



## **ANALYSIS OF APPOINTMENT DECREES IN THE KHIVATE OF KHIVA**

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### **Abstract**

As is known, matters concerning appointments have historically developed and refined under the influence of statehood traditions, political considerations, and legal norms. In this process, appointment to office was formed not only as an administrative act but also as a means of strengthening the system of state power and governance and of regulating social relations. Therefore, researching this aspect based on legislative documents issued by the Khiva Khanate's court chancellery makes it possible to gain a deeper scientific understanding of the history of statehood. In the state administration system of the Khiva Khanate, the institution of offices and the practice of appointments to them were considered an important component of political and legal relations. In particular, appointments decrees are of special importance as a source for studying the practical functioning of state administration, the rights and duties of officials, as well as the legal foundations of the khan's authority. This is because the edicts, issued by the ruling class (the khan, governors, princes), are considered important in state administration as legal acts that are strict, immutable, and universally binding.

**Keywords:** Khiva Khanate, court chancellery, office, historical documents, yarlik, appointments.

### **Introduction**

In the documentation of the khanates in Turkestan, matters relating to the appointment to office were refined over the years under the influence of statehood traditions, political necessity and legal norms. In the state administration of the Khiva Khanate, the institution of offices and the practice of appointment to them were regarded as an essential component of political and legal relations. This is because the firman, issued in the name of the khan, was regarded as an important instrument of state administration, possessing binding force as a legislative act. Therefore, researching



this aspect on the basis of legislative documents issued by the court chancellery of the Khanate of Khiva allows for a deeper scientific understanding of the history of statehood in Turkestan.

### **Main part**

A number of researchers have paid attention to this issue. In particular, S.G'ulomov [4:333–334] emphasises that among the labels there are documents which, in certain cases, reflect that the same individual was appointed to different positions in different years. In his view, such labels make it possible to trace how a particular official progressed up the ranks. The definitions and descriptions of various offices are comprehensively covered in N.Gulboev's scholarly articles [3]. N.Allaeva's research [1] also places particular emphasis on the aspects related to the appointment of members of the ruling dynasty to state administration. The intrinsic aspects of this issue are also reflected in D.Begalieva's research [2]. In particular, the author sheds light on the political and ceremonial aspects of this process by analysing the traditions associated with the enthronement ceremony – ‘khan-kutarish’.

As is evident, these studies have analysed the content of appointment labels and the appointment practices carried out through them. However, the procedure for appointing to office on the basis of labels, its administrative-legal characteristics and the structural composition of such documents have not yet been sufficiently studied as a specialised research subject.

In the works of the chroniclers Munis and Ogahiy, the term for office is expressed by the word ‘joh (joy)’, denoting a specific social status and notions of grandeur [5:31]. The authors employ a literary style in explaining this concept, quoting poetic verses. In particular, in the following excerpt, joh is interpreted as the exalted rank attained by a person through knowledge and virtue:

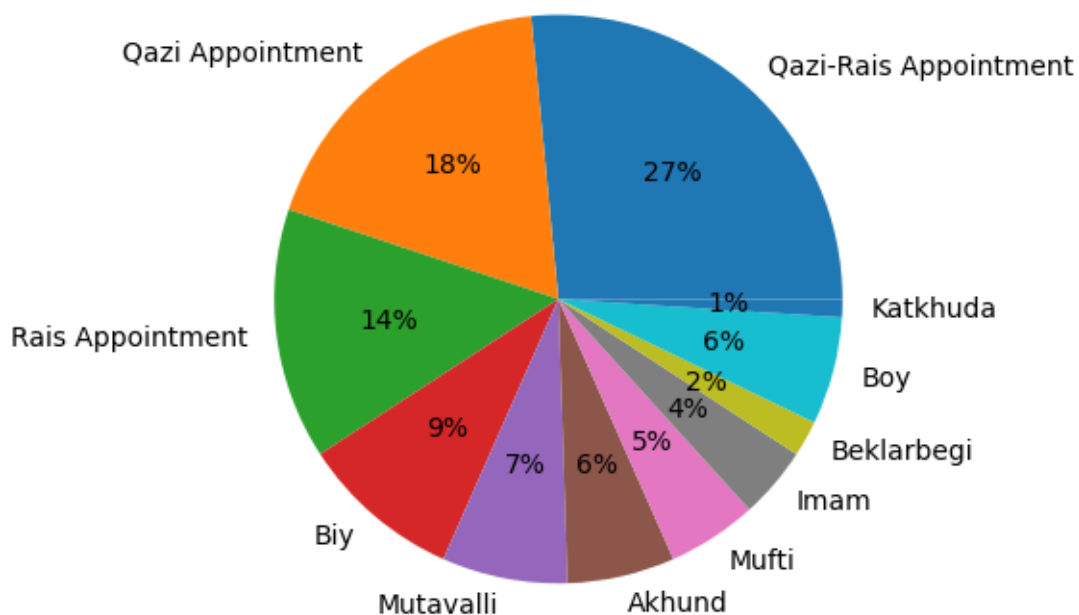
*“Hunar ahli ul nav mumtoz o'lub  
Ki joh avji uzra sarafroz o'lub.  
Alarkim edi ilmdan bahramand,  
Bo'lub yetti kukdin masomi baland”.*

In the Khiva labels, officials serving in the state administration are expressed by the term ‘hossa-i mulozim’ [8:2-varaq]. The term ‘mulozim’, formed on this basis, denotes a person who serves constantly in the presence of the monarch or a dignitary. ‘Khassa’ conveys meanings such as special or close, expressing the official's direct

connection to the ruler and their position of trust [7:441, 663.]. In the epigraphic texts, this closeness is clearly expressed in some instances by the phrase ‘pillars of the state and guardians of the royal palace’, through which the state officials and dignitaries are portrayed as the pillars and protectors of the country.

The documents concerning appointments to office and the definition of duties are valuable, as they clarify state and social offices. Although historical sources indicate that there were a considerable number of offices, no appointment-confirming documents for each of them have survived. High-ranking state offices such as devanbegi, qoshbegi, bek, munshi and yuzboshi are clearly defined. The documents show appointments to offices connected with religious and social life –such as qadi, rais, mutavalli, qazi al-quzzat, mufti, muazzin, sheikh, and imam – and outline their responsibilities to society.

**Distribution of Appointment Documents in the Khiva Khanate**



The largest share belongs to qadi-rais judici alappointments, which indicates their significant role in the administrative system of the Khiva Khanate.

## Discussion

Appointment labels provide us with important information about the administrative system, the officials, their rights and obligations, and the limits of their powers [4:334]. The labels clearly define the legal aspects of state officials' duties, and in this respect the document serves as law. That is, the legal aspects of their areas of activity, their obligations to citizens, and the procedures for accountability to the state are often reflected in the letters of appointment. We consider it appropriate to clarify this issue on the basis of a translation and analytical description of the text of a single label.

For example, by Muhammad Rahim II (1864–1910), ruler of the Khiva Khanate, in the month of Muharram of the year 1317 (May 1899) let us analyse the firman issued by Muhammad Rahim II (1864–1910), ruler of the Khiva Khanate, in Muharram 1317 (May 1899), in partnership with Domulla Baqaxo'ja and Domulla Ro'zmuhammad, for the appointment of Domulla Safo and Domulla Avaz as qazi-rai in the city of Ostona (a historical region located 15–20 km south-east of Khiva, which today corresponds to the environs of the Yangiariq district.):

- (1) ابو المظفر و المنصور ابو الغازى سيد محمد رحيم بهادر حان سوزوميز
- (2) فقاھت پناه داملا بقا خواجه نينك انصاف و ديانتى
- (3) ضمير مهر تنويريميز غا روشن و هويدا بولغانى اوچون
- (4) مراحم شاهانه و عواطف خسروانه ميزدين سر بلند و ارجمند قىليب آستانه بلده سيغھه مع التوابع
- (5) و اللواحق بالاشترک دائماً صفا بله داملا عوض نينك اورونيغھه داملا روز محمد چودر بيله
- (6) قاضى رئيس اتيب نشان عاليشان سيور غال قیلدوق تا انصاف و ديانتى حسنیهه موافق
- (7) دعاوی و منازعات قطعى صكوك و سجلات كتابتى و تركات قسمتى و ايتام اموالى محافظتى و مونلارغا
- (8) اوخشاش امور شرعيه احكاميغھه اقدام كيلتوروب مسلمانلار غه دين و آيين لارين تعليم بريب ملا امام مؤزن لارنى
- (9) تحقيقات او غلنلارنى مكتب كا بردوروب كاهل نماز لارنى نماز اداسيغھه ترغيب اتيب خلاف شرع قیلغانلارغا
- (10) تعزير اوروب هر يردا بوزوق كوپروك و خراب مسجد بولسه اوز بانى لاريغھه بنا ايتدوروب مهما امکن قوللاريدين

- (11) كىلكانچە شىرىعت احكامى غە قىيام تمام كوركوزسونلار ايمدى بو يارلىغى عالي مضمونىغە آكاه بولغاچ مزكوره بلده خلاقى
- (12) مومى اليهما نى اوزلار يىغە با لاشتراك قاضى و رئيس بىلىب هر تورلوك دعوى و مرافعه لارى بولسه آلار نىنك آلدىدا
- (13) صافلاشيب نى نوع نكاحلارى بولسه آلار غە قىيد وروب نكاحانه سين تا پشورسونلار و شىرىعت احكامى بابى دا
- (14) امرين امر و نهى لارين نهى اعتقاد ايتىب يارلىغى عالي مضمونىغە عمل قىلماقنى اوزلار يىغە لازم بلواجب بلب
- (15) خلاف ايتماقنى سياست پادشاهى موجب آنكلاسونلار و مومى اليها داغى خلاقى بله نوع معاش قىلسونلار
- (16) كيم تانكلا يوم يقوم الحساب جواب با صواب عهده سيدن چيقا آلغايلا ديب تاريخ هجرى مينك اوچيوز داغى
- (17) اون يتى ماه محرم نىنك اون يتى لانچى كونى موافق تونكغوز ۱۳۱۷ يىلى بو يارلىغى عالي مرقوم بولدى
- مهر: يا قادر، سيد محمد رحيم بهادرخان.

*[The document 33 × 21.8 sm, written in nast'aliq script, in black ink, kokand paper. The document bears a 4 × 2 cm almond-shaped seal inscribed: 'Sayyid Muhammad Rahim Bakhadirkhān.' Place of preservation: Collection of the Ichan-Qala State Museum-Reserve, KP-1390].*

Text reading (in turki):

(1) Abu-l-Muzaffar va-l-Mansur Abu-l-G'oziy Sayyid Muhammad Rahim Bahodirxon! (2) faqohatpanoh domulla Baqoxo 'janing insof va diyonati (3) zamiri mehri tanviyrimizg'a ravshan va huvaydo bo'lg'oni uchun (4) maroximi shohona va avotifi xisravonamizdin sarbaland va arjumand qilib Ostona baldasig'a ma'a al-tavobi' (5) va al-lavoxiq bil-ishtirok Domulla Safo bila Domulla Avazning urunig'a Domulla Ruzmuhammad Chavdur bila (6) qozi rais etib nishoni oliysha'n suyurg'ol qilduq. To insof va diyonati husnig'a muvofiq (7) daovi va munazaoti qat'iy sukuk va sijillot kitobati, va tarakot qismati, va aytom amvoli muxofazati, va munlarg'a (8) o'xshash umuri shar'iy-i ahkomig'a iqdom kelturub, musulmonlarg'a din va oyinlarin ta'lim berib, mulla, imom, muazzinlarni (9) taxqiqlab o'g'lonlarni



*maktabka berdurub kohilnamozlarni namoz adosig'a targ'ib etib xilofi shar qilg'onlarga (10) ta'zir urub har yerda buzuq ko'pruk va xarob masjid bo'lsa o'z bonilarig'a bino etdurub muhimma imkan qo'llaridin (11) kelgancha shariyat ahkomig'a qiyomi tamom kurguzsunlar. Imdi bu yorlig'i oliy mazmunig'a ogoh bo'lg'och mazkura balda xaloyiqi (12) mumi alayhimoni o'zlarig'a bil-ishtirok qozi va rais bilib, har turluk daovi va murofa'alari bo'lsa alarning oldig'a (13) soflashib, ne nav nikohlari bo'lsa alarga qayd urub nikohonasin topshursunlar, va shariyat ahkomi bobida (14) amrin amr va nahiylarin nahiy e'tiqod etib, yorlig'i oliy mazmunig'a amal qilmoqni o'zlarig'a lozim bil-vojib bilib, (15) xilof etmakni siyosati podshohiy mavjab anglasunlar. Va mumi alayho dog'i xaloyiq bila navi maosh qilsunlar (16) kim tongla yavmu yaqumul xisob javob bo savob uhdasidan chiqolg'aylar deb, tarix hijriy ming uch yuz dog'i (17) o'n yetti mohi muharramning o'n yettilanchi kuni muvofiq tung'uz yili 1317 [da] bu yorlig'i oliy marqum bo'ldi. Muhr: Sayyid Muhammad Rahim Bahodirxon.*

Therefore, according to the content of the document in question, with the intention of being executed in partnership by the appointed office-holders: the drawing up of documents and registers (*sukuk and sijillot*), the distribution of inherited property (*taraka*), the preservation of the people's property, teaching the tenets of religion and sharia to muslims, exercising supervision and administration over mullahs, imams and muezzins, and the hearing of legal cases (*murafa'a*) in accordance with sharia principles, to be resolved, and that those who disobey are to be punished in accordance with Sharia. They are also charged with the duty of restoring, at their own expense, any ruined bridge or dilapidated mosque wherever they may find one.

All officials are instructed that in the performance of their duties they should '*provide the people with some form of remuneration*', (or, '*may God and His Messenger thus manifest and reveal their command*') by employing such phrases, the procedure for their relations with the people is laid down, and its legal basis is thus expressed in the text of the decree.

In Muhammad Rizo Ogahiy's work [6], a number of accounts appear indicating that state officials often carried out additional duties beyond the remit officially assigned to them. In particular, during periods of military mobilisation, holders of high religious offices such as the Shaykh al-Islam are also recorded as sometimes taking part in campaigns with their own detachments. This situation indicates that in the khanate there was no strict separation of administrative offices and duties, and that in



certain circumstances officials were in practice entrusted with duties beyond their official roles.

The formal characteristics of the labels issued for appointment to office differ little from those of other types of labels (granting privileges, sale of land and property). A noteworthy aspect of the documents is that they are regarded as integral parts. In particular, according to the tradition of drafting the heading text, praise to the Creator, Following the invocation of God and a declaration of the document's issuer, the identity of the appointee and their associated qualities, grounds for appointment, powers and duties, and matters of responsibility are revealed.

In Khiva labels, describing office-holders with positive qualities is a traditional stylistic feature. Particularly in relation to religious and social dignitaries: taqvoshior, diyonatosor, donishnihod, faqohatmaob, diroyatiktisob, fazlu-donish, fazilatpanoh, najobatpanoh, siyodat-dastgoh, iktisobnishon, ma'ziratnishon and similar qualities are used. In some cases, with regard to administrative officials, personal qualities of the office-holder are emphasised through terms such as muborizati atvor (combatant spirit), muborazat (valour, courage), sohibi e'timod (trustworthy), jalodat (magnanimity), and jon nisor (one who sacrifices his life).

Labels contain the grounds for appointment to office. For example, in many cases the claimant's loyalty and services are first taken into account, and in the context of the text this reflects the intention to grant the post because the official's 'justice and piety' and 'competence and ability' have been recognised by the sovereign. In this instance, the consideration of hereditary factors is also apparent. Among the definitions, 'siyodat dastgoh', i.e. the word "sayyadat" combines with the term "dastgoh" (wealth, splendour, power) [7:183], to be understood as a person belonging to a noble, honourable lineage of great wealth and splendour.

## **Conclusion**

As is evident, although the nomenclature of certain titles and offices and the scope of their authority differed in the administrative systems of the Turkestan khanates, their overall structural composition was closely related and similar. In this respect, the administrative system of the Khiva Khanate was also formed within the framework of the pan-Turkestan statehood traditions, in which the system of offices and the procedure for their appointment were regulated through firman. A comparative analysis of over 200 diplomas relating to the Khiva khans shows that the appointment



documents for each office have not survived in their entirety. Therefore, the ferman only partially reflect the system of offices in force during a given period, and do not fully encompass the overall scale of the khanate's administrative structure. At the same time, they reveal the essence of the appointment practice, demonstrating how it functioned as a political-legal instrument that, beyond the administrative process, served to ensure the legality of khan authority and reinforce the primacy of central governance.

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