Natijada yangi turdagi ish yuritish namunalari, jumladan, vaqf masalasi bilan ham bog'liq qayd daftarlari paydo bo'ldi. Shuningdek, Xiva

xonligida yuzaga kelgan islohotchilik harakatlari ham hujjatshunoslik madaniyatiga o'z ta'sirini bilvosita o'tkazdi.

5. Islom olamida vaqf institutining nazariy-huquqiy asoslari uzoq tarixiy davr mobaynida rivojlanib keldi. Xorazm vohasida vaqf mulkchiligining nazariy-huquqiy jihatlarini ko'p hollarda shariat qonunlari, xususan, Hanafiya mazhabi me'yorlariga tayangan edi. Ayni paytda, tadqiqot jarayonida Xiva xonligida faoliyat yuritgan, vaqf hisobidan doimiy ta'minlangan ayrim turdagi muassasalar vaqf boshqaruvi va xo'jalik shaklida shariat bilan birga, odat me'yorlarining ham amal qilgani hujjatli dalillar asosida tasdiqlandi.

6. Arabshohiylar sulolasi davrida agrar sohada amalga oshirilgan islohotlar natijasida o'zlashtirilgan dehqonchilik hududlari hamda sug'orish tarmoq va inshootlari vaqf mulkchiligi uchun ulkan resurs bo'lib xizmat qilgan. Arabshohiylar sulolasi vakili Abulg'ozixon tomonidan amalga oshirilgan islohot natijasida saroyda mutavallilik instituti shakllandi va u keyingi sulola davrida ham amalda bo'ldi. Xiva xonligidagi mashhur ziyoratgohlar, jumladan, Pahlavon Mahmud maqbara kompleksi va Voris Bobo majmuasi kabilar noziri, ya'ni mutavallisi hukmdor yorlig'i asosida tayinlangani aniqlandi. Bu holat ular faoliyatiga oliy hukumat darajasida e'tibor berilganini ko'rsatadi.

7. Tarixiy hujjatlar tahlili Xorazm vohasida vaqf ta'sis etuvchilar orasida ayollar ulushi sezilarli bo'lganini namoyon etdi. Ayollar nafaqat madaniy-ijtimoiy muassasalarni moddiy jihatdan ta'minlashda, balki ularning qurilishida ham jonbozlik ko'rsatganlar. Ko'p hollarda ayollar vaqf xo'jaligi va mulklar boshqaruvi uchun mas'ul shaxs, mutavalli lavozimiga ham tayinlanganlar. Hatto ular vaqf mulklarining ijarachisi yoki korandasi sifatida vaqfga oid hujjatlarda qayd etilgan. Ushbu holatning mintaqa boshqa hududlari vaqf amaliyotida uchramasligi Xorazm vaqf institutining o'ziga xosligini namoyon etadi.

8. Xorazm ayollarining vaqfdagi ishtirokini o'zlariga tegishli mulklar huquqiy daxlsizligini saqlash, ular vaqfga aylangach esa istagancha tasarruf etish va o'z mulklarining foydalanish huquqini vaqf vositasida xohlagan odamlariga o'tkazishga bo'lgan intilish sifatida ham izohlash mumkin. Vaqf orqali ayollar mulklarini o'zlari istagancha taqsimlash imkoniyatiga ega bo'lganliklari xorijiy tadqiqotchilar tomonidan boshqa musulmon jamiyatlari misolida *ilm-i feroiz*, ya'ni meros taqsimotining shar'iy asoslarini aylanib o'tish vositasi tarzida talqin qilingan.

9. Arabshohiylar sulolasi davrida Xiva shahrida faoliyat yuritgan madrasalar soni 10 taga ham yetmagan bo'lsa, 20-yuzyillik boshida ular soni 60 tadan ortgani holda oliy ta'lim muassasalari yirik tarmog'i yuzaga keldi. Eng ko'p vaqf mulklari, jumladan, yer maydonlariga madrasalar egalik qilgan edi. Xorazm vohasida so'nggi ikki sulola davrida asosan 3 turdagi masjidlar faoliyat yuritgan edi. Masjidlar qoshida odatda boshlang'ich ta'lim beruvchi maktablar faoliyati yo'lga qo'yilgan. Bu holat masjidlarning nafaqat diniy amallar o'tkaziladigan maskan, balki ta'lim tizimining ajralmas bo'g'ini sifatidagi ko'p funksiyali muassasa bo'lganini namoyon etadi.

10. Aholi tomonidan mulklar vaqf sifatida tez-tez ajratilgan muassasalar qatoriga maqbara, mozar va qorixonalar ham kirgan hamda ular ko'pincha yaxlit majmua sifatida shakllanib borgan. Xonlikda vaqf mulklari hisobidan ta'minlangan

oshxonalar va musofirxonalar faoliyati ham yo'lga qo'yilgan edi. Shuningdek, quduqlar qazish va ularning vaqf vositasidagi doimiy ta'minotini yaratish orqali aholining suvga bo'lgan ehtiyoji ta'minlangan.

11. Kam sonli hujjatlarning guvohlik berishicha, Arabshohiyalar hukmronligi davrida vaqf mulklaridan foydalanishda *muzora*'a kelishuvi orqali daromad olish yo'lga qo'yilgan bo'lsa, keyingi sulola davriga kelib, asosan ijara amaliyoti keng joriy qilingan edi. Ikkinchi amaliyot turi ijaraga beruvchi sifatida qatnashuvchi tomon, ya'ni madaniy-ijtimoiy muassasalar uchun ancha foydali bo'lib, u orqali daromad manbaining doimiyligi va barqarorligi ta'minlangan.

12. Turkiston mintaqasida vaqf yerlarini 70-90 yilgacha uzoq muddatli ijara asosida foydalanishga berish amaliyoti Xiva xonligida mavjud bo'lib, Buxoro yoki Qo'qon xonliklariga oid bu turdagi ijara hujjatlari hozirgacha aniqlanmagan. Uzoq muddatli ijara kelishuvi ijaraga oluvchi shaxs uchun ham manfaatli bo'lib, u amalda mulkka nisbatan abadiy foydalanish huquqini qo'lga kiritgan.

13. Xorazm vohasida so'nggi ikki sulola davrida vaqf mulkchiligida yuz bergan katta o'zgarishlardan biri, bu – pul vaqfining vaqf mulklari tizimida sekin-asta paydo bo'lib, 19-yuzyillik oxiri – 20-yuzyillik boshida juda tez suratlarda ommalashgani holda vaqf qilinadigan asosiy mulk turiga aylanishi bo'ldi. Pul vaqfidan, juda oz sonli *muzoraba* kelishuvlarini inobatga olmaganda, asosan *bay*'-i joyiz shartnomasi orqali daromad olish yo'lga qo'yilgan edi.

Tadqiqot yakunida qo'lga kiritilgan ilmiy xulosalar asosida quyidagi **taklif** va **tavsiyalar** ishlab chiqildi:

1. Turkiston, jumladan, Buxoro xonligi (amirligi) hamda Qo'qon va Xiva xonliklari vaqf institutining tadrijiy rivojlanish tarixi, uning o'ziga xos xususiyatlarini ochib beruvchi hamda vaqf mulkchiligining siyosiy, ijtimoiy-iqtisodiy va madaniy munosabatlarga ta'sirini aks ettiruvchi fundamental tadqiqotni nashr etish lozim. Bu orqali mintaqadagi vaqf institutining tarixiy ahamiyatini nafaqat ilmiy jamaotchilikka, balki keng ommaga yetkazish imkoniyati yaratiladi;

2. oliy o'quv yurtlarida vaqf mulkchiligining manbashunosligi, xususan, tarixiy hujjatshunoslik bo'yicha maxsus kurslar tashkil etish hamda mazkur masala yuzasidan darslik va o'quv qo'llanmalar chop etish tavsiya etiladi;

3. islomshunoslik yo'nalishi mavjud ta'lim muassasalari uchun vaqf mulkchiligining huquqiy asoslari, turli mazhablardagi amaliyotini aks ettiruvchi tarixiy hujjatlar katalogi va xrestomatiya chop etish maqsadga muvofiq;

4. Xiva shahrining "Ichon-qal'a" tarixiy-me'moriy muzey-qo'riqxonasi tarkibidagi madaniy-tarixiy obidalarining tarixiy joylashuvi, qurilish tarixi, homiylari haqidagi ma'lumotlar bazasini shakllantirish hamda tarixiy-me'moriy kompozitsiyasi noma'lum bo'lgan obidalarni aniqlab, ularning tarixiy o'rinlarini ishonchli ma'lumotlar asosida qayta tiklash, shuningdek, mazkur madaniy-tarixiy yodgorliklarni O'zbekiston Respublikasi Madaniy meros agentligining yagona reyestriga kiritish, mavjudlari haqidagi ma'lumotlarni boyitishga ko'maklashish maqsadga muvofiq;

5. “Vaqf” xayriya jamoat fondining faoliyatini ushbu tadqiqot ma’lumotlari, ilmiy xulosa va natijalari asosida qayta ko‘rib chiqish, boy tarixiy tajribaga tayangan holda uning jamiyatdagi mavqeini yanada oshirish, faoliyatini takomillashtirish va fondning istiqboldagi yo‘nalishlar strategiyasini aniqlab olish tavsiya etiladi.
-

**SCIENTIFIC COUNCIL AWARDING SCIENTIFIC DEGREES
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THE INSTITUTE OF HISTORY

QAHRAMON KARIMDJANOVICH YAKUBOV

HISTORY OF WAQF IN THE OASIS OF KHOREZM (1511–1920)

**07.00.01 – History of Uzbekistan,
07.00.08 – Historiography, source studies and historical research methods**

**ABSTRACT OF DOCTORAL (DSc) DISSERTATION
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Chairman of Scientific seminar under Scientific Council on awarding academic degrees, Doctor of historical sciences

INTRODUCTION (annotation of doctoral (DSc) dissertation)

The relevance and necessity of the dissertation topic. Nowadays, various charitable organizations and foundations serve as the main financial driving force behind the achievements in the cultural and educational sphere in the world, particularly in the advancement of science and new scientific discoveries. In turn, historical experience plays an important role in creating the necessary conditions for the development of science in our country and especially for creating its material and financial underpinnings. One must thus recognize the historically unparalleled role and function of the waqf institution, which emerged as a result of donations and noble deeds, in the positive changes that have occurred in the cultural life of the region.

As a result of scientific research conducted at leading educational and scientific research institutions in the world, certain aspects of the source study of waqf ownership in the oasis of Khorezm, the madrasa education system, and role of the waqf as a political tool have been highlighted, particularly with regard to the legitimacy of power and the material basis for staffing the administrative-bureaucratic apparatus, and the rapid development of monetary waqf in this region under the influence of the global economy. However, various other issues have remained largely ignored by specialists: these include the gradual development of waqf during the last two dynasties of the Khivan Khanate, the classification and significance of primary sources related to waqf, the theoretical and legal aspects of waqf, the participation of women in waqf relations, the areas of activity of cultural and social institutions, their administrative and economic management, and the types of waqf properties and the basis for their use. The study of waqf allows us to identify not only the procedure for the functioning of the waqf institution, but also the factors that led to the positive changes that occurred in the field of science, culture and art in our country, including the laying of the foundations of the first and second Renaissance. Therefore, the topic of the history of waqf is of urgent importance in the study of economic and social relations, along with the cultural and historical processes that took place in our region.

Manuscripts and historical documents written in Arabic, Persian, and Turkic languages, which are considered primary sources in the study and reconstruction of the history of Uzbekistan, are valuable written monuments. It is of particular note that the government is paying attention to such important tasks as preserving these types of resources and bringing them to the attention of the general public, especially young people, through the study of the rich scientific and cultural heritage reflected in them⁶⁹. The relevance of the chosen scientific topic is hereby demonstrated by the possibility of studying the history of waqf ownership in the oasis of Khorezm based on primary sources written in oriental languages, identifying the historical roots of noble deeds such as charity, doing good, and showing generosity that are embedded

⁶⁹ Resolutions of the President of the Republic of Uzbekistan No. PQ-2995 dated May 24, 2017 "On measures to further improve the system of preservation, research and promotion of ancient written sources" and No. PQ-126 dated February 10, 2022 "On additional measures to improve the system of preservation and research of ancient written sources".

in the minds and consciousness of our people, and thereby reviving and promoting our rich cultural heritage.

The present study will to a certain extent facilitate the implementation of the tasks set out in the Decree of the President of the Republic of Uzbekistan No. PF-60 dated January 28, 2022 “On the Development Strategy of New Uzbekistan for 2022–2026” and other regulatory legal documents in the field. Moreover, among the large-scale reforms implemented in recent years, the establishment of the “Vaqf” charitable public fund in accordance with the Decree of the President of the Republic of Uzbekistan No. PF-5416 dated April 16, 2018 “On measures to radically improve the activities of the religious and educational sphere” was an important step towards the restoration of the constituent parts of our religious and cultural heritage, which had been forgotten for almost 100 years. This dissertation research is of particular practical importance in further developing the activities of this public foundation and improving its future working mechanism.

Compliance of the study with priority areas for the development of science and technologies of the Republic of Uzbekistan. The dissertation was completed within the framework of the priority direction of the development of science and technology of the republic I. “Formation of a system of innovative ideas and ways of their implementation in the social, legal, economic, cultural, spiritual and educational development of an informed society and a democratic state”.

Review of foreign research on the topic of the dissertation⁷⁰. Scientific research on the history of waqf in the Khorezmian oasis is being conducted at leading scientific institutions and higher education institutions around the world, notably New York University (New York, USA), the Centre for Research on the Iranian World (Paris, France), the Institute of Iranian Studies of the Austrian Academy of Sciences (Vienna, Austria), Erciyes University (Kayseri, Turkey), and the American University of Sharjah (Sharjah, United Arab Emirates).

To date, the following scientific results have been obtained on the history of waqf institution in Khorezm: research has established the history of the creation of historical document funds related to the archival documents of the Khivan Khanate of the 19th century, including the history of the transfer of waqf deeds from St. Petersburg, Russia, to Tashkent and their inclusion in one of the funds of the National Archive of Uzbekistan (Department of Middle Eastern and Islamic Studies, College of Arts and Sciences, New York, USA); drawing on the waqf deed of the Fazil Biy madrasa located in the fortress of Khiva, insights have been offered into the waqf administration of this institution, the rights and obligations of the madrasa staff and students, the educational process, curricula and textbooks, and the considerations that motivated the Qonghrat dynast Fazil Biy to build the madrasa, with particular reference to the theory of “legitimation” (Centre for Research on the Iranian World, Paris, France); research has considered the economic factors that influenced the increase in monetary donations in the Khanate of Khiva and the behavior of donors, whose main goal was to obtain merit, as reflected in the terms

⁷⁰The review of foreign research on the dissertation was prepared based on <https://as.nyu.edu>, <https://cermi.cnrs.fr>, <http://www.oeaw.ac.at>, <https://www.erciyes.edu.tr>, <https://www.aus.edu> and other sources.

of waqf deeds of neighborhood mosques (Institute of Iranian Studies of the Austrian Academy of Sciences, Vienna, Austria); the increase in the construction of madrasas in the Khivan Khanate has been conceptualized as an integral part of the Qonghrat administration and a means of satisfying the state apparatus's need for personnel (Institute of Iranian Studies of the Austrian Academy of Sciences, Vienna, Austria); a narrative has been constructed for the building history, architecture and endowment properties of cultural and social institutions built during the reign of the last two dynasties – the Arabshahids and the Qonghrats – in the oasis of Khorezm, with particular reference to the history of five mosques (Faculty of Literature, Department of Art History, Erciyes University, Kayseri, Turkey); and research has considered the sharp increase in the process of establishing money as a waqf in the Khivan Khanate during the 19th century and the factors that influenced it, in particular, in the context of the impact of global industrial capitalism on the khanate's economy (College of Arts and Sciences, American University of Sharjah, Sharjah, United Arab Emirates).

The following priority areas of research are being conducted around the world into the history of Khorezm in the 16th–early 20th centuries: the administrative system of the Qonghrat dynasty of the Khivan Khanate and the role of the *yasāvulbāshi* in it, the state of the culture of documentary studies, the role of representatives of the Sufi order in the context of knowledge and power relationship, the history of slavery and its situation in the country, etc.

The degree of research of the problem. The historiography of waqf in Khorezm in the 16th–early 20th centuries can be illuminated in two ways. First, the traditional historical-periodic approach, which is characteristic of most existing studies:

- 1) studies created before the conquest of the Khivan Khanate by the Russian Empire and during the period of imperial colonization;
- 2) works of specialists of the Soviet era;
- 3) publications produced by scientists after the proclamation of independence.

Secondly, the scientific works published on the topic can be studied by grouping them in terms of problematic and thematic relevance. It should be noted that the present study aims to apply these two approaches together and to consider the works created so far on the scientific problem in a problematic analysis at each periodic stage (Detailed reflections and conclusions on the state of historiography and its dynamics are included in Chapter I of the dissertation).

The connection of the research with the plans of scientific research work of the scientific organization where the dissertation was completed. The present dissertation was completed in accordance with the scientific research plan of the Institute of History of the Academy of Sciences of the Republic of Uzbekistan under the practical project PZ 20170921162: “Medicine and folk medicine in Turkestan in the late 19th - early 20th centuries (systematization and study of lithographic works in Persian and Turkic languages, archival documents and periodical press materials)” and within the framework of the innovation project I-FA-201925 “Creation of SMART technologies based on research on the history of cities in Khorezm, cultural heritage, monuments and works of art” in collaboration with the

Institute of History of the Academy of Sciences of the Republic of Uzbekistan and the Khorezm Mam'un Academy.

The purpose of the research is to reveal the place of waqf in Khorezm in the history of the political, economic, and cultural-social relations system of Turkestan in the 16th–early 20th centuries, based on primary sources, particularly historical documents.

The objectives of the research:

to determine the stages of development of the historiography on the waqf in the Khorezmian oasis, the state of the art and the scope of current research directions;

to classify primary sources on waqf ownership and reveal their scientific significance, and to analyze the changes that have occurred in the tradition of documentary studies;

to study the history of the origin of waqf, the formation of its theoretical and legal basis, and its practice in the case of Khorezm;

to determine the impact of political changes in the Khorezmian oasis and the impact of large-scale state projects that have begun to be implemented on the waqf institution;

to reveal the social composition of the donors (sing. *wāqif*) and the motivations that women pursued in establishing waqfs, as well as their participation in waqf relations;

to identify the types of activities of cultural and social institutions, and to study the mechanism of operation of waqf management and economy, as well as the procedure for the distribution of waqf revenues;

to determine and analyze the types of waqf properties and theoretical and legal guidelines for their use, as well as the specifics of their implementation.

The history of waqf in Khorezm in the 16th–early 20th centuries has been taken as **the object of the research**.

The subject of the research is the legal basis of waqf ownership in Khorezm and its specific practice, the impact of political events in the country on waqf institution, the issue of gender in the context of waqf, cultural and social institutions and their activities, the various types of waqf properties, and the procedure for generating income from their use.

Research methods. Various different methods such as diachronic, synchronic, content analysis, comparative analysis, quantitative analysis, holistic analysis, and statistical analysis have been used in the dissertation.

The scientific novelty of the research is as follows:

it is revealed that as a result of the impact of the colonial system on the culture of documentation and office administration, registration numbers were used in the preparation of court records and various notarial documents, and that this change led to the systematization of procedures;

it is illustrated that there was a link between the waqf institution and the central government, in particular the introduction of the position of an administrator, i.e. a *mutawallī* at the court, who oversaw waqf affairs during the reign of the Arabshahid and the Qonghrat dynasties, and the practice of rulers' appointing *mutawallīs* to the tombs of famous scholars (*'ulamā'*);

it is established that women in Khorezm actively participated in endowment relations as donor, *mutawallī*, and even as *kāranda*, that is, tenant, and that women gained new economic opportunities based on the financial management of property and the rights to dispose of it with the help of waqf;

it is revealed that the areas of activity, staff composition, and economic management of cultural and social institutions (madrasas, mosques, schools, Sufi lodges (*khānaqāhs*), mausoleums, the premises of Quran reciters (*qārīkhānas*)) and hydraulic structures (systems of wells) are often reflected in endowment deeds, and that the wishes of the person making the endowment were taken into prime consideration in the process of determination of these issues;

it is established that during the reign of the Arabshahids, the utilization of cultivated waqf lands was mainly based on the contract of *muzāraʿa*, i.e. the distribution of harvested crops according to a fixed share, while by the time of the Qonghrat dynasty, the share of the waqf depended not on the actual harvest but on a predetermined amount, and the generation of income by means of a lease contract became widespread as it was more beneficial for cultural and social institutions.

The practical results of the study. During the research, endowment deeds (about 2,000) on the history of waqf in the Khanate of Khiva, ruler's edicts on the appointment of a *mutawallī* (6), *fatāwā* documents on waqf (5), lease agreements on waqf assets (60), documents on the sale of waqf property by mortgage (*bayʿ-i jāʿiz*) (about 1500), appeals (*maḥḍar*) on the issue of waqf (more than 30), documents on the sale (*bayʿ-i bātt*) of waqf assets (more than 200), and waqf registers, which detail the staff of cultural and social institutions in the Khivan Khanate, endowment properties, and their distribution, as well as the judicial *daftars*, i.e., record books, which contain notarial acts of various contents related to the issue of endowments, that are stored in the National Archive of Uzbekistan and the Khiva State Historical and Architectural Museum-Reserve "Ichan-qalʿa", the Abu Rayhan Biruni Institute of Oriental Studies of the Academy of Sciences of the Republic of Uzbekistan, the Institute of Oriental Manuscripts of the Russian Academy of Sciences (St. Petersburg), the National Library of Russia, and private funds, were identified, and most of them were introduced into scientific circulation for the first time.

The reliability of the research results. The dissertation is characterized by the use of approaches and methods utilized in modern historical science, the coverage of scientific issues based on historical documents and works written in various genres, primary sources stored in the republic and in foreign countries, as well as private archives, the implementation of conclusions, proposals, and recommendations in practice, and the approval of the results obtained by authorized bodies.

Scientific and practical significance of research results. The scientific significance of the dissertation results consists in the formation of new scientific and theoretical knowledge about the gradual development of waqf ownership in our region, in particular, in the oasis of Khorezm, and, in general, about the historical activities of the waqf institution, property relations, and the history of tax and education systems, introduction of historical documents and manuscripts into scientific circulation and the presentation of new scientific conclusions.

The practical significance of the research is determined by the fact that it serves to ensure the implementation of state programs for the study of the economic, cultural and social history of the Turkestan region, the formation and enrichment of expositions in state and regional museums and various other institutions, and the creation of textbooks and manuals in the areas of historical source studies and Islamic studies in institutions of the higher education system.

Implementation of the research results. Based on the scientific findings and proposals developed as a result of the study on the history of the waqf institution in the Khivan Khanate in the 16th–early 20th centuries:

information on the utilization of registration numbers in the preparation of court records and various notarial documents as a result of the impact of the colonial system on the culture of documentation and office administration that eventually led to the systematization of office procedures, has been used within the framework of the international project “Seeing Like an Archive: Documents and Forms of Governance in Islamic Central Asia” at the Institute of Iranian Studies of the Austrian Academy of Sciences (reference from the Institute of Iranian Studies of the Austrian Academy of Sciences, April 8, 2024). Based on the transcription of these unique historical documents, the creation of their digital copies has provided researchers with an excellent opportunity to understand the internal structure of waqf documents and changes in the textual composition, and to study the political, socio-economic and cultural history of the Khorezmian oasis;

details attesting to a link between the waqf institution and the central government, in particular the introduction of the position of an administrator, i.e. a *mutawallī* at the court, who oversaw the waqf affairs during the reign of the Arabshahid and the Qonghrat dynasties, and the practice of appointing *mutawallī* by rulers to the tombs of famous scholars (*‘ulamā’*) have been used in the innovative project No. IFA-201925 “Creation of SMART technologies based on the study of the history, cultural heritage, monuments and works of art of the cities of Khorezm” and project No. PZ-20170921162 “Medicine and traditional medicine in Turkestan in the late 19th–early 20th centuries (systematization and study of lithographic works in Persian and Turkic languages, archival documents and periodicals)” (certificate of the Academy of Sciences of the Republic of Uzbekistan No. 3/1255-2281 dated October 14, 2024). The result of the study is new insight into the mechanism of operation of madrassas, mosques, mausoleums and shrines, their activities (with the help of waqf assets) and the education system based on the conditions of historical documents, as well as the identification of the main role of the state, and not individuals, in the formation and functioning of modern communication institutions, roads, bridges and social infrastructure facilities;

information about the active participation of women of Khorezm in endowment relations as donor, *mutawallī*, and even as *kārandā* (tenant), and about how women gained new economic opportunities based on the financial management of property and the rights to dispose of it with the help of waqf, has been used within the framework of the innovative project No. IFA-201925 “Creation of SMART technologies based on the study of the history, cultural heritage, monuments and works of art of the cities of Khorezm” (certificate of the Academy of Sciences of the

Republic of Uzbekistan No. 3/1255-2281 dated October 14, 2024). These findings indicate that women played a significant role in the establishment of mosques, mausoleums, and *qārīkhānas*, as well as in their economic activities, and thus allow us more generally to reconstruct women's role in the economic and social life of the Khanate;

information such as the areas of activity, staff composition, and economic management of cultural and social institutions (madrasas, mosques, schools, Sufi lodges (*khānaqāhs*), mausoleums, the premises of Quran reciters (*qārīkhānas*)) and hydraulic structures (systems of wells) are often reflected in endowment deeds, and the fact that the wishes of the person making the endowment were taken into prime consideration in the process of determination of these issues, has been utilized in the "Age Khiva" project of the Digital Development Department under the Administration of Tashkent City *Khokimiyat* (certificate of the administration of the Tashkent City *Khokimiyat* of the Republic of Uzbekistan No. 10-731 dated December 12, 2023). This information has served as an important source base for the creation of a special website reflecting the history of the city of Khiva, including the activities of architectural monuments that functioned drawing on the income from waqf properties;

details about how during the reign of the Arabshahids, the utilization of cultivated waqf lands was mainly based on the contract of *muzāra'a*, i.e. the distribution of the harvested crops according to a fixed share, while by the time of the Qonghrat dynasty, the share of the waqf depended not on the actual harvest but on a predetermined amount, and the generation of income by means of a lease contract became widespread as it was more beneficial for cultural and social institutions, have been used in the preparation of the script for the TV show "Tarixiy savol" (reference No. 01-44-375 of the state institution "O'zbekiston teleradiokanali" of the national television and radio company of Uzbekistan dated October 31, 2024). These issues, in addition to revealing the basics of utilization of waqf assets, have made it possible to obtain detailed information about the evolutionary processes in the gradual development of historical documents, in particular, the emergence of new types of documents, changes in the language of documents, and the procedure and practice of using waqf properties.

Approbation of the research results. The research results were presented and discussed at 13 scientific conferences, including 7 international and 5 national scientific and practical conferences in Turkey (Kastamonu), Great Britain (Oxford), Germany (Bamberg), France (Paris), Tajikistan (Panjikent), and the Netherlands (Leiden).

Publication of research results. A total of 22 scientific works have been published on the topic of the doctoral dissertation. These include 1 monograph and 11 articles in scientific publications recommended for publication by the Supreme Attestation Commission under the Ministry of Higher Education, Science and Innovation of the Republic of Uzbekistan on the main results of doctoral dissertations, including 2 in foreign journals.

The structure and scope of the dissertation. The dissertation consists of an introduction, four chapters, a conclusion, a list of utilized primary sources and

secondary literature, and appendices. The research section of the dissertation comprises 242 pages.

THE MAIN CONTENT OF THE DISSERTATION

The introduction section of the dissertation justifies the relevance and necessity of the dissertation topic, describes how the research pertains to the priority areas of development of science and technology in the republic, provides a review of foreign scientific research, considers how far the problem has hitherto been discussed, shows how the research connects to the research plans of the research institution where the dissertation was completed, indicates the purpose, objectives, object and subject of the research, outlines its scientific research methods, and provides information on the scientific novelty of the work, its practical results, and the reliability of said results, plus their scientific and practical significance, their implementation, approval and publication, and the structure of the dissertation.

The first chapter of the dissertation, entitled **“Historiography and source studies of waqf in the Khorezmian oasis in the 16th–early 20th centuries”**, analyzes the historiography of the topic, in particular, the state of research on the waqf issue at each historical stage, the factors that influenced the development of a particular scientific direction, as well as the types of manuscripts and historical documents that cover the waqf issue, their classification, and the impact of the colonial administration system on the tradition of waqf documentation.

The first section of this chapter, entitled ***“Theoretical and conceptual basis of the study of the history of waqf ownership in the Khorezmian oasis”***, focuses on the gradual development of the historiography of the subject, especially new approaches and theories, which are reflected mainly in foreign studies in recent years. The historiography of waqf in Khorezm in the period under study can be illuminated from two perspectives: historical-chronological and conceptual. The aim of this research is to apply these two approaches together and examine the publications created so far on the topic, analysing them in terms of the problematic approach at each periodic stage. Scholarship on the waqf in the Khorezmian oasis can be chronologically divided into the following groups: 1) works produced before the Russian invasion of the Khivan Khanate and during the colonial period; 2) scientific publications of specialists from the Soviet era; 3) works published by scientists during the years of independence. Also, in most studies, this traditional periodical classification usually includes scientific research of foreign specialists in a separate group, although they do not correspond to the chronological principle of historiography. However, in this study, the works of foreign authors are analysed within each historical stage.

Publications before the conquest of the Khivan Khanate by the Russian Empire and during the imperial colonial period were mostly the work of foreign specialists. In particular, these studies were often carried out by representatives of the Russian Empire and were written in the style of travelling notes, reports and military statistical accounts. In turn, accumulation of knowledge during this period was also mirrored in other eastern regions. In the world at large, western colonial policies

encompassed some eastern countries, and as a result, along with various factors, *colonial knowledge*⁷¹ began to emerge. In particular, as Russia became a major empire and expanded eastwards, it began to comprehensively study and gather information about neighbouring countries, particularly the Khanate of Khiva, as well as other principalities in the region. As a result, studies have emerged that shed light on some aspects of the waqf ownership in the Khivan Khanate, among other issues. They conventionally reflected two types of information: 1) studies that, while describing the historical appearance of the khanate cities, often provide fragmentary and limited information about the state of cultural and social institutions provided from the income of the endowment; 2) studies that present statistical records of waqf, sometimes reflecting some aspects of the administration and economic management of the endowment. These two types of studies often show a negative assessment of the role of Islam in the region and the activities of religious institutions and scholars. This specific ‘evaluation’ by foreign experts has been observed in the case of other Eastern countries as well, and this bias is known in academic circles as the theory of ‘Orientalism’⁷².

The initial stage of formation of *the first group* of studies coincided with the period of rule of the Arabshahid dynasty of the Khivan Khanate. Starting from the 16th century, foreign travellers, particularly English and Russian diplomats and military officials, often visited the khanate for intelligence purposes in order to study the country as fully as possible. Among them, the information collected by A.Jenkinson and F.Beneveni shed light on some aspects of the waqf institution⁷³. In later periods, D.Gladyshev, I.Muravin, D.Rukavkin, N.Murav’ev, Muhammad Ali Khan Ghafur, Rizoqulikhon Hidoyat, N.Ignat’ev, F.Basiner, A.Vambery, A.L.Kun, J.A.MacGahan, H.Lansdell, and others visited Khorezm⁷⁴. These studies included

⁷¹ See more about this: Bayly, C.A. *Empire and Information*. Cambridge: Cambridge University Press, 1996; Dirks, N.B. “Foreword.” In *Colonialism and Its Forms of Knowledge: The British in India*. Princeton: Princeton University Press, 1996: ix–xviii; Ballantyne, T. “Colonial Knowledge.” In *The British Empire: Themes and Perspectives*, edited by Sarah Stockwell. Oxford: Blackwell Publishers, 2008: 177–198; Stoler, A.L. *Along the Archival Grain: Epistemic Anxieties and Colonial Common Sense*. Princeton: Princeton University Press, 2009; Wagner, K., and Roque, R. “Introduction: Engaging Colonial Knowledge.” In *Engaging Colonial Knowledge: Reading European Archives in World History*, edited by K.Wagner and R.Roque. Basingstoke: Palgrave Macmillan, 2012: 1–34; Slight, J. “British Colonial Knowledge and the Hajj in the Age of Empire.” In *The Hajj and Europe in the Age of Empire*, edited by U.Ryad. Leiden: Brill, 2017: 81–111 and others.

⁷² The assertion by Westerners that only they, i.e. Westerners, can portray the East, which in the Western imagination is considered “other,” in their coverage of Eastern culture and history is a claim assertion that expresses selfishness and contempt. In general, for a detailed discussion of the content and forms of “Orientalism” as a postcolonial theory, see: Said, E.W. *Orientalism*. New York: Pantheon Books, 1978: 4–9.

⁷³ Dzenkinson, A. *Puteshestvie v Sredniuiu Aziyu v 1558–1560 gg.* In *Angliiskie puteshestvenniki v Moskovskom gosudarstve v XVI veke*. Leningrad, 1937: 178; *Poslannik Petra I na Vostoke. Posol'stvo Florio Beneveni v Persiiu i Bukhary v 1718–1725 godakh*. AN SSSR, Institut Vostokovedeniia. Ed. N.A. Kuznetsova et al. Chief ed. N.A. Khalfin; prep. text, intro. article and commentary by V.G. Volovnikova. Moscow: Nauka, 1986: 131.

⁷⁴ Khanikov, Ia.V. *Poezdka iz Orska v Khivu i obratno, sovershennaia v 1740–1741 godakh Gladyshevym i Muravinyam*. St. Petersburg, 1851; Rukavkin, D. “Opisanie puti ot Orenburga k Khive i Bukharam s prinaldezhashchimi obstoiatel'stvami byvshego pri otpravlennom v 1753 g. iz Orenburga v te mesta kupecheskom karavane samarskogo kuptsa Danily Rukavkina.” *Moskovskii liubopytnyi mesiatseslov na 1776 god*. Moscow, 1776: 203–216; Murav’ev, N. *Puteshestvie v Turkmeniiu i Khivu v 1819–1820 gg. gvardeiskogo gen. shtaba-kapitana Nikolaia Murav’eva, poslannogo v sii strany dlia peregovorov*. Part I. Moscow, 1822. 179 pp. Part II. 144 pp., 1 l. map. (Map to the journey of Captain Murav’ev from Tiflis to Khiva, 1819); *Xorazm safari kundaliklari*. Ed. Sh.Vokhidov. Tashkent: Yangi asr avlodi, 2009; Ignat’ev, N. *Missiia v Khivu i Bukharu v 1858 godu*. St. Petersburg, 1897.

brief notes on the number of madrasas, mosques, mausoleums, etc., located in the city of Khiva and sometimes in other cities of the khanate, as well as on the educational system and material provision of madrasas.

By the turn of the 20th century there was a change in the activities of the Russian Empire, as moves were made to examine the Amu-Darya Department and the Khanate of Khiva. Now, by organising special expeditions to the oasis of Khorezm, the previously available general information was thoroughly studied, their statistical accounting was carried out, the range of issues was expanded, and the aspects hitherto left unattended were explored separately. As a result, statistics on the number of waqf institutions and some of the properties owned by them in different regions were obtained. These studies can be considered as publications belonging to *the second group*⁷⁵.

In the Soviet period, the history of the waqf property of the Khivan Khanate was studied by such authors as P.P.Ivanov, A.Boltaev, F.I.Rubinshtein, M.Y.Yo‘ldoshev, A.Koshchanov, Yu.E.Bregel’, V.A.Bulatova, I.I.Notkin, L.Y.Mankovskaya, and A.O.Shaikhova⁷⁶. In this period, the scholarship on the waqf institution in Khorezm, as in the early stages of historiography, was limited to the history of the Qonghrat period. In these studies, the issues of waqf were examined mainly in three directions: 1) the socio-economic history of the khanate, in particular the system of land tenure and agrarian relations; 2) the history and architecture of monument construction; 3) issues directly related to waqf institution, in particular endowment rent and cash waqf. The study of waqf in these areas during this period was greatly influenced by the specific historiographical tradition formed during the Soviet period. In particular, historical research in the period was conducted mainly within the framework of the Marxist-Leninist doctrine, and, as a consequence, the interpretation of historical processes was based on this doctrine. The content of this type of work was assessed as a *presentist* approach. Although some scientific research was devoted to the study of archival materials and historical documents, in most cases their analysis and interpretation used specific ‘labels’, ‘syntactic

⁷⁵ O‘zbekiston Milliy arxivi (National Archive of Uzbekistan, hereafter O‘zMA), f. I-125, op. 2, d. 33, ll. 4–4ob. [Abbreviations used in references to Russian archives: f. (fond): holding; op. (opis’): inventory; d. (delo): file; l. (list): sheet; ob. (oborot): verso.]; *Voенно-statisticheskoe opisaniye Khivinskogo oazisa*, sostavlennoye General’nogo shtaba kapitanom Girshfeldom, pererabotannoe nachal’nikom Amu-Dar’inskogo otdela general-maiorom Galkinym. Tashkent, 1902–1903. Part 1, 1902: 248 pp.; Part 2, 1903: 214 pp.; Lobachevskii, V. *Khivinskii raion. Voенно-statisticheskoe opisaniye Turkestanskogo voennogo okruga*. Tashkent, 1912: 117 pp.

⁷⁶ Ivanov, P.P. *Arkhiv khivinskikh khanov XIX veka. Issledovanie i opisaniye dokumentov s istoricheskim vvedeniem*. Leningrad, 1940: 289 pp.; Bältayif, ‘Abdullah. *Khawārazm tārikhiga matir’iallar*. Khiva, 1950. O‘zbekiston Respublikasi Fanlar akademiyasi Sharqshunoslik instituti (Institute of Oriental Studies of the Academy of Sciences of the Republic of Uzbekistan, hereafter O‘zRFASHI), ms. no. 9320; Idem. *Khīwā isdālīklārī*. O‘zRFASHI, ms. no. 11645; Rubinshtein, F.I. “Neskol’ko khivinskikh aktov. Materialy k istorii Khivy polukolonial’nogo perioda.” *Izvestiia AN UzSSR*, no. 2 (1951): 69–74; Yo‘ldoshev, M.I. *Xiva xonligida feodal yer egaligi va davlat tuzilishi*. Tashkent: O‘zbekiston SSR davlat nashriyoti, 1959: 362 pp.; Koshchanov, A. *Iz istorii agrarnykh otnoshenii v khivinskom khanstve v kontse XIX–nachale XX vv.* PhD diss., Tashkent, 1966; Bregel’, Yu.E. “Arkhiv khivinskikh khanov (predvaritel’nyi obzor novykh dokumentov).” *Narody Azii i Afriki*, no. 1 (1966): 67–76; Bulatova, V.A., and Notkin, I.I. *Xiva obidarlari = Arkhitekturnye pamiatniki Khivy*. Ed. Ia.G. Guliamov. Tashkent: Uzbekistan, 1972; Mankovskaia, L., and Bulatova, V. *Pamiatniki zodchestva Khorezma*. Tashkent: Izdatel’svo literatury i iskusstva imeni Gafura Guliyama, 1978; *Khiva: Al’bom*. Comp. and text by L.Iu. Mankovskaia. Parallel texts in Russian, English, Uzbek, and Arabic. Tashkent: Izdatel’svo literatury i iskusstva imeni Gafura Guliyama, 1982; Shaikhova, A. “Dokumenty ob arende vakufnykh zemel’ v Khivinskom khanstve XIX – nachala XX veka.” *Obshchestvennye nauki v Uzbekistane*, no. 1 (1986): 48–51.

constructions', 'model phrases' and, in general, ideological stamps that emerged on the basis of the Soviet ideology⁷⁷. In turn, special studies on the operation of the waqf institution in an atheistic regime could not focus on jurisprudential issues.

During the years of independence, a number of studies have been conducted on the history of waqf ownership, including the source study of waqf deeds and documents related to waqf from the Khivan Khanate, the history of agrarian relations, the activities of cultural and public institutions, book endowments and cash waqfs, and the history of the liquidation of waqf property⁷⁸. Attention has been paid also to the issue of waqf in the study of epigraphy of architectural monuments⁷⁹. In general, most studies of this period have been written in a positivist vein, thus continuing the traditions of previous periods in historiography. In recent years, the history of the waqf ownership of the Khivan Khanate has become a topic that has attracted the attention of foreign specialists. In particular, scholars such as F.Schwarz, M.Szuppe and P.Sartori have made a great contribution to the development of the historiography of waqf with their scientific research⁸⁰. These studies show that during the period of the Qonghrat dynasty in the Khivan Khanate, the cash waqf emerged and proliferated as a result of external cultural and economic influences, and the purpose of building madrasas was to satisfy political need that was explained by the concept of "legitimation" and to fulfill office staff for organizing administrative management.

In the second section of the first chapter, entitled ***"Primary sources related to the history of the issue and the influence of the colonial system of governance on culture of documentation,"*** examines primary sources on the topic, divided into two large groups: *manuscripts* and *historical documents*. Information on the history of the waqf institution is mainly available in three types of manuscripts: historical accounts, manuscripts written in the bibliographical dictionary or prosopographic style, and collections of *jung*.

⁷⁷ However, Yu.E. Bregel's scientific publications almost never used ideological clichés typical of Soviet ideology.

⁷⁸ Jalilov, O. "Xazinamizdagi Xeva vaqf hujjatlari." *Sharqshunoslik*, no. 4 (1993): 62–71; Idem. "Xiva madrasalari va ularning iqtisodiy ta'minoti haqidagi hujjatlar." *Sharqshunoslik*, no. 8 (1997): 122–133; Jabarova, Kh. I. "Vakfnye gramoty kak istochnik po izucheniiu agrarnykh otnoshenii Khivinskogo khanstva XVII – nachala XX v." *Materialy Mezhdunarodnoi nauchnoi studencheskoi konferentsii. Vostokovedenie*. Novosibirsk, 2003: 14–15; Karimov, E.E. *Kubraviyskiy vakf XVIII–XIX vv.: Pismennye istochniki po istorii sufiyskogo bratstva Kubraviya v Srednei Azii*. Tashkent: Fan, 2008: 279 pp.; Abdurasulov, U. A. *Zemel'nye otnosheniia v Khivinskom khanstve vo vtoroi polovine XVIII – pervoi chetverti XIX veka*. PhD diss., Tashkent, 2008: 182 pp.; Alimov, I. *O'zbekistonda vaqf mulklarining tugatilishi (1917–1929 yillar)*. Tashkent: Fan, 2009: 222 pp.; Xudoyberganov, K. *Xiva dunyodagi eng ko'hna qal'a*. Tashkent, 2012; Khaliyrov, A. "Xiva xonligida pul vaqfining huquqiy va iqtisodiy asoslariga doir." *O'zbekiston tarixi*. no. 4 (2014): 12–23; Idem. "Xiva xonligida pul vaqlarining ishlatilishiga doir." *Imom Buxoriy saboqlari*, no. 4 (2014): 51–53; Idem. "Capitalism in Khiva: Cash Waqf or Cash Loan?" *Journal of the Economic and Social History of the Orient* 65, no. 1–2 (2022): 248–278; Toshov, N. *Po sledam dvortsovoi biblioteki: rukopisnaia kul'tura v Khorezme pri Kongratak*. Vienna: Austrian Academy of Sciences Press: 36, 45, 66, 72, 84, 90, 100, 151, 180.

⁷⁹ Xudoyberganov, K. *Xiva obidarlari epigrafikasi*. Khiva, 2010; Babadzhanov, B. *Epigrafika v arkhitekturmom landshafte Khivy: mecheti, pogrebal'nye kompleksi, medrese, dvortsy, vorota*. Vienna: Austrian Academy of Sciences Press, 2020. Ch. 1: 389 s.; Ch. 2: 436 s.

⁸⁰ Schwarz, F. "Bargeldstiftungen im Chanat von Chiva, 1840–1922." *Der Islam* 80 (2003): 79–93; Szuppe, M. "Dispositions pédagogiques et cursus scolaire à Khiva: Un waqf-nāma de fondation de madrasa, 1214/1799–1800." In *Écrit et culture en Asie centrale et dans le monde turco-iranien, Xe–XIXe siècles*. Paris: Peeters, 2009: 251–284; Sartori, P. "On Madrasas, Legitimation, and Islamic Revival in 19th-Century Khorezm: Some Preliminary Observations." *Eurasian Studies* 14, no. 1–2 (2016): 98–134.

In turn, historical works can be conditionally classified into two groups, based on their thematic composition and reasons for writing: 1) works that reflect the tradition of court historiography; 2) examples of historiography saturated with Marxist ideology.

The early examples of official Palace historiography belonging to *the first group* were produced during the Arabshahid period, and include the works “Shajara-i Turk” and “Shajara-i tarākima” by the ruler of Khorezm, Abu’l-Ghazi Khan (r. 1644–1663). In particular, the mausoleum of Pahlawan Mahmud, which was endowed with a large amount of waqf property, is mentioned in the “Shajara-i Turk” in the context of political conflicts: “...after two days of waiting, unable to trust each other, they went to the tomb of His Majesty Pahlawan and swore an oath on the Quran...”⁸¹. This information shows that the Pahlawan Mahmud mausoleum functioned as a religious institution even during that period, despite internal struggles, and was used as a unique political and spiritual center to resolve conflicts between political groups.

At this point, it should be noted that few historical works produced under the Arabshahids have survived to this day. However, on the initiative of the rulers of the Qonghrat dynasty, a large number of such sources were written, and as a result, a unique tradition of palace historiography was formed. The Khorezmian historian Shirmuhammad Munis was initially involved in covering the period of the rule of the khans of the last dynasty. At the behest of Eltuzar Khan (r. 1804–1806), Munis began writing “Firdaws al-iqbāl”, but this first official history of the dynasty was completed by Muhammad Riza Agahi. The work covers the events of the reigns of Eltuzar Khan and Muhammad Rahim Khan I (r. 1806–1825)⁸². Agahi actively participated in writing the subsequent history of the Qonghrat dynasty, and as a result, five more historical accounts were produced under his authorship – “Riyāḍ al-dawla”, “Zubdat al-tavārīkh”, “Jāmi‘ al-vāqi‘āt-i sulṭānī”, “Gulshan-i davlat” and “Shāhid al-iqbāl”. During the colonial period, the tradition of writing official palace histories was continued by Muhammad Yusuf Bayani and Hasanmurod Laffasi, which resulted in the works “Shajara-i khwārazmshāhī” and “Gulshan-i sa‘ādat”.

The work “Riyāḍ al-dawla” by Agahi is dedicated to the era of the Khivan ruler Allahquli Khan (r. 1825–1842), and describes the history of the construction of the Allahquli Khan madrasa: “...in the year of Hamul (Horse), the great madrasa was built in the city of Khiva between the caravanseraï and the Pahlawan gate, ... its construction was completed with complete strength and fortifications...”⁸³. Such notes serve to substantiate various opinions about the date of construction of a particular cultural and social institution, the motivation of the founder, and the purpose behind establishing the waqf in question.

The second group of historical works was written mainly during the Soviet era. Although these written sources, in their structure and style, reflected the traditions

⁸¹ Abulghozi. *Shajara-yi turk*. Prepared for publication by Q. Munirov, Q. Mahmudov. Tashkent, 1992: 152.

⁸² *Firdaws al-iqbāl. History of Khwarazm* by Shir Muhammad Mirab Munis and Muhammad Riza Mirab Agahi. Translated from Chaghatay and annotated by Yuri Bregel. Leiden–Boston–Köln, 1999. Introduction, pp. xxv–xxix.

⁸³ Munirov, Q. *Xorazmda tarixnavislik (XVII–XIX va XX asr boshlariga qadar)*. Tashkent: G‘afur G‘ulom nomidagi Adabiyot va san‘at nashriyoti, 2002: 162.

of Court culture, they were also influenced by Soviet ideology⁸⁴. Works in this direction were created as a result of the efforts of local historians such as Bobojon Safarov and Abdulla Boltayev. In particular, Abdulla Boltayev's works such as "Khawārazm tārikhiga matir'iallar" and "Khīwā īsdālīklārī" contain extensive information about waqf ownership. The manuscript "Khīwā īsdālīklārī" contains valuable information about the number of mosques and madrasas in the khanate and the date of their construction, the amount of waqf properties and income from them, and the number of employees of the waqf institution⁸⁵. Among this information, records on the number of madrasas and mosques in the khanate are also reflected in the studies of Russian authors, and it is possible to clarify these issues based on a comparative analysis of these two types of sources. Among the works written in the *tadkira* genre in Khorezm during this period, one can include the "Khalvat-i ṣūfiḥā" of unknown authorship and "Riyāḍ al-dhākīrīn" by Allahyor Makhzum. These contain unique information about the activities of representatives of the Sufi order related to waqf and the patrons of cultural and social institutions. It is thus important to involve written sources of this type in research.

Among the manuscript sources, the *jung* collections compiled in Khorezm are of significant scientific importance in determining the theoretical and legal aspects of the waqf, as well as the historical roots of the production of waqf deed and the structure of judicial acts related to waqf. A *jung* collection, written and completed by Muhammad Rasul a'lam from Khorezm around 1878 is kept in the fund of the Institute of Oriental Studies of the Academy of Sciences of the Republic of Uzbekistan. The composition of this work includes a separate part called "*Kitāb al-waqf*"⁸⁶.

Historical documents, which are considered primary sources, are of great importance in studying the history of waqf institution in the period under study. In turn, these historical documents, which cover various aspects of the waqf, can be conditionally divided into the following types according to their content, style of writing, and function:

1. *Ruler's edicts*. This type of document, issued on behalf of the Khans of Khiva, sometimes reflects a supreme order to appoint a *mutawallī* to a specific waqf establishment⁸⁷. An analysis of these deeds on waqf confirms the degree of involvement of the central government with the waqf institution, and indicates that the *mutawallī* appointed to the tombs of famous scholars had other powers in addition to the rights specified in the endowment certificate.

2. *Departmental normative and legal documents*. These documents include record books – notebooks (*daftars*) and applications on waqf issues compiled in the offices under the control of high-ranking officials of the palace and judicial courts. These *daftars* themselves reflect the summary of the documents compiled in the judicial court, and they were included in the *daftar* in chronological order. It is

⁸⁴ Abdurasulov, U., and N. Toshov. "Soviet 'Local' Knowledge: Babajan Safarov's Notes on Slavery in Khwarazm." In *Aus den Tiefenschichten der Texte: Beiträge zur turko-iranischen Welt von der Islamisierung bis zur Gegenwart*. Wiesbaden: Reichert Verlag, 2019: 266.

⁸⁵ O'zRFASHI, ms. no 11645.

⁸⁶ Ibid, ms. no. 8470.

⁸⁷ O'zMA, f. I-125, op. 1, d. 3.

noteworthy that the summary of each document is numbered in the margin of the sheet on which the summary of the content is recorded. The fact that a collection of documents of this type created before the Russian invasion has not been identified to date can be seen as an indirect effect of the changes introduced by the Russian Empire to the judicial system of the Turkestan region⁸⁸.

3. *Fatwa documents*. This historical document is known in the region under the name of *riwāyat*⁸⁹, and it reflects the ruling issued by a mufti, an expert in Islamic jurisprudence, on a specific (usually complex and controversial) issue. Among the fatwa documents, there are also rulings on the issue of endowments. This type of document also has a unique internal structure, which begins with an *invocation*, that is, the mention of the name of Allah, and a request for the opinions of famous jurists in the Islamic world on the issue raised. This introductory part, usually consisting of two phrases, is reflected in the document in a calligraphic manner. Next comes the main part of the document's formula, in particular, the *narration* section, which clearly states the essence of the issue raised and the question(s) related to it. This is followed by a short answer. In turn, the jurisprudential basis for the short answer given is presented in the form of a sentence in the upper right-hand margin of the document, followed by the name of the jurisprudential manual from which this Sharia instruction was obtained. In the *corroboration* part of the text, one can sometimes find the seal of one person or, in some cases, the seals of several people. The internal structure of the fatwa document does not include the *datum* section of the *protocol*, that is, the date of compilation of the document.

4. *Judicial acts*. This type of document can include endowment deeds, lease and mortgage documents drawn up on endowment properties, sales and purchases, and inheritance distribution. In the inventory 1, file 486, collection I-125, known as the "Archive of the Khans of Khiva" of the National Archive of Uzbekistan, there are a total of 200 historical documents, 44 of which are endowment deeds. These waqf deeds mention waqf properties made in favor of the To'rt Shohboz Bobo mosque, the Qadam Yasovulbashi madrasa complex, and a mosque near the Abdurasul ishan (mausoleum). In the 1st volume of the Khiva judicial books kept in the fund of the Institute of Oriental Studies of the Academy of Sciences of the Republic of Uzbekistan, it has been determined that 1052 of the more than 1250 documents related to the issue of endowment are *bay'-'i jā'iz* agreements⁹⁰.

The second chapter of the dissertation, entitled **"Theoretical and legal basis of the waqf institution, its gradual development in the region and the role of women in waqf,"** covers the history of the formation of the waqf and the dynamics of the development of the waqf institution during the last two dynasties that ruled Khorezm, as well as the participation of Khorezmian women in waqf relations.

The first section of this chapter is devoted to ***"The history of the formation of waqf ownership and theoretical and legal foundations of the procedure for its***

⁸⁸ In this and subsequent places, the term "Turkestan" refers to the historical and geographical space that has been understood in scientific circles as "Middle Asia" and "Central Asia."

⁸⁹ There is a small difference between a "riwāyat" and a "fatwa", in that a "riwāyat", which is considered a draft ruling, only becomes a "fatwa" after it is approved by the mufti with a seal. See: Pickett, J. *Polymaths of Islam: Power and Networks of Knowledge in Central Asia*. Ithaca, NY: Cornell University Press, 2020: 15.

⁹⁰ O'zRFASHI, ms. no. 9490.

operation”. In particular, this section focuses on issues such as the rise of waqf ownership in Islamic history, the process of forming its initial regulatory and legal framework, the types of waqf, and its practice in the case of Khorezm.

The period of formation of waqf ownership occurred at the beginning of the 7th century, that is, in connection with the emergence of Islam as a religion. The Quran and hadith, which are considered the sources of Islamic law, contain many instructions about giving charity, which, in turn, served as the basis for the emergence of the waqf institution. It should be noted that these sources do not use the word “waqf” in the context of charitable activities, but mainly feature the terms *ṣadaqa*, *ṣadaqa-i jāriya*, *khayr*, *iḥsān*, etc. However, in the hadith, the word “habbasa” is used, which is an alternative and synonymous with the verb “waqqafa”. “Waqf” began to be used as a term in later periods, especially in our region, and also featured as a specific term in sources pertaining to Islamic jurisprudence.

The tradition of formalizing the process of establishing property as a waqf in written form for the first time was associated with the activities of Caliph Umar (r.634–644). The hadith reflecting this historical event set out the rules and requirements for waqf. In particular, according to the information in the hadith, it is clear that the waqf deed must be drawn up in writing form and in the presence of witnesses, and the type, amount and other characteristics of the property that has become a waqf must be clearly stated. It also becomes clear that a specific person responsible for the management of the waqf property and the distribution of income, that is, a *mutawallī*, must be appointed and a permanent fee must be allocated for him.

In the formation and further development of endowment ownership, two main types of waqfs emerged: private and charitable. In the private endowment type, the donor stipulates that only family members and relatives can use the income from the endowment, while in the charitable endowment, the income received is allocated to the benefit of a certain segment of the population, or of the population as whole. In turn, the analysis of Khorezm endowment documents shows that a mixed endowment type was also practiced in the region, and in this third type of endowment, it was deemed that not only the family of the donor, but others too were entitled to benefit from the income from the endowment property.

The main purpose of establishing a waqf was to fulfill religious needs, that is, to obtain reward (*thawāb*). However, various military, political, social, and economic benefits were also achieved through waqf. For example, waqf properties were used for military purposes, in particular to provide the Muslim army with weapons and military equipment⁹¹. For rulers, high-ranking officials, and merchants, waqf also served as a means of political and social support. In particular, rulers, in order to maintain their sphere of influence among the population and achieve political legitimacy, while other upper class representatives of the population, in order to achieve social prestige, converted their property into waqf for large projects,

⁹¹ Oberauer, N. “Early Doctrines on Waqf Revisited: The Evolution of Islamic Endowment Law in the 2nd Century AH.” *Islamic Law and Society* 20, no. 1–2 (2013): 3.

in particular, the construction and permanent maintenance of religious and public institutions, and other charitable activities⁹².

As the chief overseer of the waqf property, the *mutawallī* also performed several other functions. These functions can be conditionally divided into 4 areas: 1) regulating issues related to the management of waqf property; 2) maintaining the buildings of cultural and social institutions to which the waqf property (income) is directed; 3) maintaining and distributing general accounting of income from the waqf; 4) forming a staff and providing general guidance to their activities.

The second section of the chapter, entitled ***“The Development of Endowment Ownership in the Context of Political Changes,”*** examines the changes that occurred in the dynamics of the waqf institution in the oasis of Khorezm during the reign of the last two dynasties.

The changes that occurred in the country’s political life had a significant impact on traditional endowment ownership, and as a result, the waqf economy and administration during the Arabshahids, the principles of using endowment property, and the procedure for the functioning of cultural and social institutions all underwent certain changes during the reign of the next dynasty, the Qonghrats.

During the reign of Haji Muhammad Khan (r. 1558–1602), new canals were dug in Khorezm. In particular, the Yangiariq and Toshli Yormish canals were opened by Ali Sultan (r. 1558–1567), who ruled in the Urgench and Kat regions⁹³. As a result, new lands were developed and agricultural areas emerged. In turn, there are records in the endowment deeds that many fertile lands located in the Yangiariq and Yormish regions were turned into waqfs during the reign of the Qonghrat dynasty⁹⁴. These endowments belonged to members of the ruling dynasty and palace officials, and large areas of land were established as waqfs for the benefit of cultural and social institutions.

During the reign of Arab Muhammad Khan (r. 1602–1621), work continued on the construction of new irrigation facilities and the expansion of irrigation networks. In particular, the Arab Muhammad Canal was built on the initiative of the khan⁹⁵. The digging of canals and the construction of large irrigation facilities led to the development of new lands and the expansion of waqf land resources.

The reform carried out in the administrative system by the Arabshahid Abu’l-Ghazi Khan, was also related to the waqf institution. In particular, the post of *mutawallī* was established along with the positions of the highest religious in the Court.

During the next dynasty, the Qonghrats, the role of rulers in waqf affairs became more noticeable. This was due to the partial centralization of the khanate,

⁹² Peri, O. “The Waqf As an Instrument to Increase and Consolidate Political Power: The Case of the Khāṣṣekī Sultān Waqf in Late Eighteenth-Century Ottoman Jerusalem.” In *Studies in Islamic Society: Contributions in Memory of Gabriel Baer*. Haifa: Haifa University Press, 1984: 47–62; Hoexter, M. “Waqf Studies in the Twentieth Century: The State of the Art.” *Journal of the Economic and Social History of the Orient* 41, no. 4 (1998): 476; Morgan, C. “Islam and Civil Society: The Waqf.” *The Good Society* 10, no. 1 (2001): 22.

⁹³ G’ulomov, Ya.G’. *Xorazmning sug’orilish tarixi*. Tashkent: Fan, 1959: 200.

⁹⁴ Xiva davlat “Ichan-qal’a” tarixiy-me’moriy muzey qo’riqxonasi (Khiva State Historical and Architectural Museum-Reserve “Ichan-kal’a”, hereafter XDIQTMQ), KP 1304, KP 1311, KP 1334, KP 1336; O’zMA, f. I-323, op. 1, d. 608/5, 908, 1367.

⁹⁵ G’ulomov, Ya.G’. *Xorazmning sug’orilish tarixi*. Tashkent: Fan, 1959: 201.

the relatively stable situation prevailing, and the encouragement and supportive attitude of some rulers to build cultural and social institutions.

The projects and programs adopted at the beginning of the 20th century related to the modernization of the khanate did not bypass the waqf institution. Indeed, it can be seen that the government sought to establish state control over waqf properties and create a system aimed at officially monitoring the distribution of waqf income. After the death of Sayyid Muhammad Rahim Khan II (r. 1864–1910) on August 16, 1910, Asfandiyor Khan (r. 1910–1918), who took the throne of the Khivan Khanate, was forced to implement reforms in the country. In order to enact a number of measures, the Khan issued a manifesto on 10 Ramadan 1328/13–15 September 1910. The text of the manifesto clearly stated the need to reform the activities of the waqf institution. In particular, it emphasized the need to audit waqf affairs. The fact that a number of practical works were carried out to implement this project was also reflected in the documents of the office of the minister created at that time. In general, on the basis of Asfandiyor Khan's manifesto, a reform program consisting of 10 sections was developed on January 20–22, 1911, which was approved by the council of Palace officials. Its 8th section also reflected the issue of endowments, and it was envisaged to create a special institution under the palace – that is, the central government – responsible for endowment affairs in the country, and to establish state control over them⁹⁶. By 1918, the issue of endowments attracted the attention of the “Young Khivas” and was included in the program of action. Section 5 of the program was directly related to endowment properties. According to the wording, it was intended to direct all income from endowment properties in the country exclusively for the education of the people. However, this attempt to reform the activities of the waqf institution also ended in failure.

The last section of the second chapter is devoted to **“Women's participation in endowment relations”**. This section reveals the role of women in the various positions of the endowment economy, in particular as donor, *mutawallī* and tenant.

The historiographical tradition formed in Khorezm during the Qonghrat dynasty, especially the accounts of palace historiography, in accordance with the reason and purpose of their writing, usually does not reflect the activities of women from Khorezm in society. However, works produced in the Soviet period by local historians who saw the last periods of the reign of this dynasty with their own eyes and were witnesses of historical processes, do contain information about the wives and daughters of the khans, especially regarding the issue of the harem. The emergence of works of this type was caused by the Soviet ideology and the need for sources for research that was intended to be created under its influence⁹⁷.

In turn, in the works of foreign travellers and ambassadors who visited the region before the Khivan Khanate was annexed by the Russian Empire, there are often cases of misrepresentation on the role of women in society and family, as well

⁹⁶ Qo'shjonov, O., and Polvonov, N. *Xorazmdagi ijtimoiy-siyosiy jarayonlar va harakatlar (XIX asr ikkinchi yarmi – XX asr birinchi choragi)*. Tashkent: ABU MATBUOT-KONSALT, 2007: 188.

⁹⁷ For example, some manuscript works of the Khivan historian Bobojon Safarov were written at the request of the orientalist Muhammadjon Yuldoshev. This is clearly stated in a letter attached to the manuscript book containing three of his works. See: O'zRFASHI, ms. no. 11252.

as their participation in everyday life. In general, such an approach was also observed in Western colonial-period studies describing the role of women in other Muslim societies. The formation of a stereotype on this topic was also influenced by the fact that women in Western society did not have political and economic rights for a long historical period, and by the processes related to women's equality and emancipation in society in the long 19th century⁹⁸.

Some literature states that women's property derives just from inheritance, gifts, and dowry. It is important to note, however, that property can be accrued also through permanent income from waqf properties.

Endowment deeds from Khorezm testify that women had their share in the endowment property of madrasas, mosques, schools, Sufi lodges, qārīkhānas, and in general, almost all types of religious and social institutions. Unfortunately, the very small number of endowment documents from the Arabshahid period does not allow us to observe the participation of women in the endowment process, or to determine the degree of their involvement in waqf relations. However, it should be noted that the analysis of the numerous endowment deeds compiled during the Qonghrat dynasty and preserved to this day indicates that women were quite active in this historical period. The oldest endowment document mentions the charitable activities of the donor named Malikabeka in the construction of the architectural complex of the mosque, known as Baghbonli, located in the fortress of Khiva.

Among the endowments of influential women, the waqf document of Saodatjonbeka, wife of Sayyid Islamkhoja (1872–1913), the grand vizier and famous representative of the enlightenment movement, who played an important role in the political history of the Khivan Khanate in the late 19th and early 20th centuries, has also been preserved. Saodatjonbeka donated 300 *tanābs* of land belonging to her, located in the Chashtepa area of the Naiman district, for the benefit of the madrasa complex built by her husband Sayyid Islamkhoja.

In turn, the participation of Khorezm women in the administration and management of endowments has also been frequently observed in historical documents. For example, the activities of several women as *mutawallī* in the management of the endowment of the Varagzon mosque are recorded⁹⁹. It should be noted that the designation of women as tenant-sharecroppers was also reflected in the terms of the endowments from Khorezm. For example, in 1295/1878, a woman named Durjonbeka bint Qurban Sufi donated 1.25 *tanāb* of land belonging to her to the Saray guzari mosque and appointed Keshbeka bint Shakirboy as the *mutawallī* and sharecropper of this endowment land¹⁰⁰. These historical facts confirm the active participation of Khorezm women in the history of the waqf institution.

The third chapter of the dissertation, entitled **“Institutions provided at the expense of waqf properties and various social events”**, covers the history of the activities of cultural and social institutions such as madrasas, mosques, mausoleums, and *khānaqāhs* based on endowment properties belonging to them.

⁹⁸ The term “Long 19th Century” was coined by the famous British historian Eric Hobsbawm, referring to the historical period spanning 1789–1914.

⁹⁹ XDIQTMMQ, KP 1344.

¹⁰⁰ O‘zMA, f. I-323, op. 1, d. 912/14.

The first section of this chapter, entitled ***“Directions of activity, staff composition and educational process of madrasas in Khorezm”***, focuses on the composition of the madrasas, the staff working in them, and the education system.

Madrasas usually had two types of staff: 1) those engaged in teaching and performing religious services, as well as students receiving education at three levels, and 2) those responsible for maintenance service. Of course, madrasas with a significant staff and a large contingent of students needed a substantial level of constant material support. Therefore, in the Khivan Khanate, representatives of the ruling dynasty were mainly responsible for the construction of large madrasas, but high-ranking officials, large merchants, and scholars also contributed to this charitable activity.

Information about the madrasas built during the Arabshahid dynasty in the Khivan Khanate is attested in written sources. Also, among the madrasas built during this period and still part of the architectural ensemble in the Ichan-qal’a part of the city of Khiva, one can include the Arab Muhammad Khan madrasa built in 1616, the Khojamberdibiy madrasa built in 1688, and the Shergazi Khan madrasa built in 1719¹⁰¹. In addition to the city of Khiva, many madrasas were built in other regions of the khanate during the Arabshahid dynasty, most of which, naturally, have not survived to this day.

The Arab Muhammad Khan madrasa¹⁰² in Khiva, which dates back to the time of the Arabshahids, is the oldest of the higher educational institutions, and some information about it is provided in the work *“Firdaws al-iqbāl”*¹⁰³. In particular, the historical account notes that Mawlana Vafo, one of the famous poets of his time, studied in this madrasa¹⁰⁴. During the first period of the Arabshahid ruler Arang Khan (r. 1688–1694), the Khojamberdibiy madrasa was built in Khiva¹⁰⁵. The Shergazi Khan madrasa was the largest higher educational institution of its time, and it was built under the direct initiative and patronage of the khan. There are notes in manuscripts about the fact that this madrasa was a large architectural complex and was famous¹⁰⁶. In fact, the Shergazi Khan madrasa consisted of 55 rooms and had significant endowment properties.

During the reign of the Qonghrat dynasty, many madrasas were built in the city of Khiva and other regions of the khanate. In particular, in 1765, the founder of the dynasty, Muhammad Amin Inaq (r. 1763–1790), built an 18-cell madrasa. During the reign of the representatives of the dynasty, the construction of madrasas intensified, and by 1916, the number of these higher educational institutions in the city of Khiva and its surroundings reached 64. In total, 130 madrasas operated throughout the khanate.

¹⁰¹ Boltayev, A. *Khorazm tarixiga oid materiallar*. Khiva, 1950. O‘zRFASHI, ms. no. 9320: fol. 1a.

¹⁰² In the work *“Firdaws al-iqbāl”* it appears as “Arab Khan madrasa”, see: *Firdaws al-iqbāl. History of Khwarazm* by Shir Muhammad Mirab Munis and Muhammad Riza Mirab Agahi. Translated from Chaghatay and annotated by Yuri Bregel. Leiden–Boston–Köln, 1999: 40.

¹⁰³ Institut vostochnykh rukopisei Rossiiskoi Akademii Nauk, Sankt-Peterburg (Institute of Oriental Manuscripts of the Russian Academy of Sciences, hereafter IVRRAN, St. Petersburg), ms. no. D-123: fol. 62a.

¹⁰⁴ IVRRAN, St. Petersburg, ms. no. D-123: fol. 69a.

¹⁰⁵ Ibid: fol. 69b.

¹⁰⁶ Ibid: fols. 77a–77b.

The salaries of the madrasa employees and the duties of each of them were also reflected in the text of the endowment. For example, the professor (*mudarris*) of the Shergazi Khan madrasa had to simultaneously teach and perform the duties of *mutawallī*. His annual salary was 1/5 of the total income of the endowment. The salaries of other employees of the institution – notably the librarian, imam, muezzin and caretaker (*farrāsh*) – were also specified. It is noteworthy that the salary of the *mudarris* (with the duty of *mutawallī*) was determined as a certain part of the annual income of the endowment, while the salaries of the remaining employees of the madrasa were paid in kind and in a fixed amount, that is, mainly in a certain value of grain¹⁰⁷.

Some endowment deeds of Khivan madrasas also specify details about the educational process and the literature taught in the madrasas. In particular, in the madrasa of Muhammad Rahim Khan II, it was stipulated that the educational process would be organized and conducted in accordance with the terms of the endowment document. Education was introduced in three stages: lower (*adnā*), middle (*awsat*), and upper (*a'lā*), and madrasa students were taught in two areas - “*mushkulāt*” and “*mas'ala*”¹⁰⁸.

The second section of this chapter, entitled “**Activities of mosques, types of religious practices and economic support**,” covers the types of mosques operating in Khorezm, the procedure for organizing worship services and issues of endowment management. The mosques built in the khanate differed from each other in terms of their purpose and architectural composition, and therefore they can be conditionally divided into 3 types. The first type includes large mosques that were usually built for Friday prayers and operated mainly for this purpose. The second type includes mosques built as part of madrasas or Sufi lodges or mausoleums, which were widely spread in the khanate. Finally, the third type includes numerous mosques belonging to a specific neighborhood, that is, mosque communities.

The oldest mosque in the Ichan-qal'a architectural ensemble of Khiva is the Jome/Juma (Friday) mosque, which was built in the 10th century¹⁰⁹. Two marble tablets of the Jome mosque have been preserved, and the date on the first marble tablet refers to the era of the Arabshahids, specifically noting the year 1080/1666¹¹⁰. Therefore, the mosque was most likely renovated during the reign of Anusha Khan (r. 1663–1686). Based on this information, it can be seen that the Jome Mosque did not lose its importance as a major center of worship for the city's residents even during the era of the Arabshahids. The second marble tablet contains a waqf deed, the text of which dates to 1203/1788–1789. According to the content of the text, Abdurakhmon Mehtar and his son Abdurahim Boy converted lands located in the

¹⁰⁷ O'zRFASHI, folder 4, document 5.

¹⁰⁸ Yakubov, Q. “Muhammad Rahimxon II madrasasi vaqf xo'jaligi: ma'muriy boshqaruvi, tuzilishi va iqtisodi.” *O'zbekiston tarixi*, no. 3 (2015): 17.

¹⁰⁹ Abdurasulov, A. *Xiva: Tarixiy-etnografik ocherklar*. Tashkent, 1997: 40.

¹¹⁰ Bulatova, V. A., and Notkin, I. I. *Xiva obidaları = Arxitekturnye pamiatniki Khivy*. Ed. Ya.G. Gulyamov. Tashkent: O'zbekiston, 1972: 30.

Kuyuktom and Bekabad areas into a waqf for the benefit of the mosque, and the building of the institution was renovated¹¹¹.

Almost all large madrasas operating in the Khivan Khanate had mosques. When it comes to madrasas founded during the Arabshahid period and whose historical activities are preserved in sources, it is worth noting in particular those built by Arab Muhammad Khan, Khojamberdi Biy, and Shergazi Khan. For example, the waqf of the Shergazi Khan madrasa specifically mentions the positions of imam and muezzin among the employees who must serve in the institution, and the requirements for them and the annual salaries of the holders of these two positions are separately noted¹¹². This indicates that a separate mosque activity was established within the Shergazi Khan madrasa.

Mosques were also established under Sufi *khānaqāhs*, among which we may mention the *khānaqāh* of Shaykh Sulayman Haddadi Musavi. The endowment document of this *khānaqāh*, which was renewed in the 17th century, specifically mentions the imams and muezzins of the mosques within *khānaqāh*(s), stating that they are responsible for performing five times the congregational prayer, and that the imam should be paid an annual service fee of 100 *ṭillās* and the muezzin should be paid 50 *ṭillās*¹¹³.

It should be noted that while information about the structural composition of the madrasas during the Arabshahid period and the mosques operating under them can be gleaned from various references reflected in the texts of the endowments, some of the madrasa waqf deeds compiled during the Qonghrat period specifically mention notes about a certain madrasa complex, in particular, the mosque that was its component. Thus, for example, the architectural complex built by Prince Hamid Tora (1862–1926/1930) in the Sangir district of Khiva consisted of madrasa cells, a porch and a kitchen, and a mosque¹¹⁴.

The smallest administrative-territorial unit in the Khivan Khanate was called a mosque neighborhood, which naturally indicated that each neighborhood (sometimes only one for 2–3 neighborhoods) had its own mosque. At the beginning of the 20th century, 65 of the 79 mosques operating in the city of Khiva, the capital of the khanate, were neighborhood mosques¹¹⁵.

In the endowment documents from the period of the Qonghrat dynasty, it is often observed that the imam, who was usually the main person responsible for worship in the mosque, was appointed as the trustee of the endowment property¹¹⁶. There were also cases where the mosque's muezzin was appointed to the position of

¹¹¹ Bulatova, V. A., and Notkin, I. I. *Xiva obidalari = Arxitekturnye pamiatniki Khivy*. Ed. Ya.G. Gulyamov. Tashkent: O'zbekiston, 1972: 30; Xhudoyberganov, K. *Xiva dunyodagi eng ko'hna qal'a*. Tashkent, 2012: 183.

¹¹² O'zRFASHI, folder 4, document 5.

¹¹³ XDIQTMMQ, KP 1326.

¹¹⁴ Ibid, KP 1328.

¹¹⁵ Abdurasulov, A. *Xiva: Tarixiy-etnografik ocherklar*. Tashkent, 1997: 40.

¹¹⁶ O'zMA, f. I-323, op. 1, d. 608, 912/7, 912/19, 912/24, 912/25-28, 912/35-37, 912/40, 912/45 and others; XDIQTMMQ, KP 1318, 1325/1 and others.

*mutawallī*¹¹⁷. Sometimes, representatives of the mosque community, namely the elders of the locality, were chosen as supervisors over the waqf properties¹¹⁸.

In addition to the five daily obligatory prayers and the recitation of the Quran, the expenses associated with organizing and holding *khatmānas* during the months of Ramadan were also separately specified in the text of the *waqfnāmas*.

The last section of the third chapter is entitled “***Sustaining other cultural and social institutions and various events based on waqf income***”.

In the Khivan Khanate, along with madrasas and mosques, religious and cultural institutions such as schools, mausoleums (tombs), and *qārīkhāna* (*maqsurakhāna*) were also supported by income from endowment properties. Also, in the khanate established canteens for the poor and those in need of social protection. In addition, endowment properties were allocated for holding various religious events and ceremonies, as well as providing the population with drinking water and wells built for this purpose.

Often, schools also operated under the mosques of the Khivan Khanate, and they served as places of primary education for the population. There is no information in historical accounts about schools built during the Arabshahid dynasty. However, in the endowment deeds of madrasas and mosques, historical works and, particularly, Russian authors’ publications, one can find many records about schools. In particular, according to the archival materials of the Russian orientalist A.Kun, during the 1870s a total of 58 schools operated in the central cities of 19 regions under the Khanate, in addition to the city of Khiva¹¹⁹. A study devoted to the military-strategic description of the Khorezmian oasis showed that in 1909, there were a total of 1,500 schools in the khanate, educating 45,000 students¹²⁰.

Until now, only one *waqfnāma* has been found, preserved in the form of a paper scroll, solely containing school waqf deeds. This school was built by Muhammad Yusuf Yasovulbashi, an influential and high-ranking official of the Palace, during the reign of Muhammad Rakhim Khan II. In turn, the endowment deeds of the schools attached to the mosques mainly specify the types and amounts of endowment property, the identity of the *mutawallī* and the teacher, and also cover aspects such as the school’s employees, and the material support of the institution.

In Khorezm, special attention was paid to the construction and operation of mausoleums. The mausoleums of prominent religious leaders, famous scholars, and especially influential representatives of the Sufi order were financially supported not only by their disciples, representatives of Sufi communities and their descendants, but also by rulers and small landowners through endowment property. Cemeteries often arose around the mausoleums of famous religious figures, especially representatives of the Sufi order, and a unique system of tombs was formed. Among the mausoleums that operated in the Khorezmian oasis during the last two dynasties are Shaykh Najmiddin Kubro and Majdiddin Baghdadi in Kuhna Urgench, Sayyid

¹¹⁷ O‘zMA, f. I-323, op. 1, d. 851, 912/3, 912/20, 912/38 and others; XDIQTMMQ, KP 1342/10, 1333/3, 1333/4 and others.

¹¹⁸ O‘zMA, f. I-323, op. 1, d. 912/4, 912/21, 912/41, 1362/7 and others; XDIQTMMQ, KP 1329, 1329/1 and others.

¹¹⁹ IVRRAN, f. 33, op. 1, d. 120, l. 1.

¹²⁰ Lobachevskii, V. *Khivinskii raion. Voенno-statisticheskoe opisanie Turkestanskogo voennogo okruga*. Tashkent, 1912: 68.

Alovuddin, Pahlavon Mahmud, Uch Avliya Ota, Shaykh Mavlon Baba in Khiva, two- and three-domed complexes in Qo‘shko‘pir, Jon Khoras Shaykh Baba, Shavod Khoja Baba in Urgench, Shaykh Mukhtar Vali in Yangiariq, Vayengan Baba in Shavot, Usman Sayyid Baba in Gurlan, and Muzrab Shah Khorezmi in Hazorasb¹²¹.

The practice of establishing special cells or *qārīkhānas* near the tombs in order to dedicate surahs of the Quran to the deceased was also widespread. As a result, a unique religious landscape emerged around the tomb of a certain shaykh, consisting of tombs of residents and *qārīkhānas*. A waqf deed has been preserved about the endowment of properties established by the Qonghrat dynast Sayyid Muhammad Khan (r. 1856–1864) in favor of a *qārīkhāna* consisting of 2 cells (*hujras*) built near the Pahlavon Mahmud complex for his brother Allahquli Khan¹²². According to the will of the ruler-donor, 5 reciters (*qārīs*) in each cell, a total of 10, should practice recitation.

Among the cultural and social institutions in the Khivan Khanate, guest houses (*musāfirkhānas*) were also provided from the income of waqf properties. However, very few waqf deeds for such institutions have been preserved. The only known endowment document for a guest house consists of two endowment deeds¹²³. The first document on the establishment of the endowment was formalized in 1306/1888, and Muhammad Murad Diwanbegi featured as the donor.

Wells can also be included among the institutions that were financially supported from the income of endowment properties. In turn, wells were usually set up under madrasas and mosques, and a well-keeper (*qūdūqchī*) was appointed to oversee their operation. The presence of endowment properties made directly in favor of a well among the endowment deeds indicates that wells, too, could be provided from an independent source of income¹²⁴.

The fourth chapter, entitled **“Theoretical and Legal Aspects of the Utilization of Waqf Properties and Its Specific Practice in the Khorezmian Oasis,”** analyzes the jurisprudential basis of the use of waqf properties, in particular lands, money, shops, etc., and their practice in the region.

The first section, entitled **“Fiscal Status of Waqf Lands and the Basis of Their Use,”** clarifies the basics of waqf property and the use of waqf lands in the tax system.

According to the analysis of various waqf practices, if properties constituted taxable property before becoming waqfs, their fiscal status did not change when they were established as waqfs. By contrast, properties that were exempt from taxes, in particular land plots, retain their fiscal privilege after being waqfs. In turn, according to the legal source *“Fatāwā-i ‘Ālamgīrīya”*, if the person who makes a waqf, which is an object of taxation, into a cemetery, or also donates a commercial object or a house built for the benefit of a cemetery, these properties are exempt from paying

¹²¹ Information about the area where these mausoleums are located, their names, and the history of their construction and renovation, covering the last two dynasties, was collected mainly on the basis of research devoted to the architecture of Khorezm monuments. For more information, see: Mankovskaia, L., and Bulatova, V. *Pamiatniki zodchestva Khorezma*. Tashkent: Izdatel'stvo literatury i iskusstva imeni Gafura Guliyama, 1978: 87.

¹²² O'zMA, f. I-323, op. 1, d. 1355.

¹²³ XDIQTMMQ, KP 1332.

¹²⁴ Ibid, KP 1329.

taxes¹²⁵. Therefore, it is important to take these exceptions into account in the process of establishing a waqf from the point of view of tax and state obligations.

The transfer of ownership and ultimately the right to use properties on waqf lands in this manner was a practice observed in other Muslim countries. For example, a similar situation was observed in the Ottoman Empire during the 17th–19th centuries. In particular, structures, repairs and trees built on state or waqf land with the labor of a tenant became the property of the tenant, and this ownership right was called “*kirdār*”. The term *kirdār*, which is considered an alternative to *sukniya* in its meaning and content, was first used by jurists from Turkestan¹²⁶. This historical fact that the jurisprudential theory introduced by the jurists of the Turkestan region was applied to the legal practice of the Ottoman Empire and that the mutual cultural influence was preserved in later periods, in particular, in the late Modern Period.

An analysis of primary sources covering the period of the rule of the Arabshahid dynasty shows that income from waqf lands was mostly obtained through a *muzāraʿa* agreement. According to this agreement, the distribution of the cultivated crop between the institution owning the waqf land and the person leasing this land is carried out in accordance with a mutually agreed upon share. Thus, changes in the amount of the crop affect the shares of both parties proportionally. However, by the time of the rule of the Qonghrat dynasty, this type of relationship changed. The terms of the Khiva waqf documents on land ownership began to reflect the general characteristics of the rental practice. Now the waqf deeds stipulated a certain fixed amount for the use of the land, regardless of the yield. The rental agreement was, first of all, more beneficial for cultural and social institutions that owned waqf properties, which thus received a constant income. It is also worth noting that during this period, the use of endowment land on the basis of a *muzāraʿa* contract was preserved in the khanate, even though it was rarely used in practice.

Sharia prohibits the lease of waqf properties, in particular agricultural lands, for a period exceeding three years. This time-frame was also applied to property belonging to the state and orphans¹²⁷. According to Islamic law, during the period of use of the waqf land, a low harvest or even a complete loss of income due to the negligence and carelessness of the tenant did not exempt the tenant from paying the rent. Only in the event of a natural disaster and the tenant’s inability to avoid its consequences would the waqf institution not receive rent¹²⁸.

It is also important to determine which party (the owner of waqf property or the tenant) is responsible for paying taxes and performing certain obligations on agricultural land. If we focus on the legal aspect of the issue, different opinions were expressed about the tax obligation by the jurists of the Hanafi school¹²⁹. In turn, in

¹²⁵ McChesney, R. D. *Waqf in Central Asia: Four Hundred Years in the History of a Muslim Shrine, 1480–1889*. Princeton: Princeton University Press, 1991: 14–15.

¹²⁶ Joseph, S. *Islamic Law on Peasant Usufruct in Ottoman Syria: 17th to Early 19th Century*. Studies in Islamic Law and Society, vol. 35. Leiden–Boston: Brill, 2012: 107.

¹²⁷ Ibid: 90.

¹²⁸ IVRRAN, f. 33, op. 1, d. 123, l. 1.

¹²⁹ Johansen, B. *The Islamic Law on Land Tax and Rent: The Peasants’ Loss of Property Rights as Interpreted in the Hanafite Legal Literature of the Mamluk and Ottoman Periods*. London–New York–Sydney: Croom Helm, 1988: 16.

the Khivan Khanate, a person working on a waqf land, that is, a *kārandā*, fulfilled various obligations to the state, in addition to paying the prescribed tax.

The second section of this chapter is entitled **“The procedure for obtaining income from waqf lands on a long-term lease basis”**. In the Khivan Khanate, various lease terms were in force for the use of land on a lease basis, among which was the long-term lease - *ijara-i ṭawīla*. The use of waqf properties on a long-term lease basis is applicable only if certain circumstances and conditions arise. Not only land, but also other types of waqf properties feature in this practice as an object of lease. According to Sharia, after the property becomes a waqf, one of the most important conditions is to maintain its income-generating aspect. However, if the waqf properties have lost their income-generating character and have become unusable property, it is allowed to be given them for use on a long-term lease basis. However, even in such circumstances, the approval of the judge is required. The lease agreement imposes a condition on a tenant who intends to use the waqf property for a long time to gradually improve the unusable property. In turn, the tenant, in exchange for this condition, acquires the right to full use of this property. What is more, according to the jurists of the Maliki school, the tenant can even exercise the right to ownership of the property that is the subject of a long-term lease agreement on a partnership basis¹³⁰.

Although no long-term lease documents have been identified from the Arabshahid period, there are indirect indications that such a practice existed in some degree. Such indications are sometimes given in the text of endowment deeds. However, the preservation of this type of judicial documents from the Qonghrat dynasty shows that it was relatively popular in the oasis of Khorezm as a distinct type of ownership and lease.

The waqf deed of the Shergazi Khan madrasa contains a special condition regarding the procedure for using the endowment lands. The condition stipulates that the right to use the endowment lands of the madrasa as a tenant should be retained by the person who has been developing this land for a long time. In turn, it is stated as a strict requirement that the *mutawallī* of the madrasa should not illegally take these lands from the hands of their former users and give them to other tenants¹³¹.

There are many long-term lease agreements dating to the reign of the Qonghrat dynasty. For example, in the long-term lease agreement dated 12 Safar 1315/13 July 1897, it is reflected that the elder of the Saray guzar, Khudoybergan Shaykh, on the basis of trusteeship, provided the land at the disposal of this mosque to the military judge Domullo Muhammad Amin Makhzum for a period of 70 years. In general, long-term lease agreements specify periods of 70, 80, and 90 years, and renewal of the lease is required during the first three days of each year.

The last section is entitled **“The status of cash waqf and other types of waqf properties”**, which covers the history of the emergence of cash waqf in the Islamic world and its practice in Khorezm.

¹³⁰ *The Encyclopaedia of Islam*. Vol. 12. Leiden: Brill, 2004: 368.

¹³¹ OʻzRFASHI, folder 4, document 5.

The issue of establishing money as a waqf endowment is a controversial topic in Islamic jurisprudence, and the topic has attracted the attention of scholars for several centuries. It should be noted that the founders of all four Sunni schools of thought ruled that establishing money as a waqf was unlawful¹³². According to Imam Zufar, a scholar of the Hanafi school, it was possible to establish a waqf only under certain conditions. According to these conditions, the money to be established as a waqf had to be used through the practice of passive partnership (*muḍāraba*) and the income received had to be spent for social benefits¹³³. In 1548, the establishment of money as a waqf was officially introduced by the decree of Sultan Suleiman (r. 1520–1566), the ruler of the Ottoman Empire¹³⁴. In subsequent periods, the practice of establishing a waqf in this region developed and was especially widespread in the 17th century.

No endowment document from the Arabshahid dynasty that mentions the endowment of money has yet been identified. However, multiple endowment documents that indicate that this type of property were drawn up during the reign of the Qonghrats. In particular, an analysis of the endowment deeds of specific institutions and, in general, the existing waqf documents show that monetary endowments were rare until the second half of the 19th century. However, by the end of the 19th century and the beginning of the 20th century, the cash waqf had become quite popular in Khorezm, and came to constitute the main type of property established as an endowment. The share of monetary waqfs in the total endowment property in Khorezm and its development over time is particularly well illustrated through the historical activity of certain cultural and social institutions. Notably, the waqf deed of the Kuhna Karwānsarāy mosque in Khiva includes a total of 45 documents, chronologically spanning the years 1773 to 1908¹³⁵. A cash waqf for the benefit of the mosque is first recorded in the endowment document dated 9 Sha‘bān 1274/25 March 1858. Prior to this, five documents related to the endowment of other types of assets – such as residential real estate and land plots – were issued. It is noteworthy that between 1858 and 1892, a total of 20 endowment documents concerning the conversion of various properties into waqf were issued. Of these, 15 were monetary endowments, while the remaining five concerned other types of property. However, all properties endowed during the period 1892–1908 were monetary waqfs.

In the Khorezmian oasis, it was also common to establish endowments in cash with the condition that specific types of property would be purchased later. This practice reflects the general principles of *istibdāl* in waqf law, which refers to the exchange of one type of waqf property for another¹³⁶.

¹³² Karataş, H. “The Cash Waqfs Debate of 1545–1548: Anatomy of a Legal Debate at the Age of Suleyman the Lawgiver.” *İnsan ve Toplum* 1 (2010): 47.

¹³³ Mandeville, J. E. “Usurious Piety: The Cash Waqf Controversy in the Ottoman Empire.” *International Journal of Middle East Studies* 10, no. 3 (1979): 294.

¹³⁴ Karataş, H. “The Cash Waqfs Debate of 1545–1548: Anatomy of a Legal Debate at the Age of Suleyman the Lawgiver.” *İnsan ve Toplum* 1 (2010): 49.

¹³⁵ O‘zMA, f. I-323, op. 1, d. 912.

¹³⁶ The term *istibdāl*, derived from Arabic, literally means “replacement” or “exchange”.

The Khorezm waqf documents on cash endowment usually state that this type of property can be used through rent or *muḍāraba*. Income from cash waqfs under rent agreement is widespread, and this practice is often formalized through a *bay‘-i jāyiz-i shar‘ī* contract. However, income from this type of waqf property through *muḍāraba* has not become very popular. This is because the essence of the *muḍāraba* practice is a risk-based economic partnership, and in this agreement, the risk of losing the funds provided by the investor – that is, the *mutawallī* – was always present. Therefore, in the oasis of Khorezm, income from cash waqfs was mainly widespread through rental agreement. This type of practice was much safer than *muḍāraba*, as it, first, prevented the loss of monetary waqf funds, and secondly, provided the opportunity to have a permanent income.

CONCLUSION

Based on the study of the history of waqf ownership in the Khorezmian oasis in the 16th–early 20th centuries, the following conclusions have been drawn:

1. The endowment properties established in the oasis of Khorezm provided material support to the cultural and social institutions operating in the region at that time, including madrasas, mosques, *qārīkhānas*, schools, *musāfirkhānas*, *khānaqāhs*, mausoleums, cemeteries, etc. In addition, special kitchens were established for the needy population, and separate endowment properties were allocated for them. Furthermore, various activities aimed at increasing the literacy of the population, conducting religious ceremonies, and meeting the socio-economic needs of the population were also carried out from the income of endowment resources.

2. There is a significant amount of scholarship devoted to the history of endowment ownership in the Khorezmian oasis in the 16th–early 20th centuries, but many aspects of this scientific problem have not yet been sufficiently studied. In particular, in the case of this region, scientific research has not been conducted that sheds light on such aspects as the dynamics of the development of the endowment institution during the last two dynasties, the theoretical and legal aspects of the scientific problem, the areas of activity of cultural and social institutions and the forms of endowment property, and the practice of their use. In studies before the Russian Empire’s invasion and during the colonial and Soviet periods, the strategic projects and cultural policies of the imperial and Soviet governments influenced the development of research on the topic of endowments. As a result, the historiography of the subject developed only within certain areas, and in particular, the ideological influence of the Soviet period had a significant impact on many studies. Over the past 20–30 years, the direction of research and the range of topics have expanded significantly. In particular, waqf ownership in Khorezmian oasis has become the object of theories and new approaches which are being applied to other regions in world historiography.

3. Research and analysis of primary sources – in particular, manuscripts and historical documents – has shown that there are few examples of written heritage from the era of the Arabshahids. However, based on a comparative analysis of the available sources and indirect information in them, the state and general picture of

the waqf institution during the period of this dynasty have been revealed. By contrast, primary sources related to the period of the Qonghrat dynasty were diverse, and their number increased especially by the beginning of the 20th century. The existence of these rich and numerous sources has enabled more light to be shed on the stage of development of the waqf institution in recent times.

4. The various projects implemented by the Russian Empire in Turkestan, pursuing the interests of the empire, also had a significant impact on the tradition of waqf documentation. As a result, new types of documents appeared, including registers related to the waqf issue. Also, the reform movements that arose in the Khivan Khanate indirectly influenced the culture of documentation.

5. The theoretical and legal foundations of the waqf institution in the Islamic world have developed over a long historical period. In the Khorezmian oasis, waqf ownership was based on Sharia law, particularly the legal norms of the Hanafi school. At the same time, in the course of the research, it has been confirmed on the basis of documentary evidence that some types of institutions operating in the Khivan Khanate, which were permanently provided with waqf funds, applied Sharia with regard to waqf management and economy, along with customary norms.

6. During the Arabshahid dynasty, the agricultural areas and irrigation networks and structures that were developed as a result of the reforms carried out in the agrarian sector served as a huge resource for waqf. Through the reform carried out by the Arabshahid dynast Abu'l-Ghazi Khan, the institution of trusteeship was established in the Palace and continued to be practiced during the next dynasty. It has been determined that the person responsible for the management of famous shrines in the Khivan Khanate, including the Pahlawan Mahmud mausoleum complex and the Waris Baba complex, was appointed on the basis of the rulers' edict. This indicates that their operation was given attention at the highest government level.

7. In the Khorezmian oasis, women played an important role as waqf donors. They participated not only in the material provision of cultural and social institutions, but also in the process of their foundation – that is, in their construction. In historical documents, women were recognized as donors, and they were also appointed to the position of a person responsible for the management of the waqf economy and property, *mutawallī*. They were even recorded in waqf documents as tenants of waqf properties, and the fact that this situation was not found in the waqf practice of other regions demonstrates the uniqueness of the Khorezmian oasis in the issue of women's waqfs.

8. The participation of Khorezm women in waqfs can also be assessed as a desire to maintain the legal inviolability of their properties, and, after these properties became waqfs, to dispose of them as they wished and to transfer the right to use their properties to anyone they wanted through waqfs. The latter practice has been interpreted by foreign researchers as a means of circumventing the Sharia, in particular the law of inheritance by the example of other Muslim societies.

9. If during the Arabshahid dynasty, the number of madrasas operating in Khiva did not reach even 10, by the beginning of the 20th century, a network of higher education institutions had emerged, numbering more than 60. The largest number of

endowment properties, including land plots, fell to the share of madrasas. During the last two dynasties, mainly 3 types of mosques operated in the Khorezmian oasis. Schools providing primary education were usually established under mosques. This shows that mosques were not only places for religious activities, but also multifunctional institutions as an integral part of the education system.

10. Among the institutions to which waqf properties were often allocated by the population were mausoleums, cemeteries and *khānaqāhs*. An analysis of primary sources confirms that they were often organized as a single complex. There were canteens and *musāfirkhānas* provided from the income from endowment properties. Also, the population's need for water was ensured by digging wells and establishing their continuous operation.

11. A small number of documents testify that during the reign of the Arabshahids, income was obtained through a *muzāra* 'a agreement in the use of waqf properties, while by the next dynasty, the practice of leasing was widely employed. The second type of practice was much more beneficial for the party participating as a lessor, that is, cultural and social institutions, and through it the permanence and stability of the source of income was ensured.

12. Across the Turkestan region, the situation of granting waqf lands on a long-term lease basis for 70–90 years existed in the Khivan Khanate, and no such lease documents have been identified for the Emirate of Bukhara or the Khanate of Khoqand. Long-term lease agreements were also beneficial for the lessee, who in fact acquired the right to use the property in perpetuity.

13. One of the major changes in waqf ownership during the last two dynasties in Khorezm was the gradual emergence of cash waqf in the system of waqf ownership and its rapid spread in the late 19th and early 20th centuries, when it became the main type of waqf property. With the exception of a very small number of *muḍāraba* agreements, income from cash waqf was mainly generated through the practice of *bay' i jāyiz*.

Based on the scientific conclusions obtained at the end of the study, the following **proposals and recommendations** are advanced:

1. It is necessary to publish a fundamental work that reveals the history of the gradual development of the waqf institution in Turkestan, including the Emirate of Bukhara and the Khanates of Khiva and Khoqand, its specific features, and reflections of the impact of waqf ownership on political, socio-economic and cultural relations. This will create an opportunity to convey the actual role of the waqf institution in the region not only to the scientific community, but also to the general public;

2. It is recommended to organize special courses in higher education institutions on the source study – and particularly the historical document study – of waqf, and to publish textbooks and manuals on this issue;

3. It is advisable for educational institutions with a focus on Islamic studies to publish a catalog of historical documents and a chrestomathy that demonstrates the legal foundations of waqf ownership and its comparative interpretation in different schools of Islamic law;

4. It is advisable to identify the historical location, construction history, patrons and historical and architectural structure of the cultural and historical monuments within the “Ichan-qal’a” historical and architectural museum-reserve of the city of Khiva, and restore them based on their existing endowments, providing reliable information, and include these cultural and historical monuments in the unified register of the Agency for Cultural Heritage of the Republic of Uzbekistan, and contribute to enriching information about the existing ones;

5. It is recommended to review the activities of the “Vaqf” charitable public foundation based on the data, scientific conclusions and results of this research, to further enhance foundations’s position in society, to improve its activity and to determine the strategy of its future directions, based on rich historical experience.

**НАУЧНЫЙ СОВЕТ DSc.02/30.12.2019.Tar.56.01. ПО ПРИСУЖДЕНИЮ
УЧЁНЫХ СТЕПЕНЕЙ ПРИ ИНСТИТУТЕ ИСТОРИИ
АКАДЕМИИ НАУК РЕСПУБЛИКИ УЗБЕКИСТАН**

ИНСТИТУТ ИСТОРИИ

КАХРАМОН КАРИМДЖАНОВИЧ ЯКУБОВ

ИСТОРИЯ ВАКФА В ХОРЕЗМЕ (1511–1920 ГОДЫ)

**07.00.01 – История Узбекистана,
07.00.08 – Историография, источниковедение и методы исторических исследований**

**АВТОРЕФЕРАТ ДИССЕРТАЦИИ ДОКТОРА (DSc)
ИСТОРИЧЕСКИХ НАУК**

Ташкент, 2025

Тема диссертации доктора наук (DSc) зарегистрирована Высшей аттестационной комиссией при Министерстве высшего образования, науки и инноваций Республики Узбекистан за B2025.1.DSc/Tar171.

Диссертация выполнена в Институте истории Академии наук Узбекистана.

Аннотация диссертации на трех языках (узбекский, английский, русский (резюме)) размещён на веб-странице Научного совета (fati.uz) и на Информационно-образовательном портале "ZiyoNet" (www.ziyo.net).

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Защита диссертации состоится **11 июля 2025 г. в 14:00 часов** на заседании Научного совета DSc 02/30.12.2019. Tar.56.01. по присуждению ученых степеней при Институте истории Академии наук Республики Узбекистан (Адрес: 100047, г. Ташкент, ул. Шахрисабз тор 5, город Ташкент. Здание Института истории, 8 этаж, конференц-зал. Тел.: (99871) 233-54-70; факс: (99871) 233-39-91; e-mail: info@fati.uz Институт истории АН РУз).

С диссертацией можно ознакомиться в Фундаментальной библиотеке Академии наук Республики Узбекистан (зарегистрирована за №___). (Адрес: 100170, город Ташкент, улица Зиёлилар, 13. Тел.: (99871) 262-74-58, факс: (99871) 262-34-41).

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ВВЕДЕНИЕ (аннотация докторской (DSc) диссертации)

Цель исследования является выявление роли вакфного владения Хорезмского оазиса в истории системы политических, экономических и культурно-социальных отношений Туркестана XVI–XX веков на основе первоисточников, в частности исторических документов.

Объектом исследования является история вакфа Хорезмского оазиса в XVI – начале XX века.

Предметом исследования являются правовые основы вакфного владения в Хорезмском оазисе, его специфика, влияние политических событий в стране на вакфные владения, гендерный аспект в контексте вакфа, деятельность культурных и социальных учреждений, виды вакфного имущества и порядок получения дохода от её использования.

Научная новизна исследования заключается в следующем:

доказано, что под влиянием колониальной системы на культуру документооборота и делопроизводства регистрационные номера начали использоваться при составлении судебных книг и различных нотариальных документов, что, в свою очередь, способствовало систематизации процедур;

показано наличие связи между институтом вакфа и центральной властью, в частности – введение должности администратора (*мутавалли*) при дворе, курировавшего вакфные дела в период правления династий Арабшахидов и Кунградов, а также практика назначения *мутавалли* правителями к гробницам известных учёных;

доказано, что женщины Хорезма активно участвовали в вакфных отношениях в качестве донаторов, *мутавалли*, а также арендаторов (*каранда*), и что они получали новые экономические возможности, основанные на праве финансового управления имуществом и распоряжения им посредством вакфа;

выявлено, что направления деятельности, кадровый состав и хозяйственное управление такими культурно-социальными учреждениями, как медресе, мечети, школы, суфийские обители (*ханака*), мавзолеи и помещения для чтецов Корана (*кариханы*), а также гидротехническими сооружениями (системой колодцев) находили отражение в вакфных документах. При решении этих вопросов, как правило, учитывалась воля донатора;

установлено также, что в период правления Арабшахидов использование возделываемых вакфных земель преимущественно основывалось на договоре *музараба* (распределение урожая по установленной доле). Однако к периоду Кунградов вакфная доля стала зависеть не от объёма урожая, а от заранее установленной фиксированной суммы. При этом широкое распространение получила аренда как форма дохода, поскольку она считалась более выгодной для культурно-социальных учреждений.

Внедрение результатов исследования. На основе научных выводов и предложений, разработанных в результате изучения истории института вакфа в Хивинском ханстве в XVI – начале XX вв.:

информация об использовании регистрационных номеров при составлении судебных протоколов и различных нотариальных документов под влиянием колониального режима, а также о систематизации документооборота была использована в рамках международного проекта “Seeing Like an Archive: Documents and Forms of Governance in Islamic Central Asia (START Projekt, FWF)” в Институте иранистики Австрийской академии наук (справка Института иранистики Австрийской академии наук, 8 апреля 2024 г.). На основе транскрипции этих уникальных исторических документов создание их цифровых копий предоставило исследователям прекрасную возможность понять внутреннюю структуру вакфных документов, изменения в текстовом составе, а также изучить политическую, социально-экономическую и культурную историю Хорезмского оазиса;

сведения о наличии институциональной связи между вакфом и центральной властью, в частности о введении должности администратора – мутавалли – при дворе, курировавшего вопросы вакфа в период правления династий Арабшахидов и Кунградов, а также о практике назначения правителями мутавалли к гробницам известных учёных, были использованы в инновационном проекте № IFA-201925 “Создание SMART-технологий на основе изучения истории, культурного наследия, памятников и произведений искусства городов Хорезма” и проекте № PZ-20170921162 “Медицина и народная медицина в Туркестане в конце XIX – начале XX века (систематизация и исследование литографических работ на персидском и тюркских языках, архивных документов и периодических изданий)” (справка Академии наук Республики Узбекистан № 3/1255-2281 от 14 октября 2024 г.). Результатом исследования является раскрытие механизма работы медресе, мечетей, мавзолеев и святынь, их деятельности (с помощью вакфа) и системы образования на основе условий исторических документов, а также выявление основной роли государства, а не частных лиц в формировании и функционировании современных учреждений связи, дорог, мостов и объектов социальной инфраструктуры;

информация об активном участии женщин Хорезма в вакфных отношениях в качестве донаторов, *мутавалли*, а также арендаторов (*каранда*), а также получения ими новых экономических возможностей, основанных на управлении и распоряжении имуществом через институт вакфа, была использована в инновационном проекте № IFA-201925 “Создание SMART-технологий на основе изучения истории, культурного наследия, памятников и произведений искусства городов Хорезма” (справка Академии наук Республики Узбекистан № 3/1255-2281 от 14 октября 2024 г.). Эти выводы свидетельствуют о том, что женщины сыграли значительную роль в создании мечетей, мавзолеев, карихан, а также в их хозяйственной деятельности и в целом результаты позволили восстановить их роль в экономической и общественной жизни ханства;

в актах о пожертвовании часто отражаются такие сведения, как направления деятельности, кадровый состав, хозяйственное управление культурно-социальными учреждениями (медресе, мечеть, школа, ханака,

мавзолее, карыхана) и гидротехническими сооружениями (система колодцев), а при определении этих вопросов в основном учитывались пожелания лица, делающего пожертвование. Данные сведения были использованы в рамках проекта “Age Khiva” Департамента цифрового развития при администрации города Ташкента (справка администрации Ташкентского городского хокимията Республики Узбекистан № 10-731 от 12 декабря 2023 года). Эта информация послужила важной источниковой базой для создания специального сайта, отражающего историю города Хивы, в том числе деятельность архитектурных памятников, функционировавших за счет средств вакфных имуществ;

сведения о том, что в период правления Арабшахидов возделываемые вакфные земли в основном использовались на основании договора *музараъа* (распределение урожая по установленной доле), тогда как к эпохе династии Кунградов доля вакфа определялась заранее установленной суммой, а также о широком распространении арендной практики как более выгодной формы дохода для культурно-общественных учреждений, были использованы при подготовке сценария телепередачи “Tarixiy savol” (справка № 01-44-375 государственного учреждения “O‘zbekiston teleradiokanali” национальной телерадиокомпании Узбекистана от 31 октября 2024 года). Эти аспекты позволили получить подробную информацию о процессах эволюции в постепенном развитии исторических документов, в частности, о появлении новых типов документов, изменении языка документов, порядке и практике использования вакфного имущества.

Структура и объем диссертации. Исследование состоит из введения, четырех глав, заключения, списка использованных источников и литературы, а также приложений. Исследовательская часть диссертации составляет 242 страницы.

E'LON QILINGAN ISHLAR RO'YXATI
LIST OF PUBLISHED WORKS
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I bo'lim (I part; I часть)

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