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CONTRACTUAL RELATIONS IN A DAGESTANI AUL: THE JOURNAL OF THE UNCHUKATL RURAL COURT (1898–1900)

Abstract. This article provides a comprehensive source study and textual analysis of a unique historical document: the journal (*defter*) of the rural court of the Dagestani village of Unchukatl, covering the period from November 1898 to May 1900. Containing 520 entries, this manuscript is an invaluable source for microhistory, allowing for a detailed reconstruction of the legal, economic, and social aspects of daily life in a Dagestani aul at the turn of the 20th century. The study includes a statistical analysis of the thematic distribution of transactions and a detailed examination of key document categories. It was found that debt obligations constitute more than half of all records (55.9%), indicating a high level of economic monetization and developed credit relations. A significant share of interest-bearing loans and transactions involving collateral (primarily land) points to the formation of a merchant-lender stratum in the village. Of particular interest are cases where creditors included not only private individuals but also the entire rural community (*jama’at*) and even the mosque, a practice explained by specific interpretations of Sharia law regarding paper currency. One of the most significant findings is the active participation of women in economic life; they acted as full-fledged legal subjects—creditors, buyers, and sellers—challenging stereotypes of their economic isolation. The article also analyzes contracts of sale, employment, marriage registration, wills, and recognition of property rights. The presence of Russian-language entries made by representatives of the imperial administration demonstrates the deep integration of the aul into the legal space of the Russian Empire and the interaction of traditional norms with imperial legislation.

Keywords: Dagestan; rural court; daftar; legal culture; adat; sharia; socio-economic relations; debt obligations; book culture

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ДОГОВОРНЫЕ ОТНОШЕНИЯ В ДАГЕСТАНСКОМ АУЛЕ: ЖУРНАЛ УНЧУКАТЛИНСКОГО СЕЛЬСКОГО СУДА (1898–1900 гг.)

Аннотация. Статья посвящена комплексному источниковедческому и текстологическому анализу уникального исторического документа – журнала (*дафтара*) сельского суда дагестанского селения Унчукатль за период с ноября 1898 по май 1900 г. Этот манускрипт, содержащий 520 записей, является ценнейшим источником по микроистории, позволяющим детально реконструировать правовые, экономические и социальные аспекты повседневной жизни дагестанского аула на рубеже XIX–XX веков. В ходе исследования проведен статистический анализ тематического распределения сделок и детально изучены ключевые категории документов. Установлено, что более половины всех записей (55,9%) составляют долговые обязательства, что свидетельствует о высоком уровне монетизации экономики и развитых кредитных отношениях. Значительная доля процентных займов и сделок с залогом (преимущественно земли) указывает на формирование в селе торгово-ростовщической прослойки. Особый интерес представляют случаи, когда кредиторами выступали не только частные лица, но и вся сельская община (*джама‘ат*) и даже мечеть, что объясняется особенностями интерпретации норм шариата в отношении бумажных денег. Одним из важнейших выводов исследования является фиксация активного участия женщин в хозяйственной жизни: они выступали полноправными субъектами правоотношений в качестве кредиторов, покупателей и продавцов, что ставит под сомнение стереотипы об их экономической изолированности. В статье также анализируются договоры купли-продажи, найма, регистрации браков, завещания и признания прав собственности. Присутствие записей на русском языке, сделанных представителями имперской администрации, демонстрирует глубокую интеграцию аула в правовое пространство Российской империи и взаимодействие традиционных норм с имперским законодательством.

Ключевые слова: Дагестан; сельский суд; дафтар; правовая культура; адат; шариат; социально-экономические отношения; долговые обязательства; книжная культура

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Introduction

Studies of the legal culture of Dagestan in the late 19th and early 20th centuries are quite numerous. The study of the adat codes began already in the second half of the 19th century by A.N. Komarov [1], M.M. Kovalevsky, F.I. Leontovich, and others, and continued during the Soviet period and into the modern period. A significant contribution to the study of the adats of the peoples of Dagestan was made by H.M. Khashaev [2], A.O. Omarov [3], M.A. Aglarov [4], V.O. Bobrovnikov [5; 6], T.M. Aitberov [7] and others. In the last two decades, the study of Dagestan's legal documents has been associated with the study of individual legal discourses, issues of controversy between *alims*, collections of adats, as well as the study of private and business correspondence of Dagestanis [8].

This article provides a comprehensive source study and textual analysis of a unique historical document: the journal (*defter*) of the rural court of the Dagestani village of Unchukatl of Kazikumukh district¹, covering the period from November 1898 to May 1900². It is one of the most complete surviving legal monuments of the turn of the 19th–20th centuries (similar monuments, in incomplete form, are also kept in the Collection of Oriental Manuscripts of the Institute of History, Archaeology and Ethnography of Dagestan of the Russian Academy of Sciences), and, accordingly, they have practically not been introduced into scientific use. Special court journals (*defters*) were compiled in Arabic which became the official language of private and business correspondence and legal proceedings in such a multilingual region as Dagestan after its Islamization and Russian Imperial authorities decided to keep its use in the new conditions³. The study of these *defters* will provide a much more complete picture of law enforcement practice in Dagestan during the imperial period.

As is known, until 1917 in the Dagestan region there was a system of military-people's government which had a special procedure for legal proceedings. In rural societies, courts of primary instance functioned, which were required to have special court books in which verdicts and contractual acts were to be recorded. The tsarist administration in the Caucasus tried to strictly control law enforcement practices in the region. There are many archival documents in which officials of the Caucasian administration complained about the negligence of rural judges (*qadi*) in maintaining registers.

To better understand the nature and content of the legal relations in the manuscript, brief information should be provided about Unchukatl itself, which is now part of the Laksy district of the Republic of Dagestan. In 1869, according to the population census, there were 151 courtyards in the village⁴. According to some sources, a *madrasa* was opened in Unchukatl in 1911, and a secular school in 1913⁵. The inhabitants of Unchukatl included many famous *alims* and scribes, such as Hajji Mirza b. 'Abd-Allah al-Humchukati, who was a disciple of Muhammad al-Kuduki and Muhammad al-Ubri, Muhammad al-Humchukati al-Gumuki (scribe), and others [for more information, see: 9; 10]. Natives of Unchukatl have long been known for their entrepreneurial spirit and active trade activities.

The manuscript, which covers fifteen months of the life of a Dagestan village at the turn of the 19th and 20th centuries, is a valuable source for studying legal, economic and social relations in a rural community already under the influence of the Russian Empire, while at the same time preserving elements of the traditional way of life. He is also a vivid example of the external influence on the development of Dagestan's book culture. After the incorporation of this region into the legal space of the Russian Empire, a new tradition of codification of various legal acts emerged in the form of a special collection – *defter*.

Due to the absence of direct written records detailing the daily life of Dagestan villages during the imperial era, this *defter* from Unchukatl serves as a unique source of information that enables us to reconstruct the mechanisms of local legal proceedings, identify the primary types of business transactions, analyze

¹ In 2024, Gadis Abdullayevich Gadzhiev, a judge of the Constitutional Court of the Russian Federation (1991-2023), donated the manuscript to the Institute of History, Archeology and Ethnography, through our colleague, Dr. Sci, Head the Dep. of Archaeology M.S. Gadzhiev, for which the authors express their deep gratitude. In turn, Gadis Abdullayevich received it from the famous jeweler and collector Alil Shamilevich Akhmedov.

² Fund of the IHAE DFRC RAS, f. 14, inv. 1, no 3126.

³ In 1860 it was decided by Russian authorities to preserve the judicial system familiar to the residents of the Dagestan region, based on the legal dualism of adat and sharia law, with the gradual addition of elements of imperial legislation.

⁴ It is known that for their participation in the uprising of 1877, many Unchukatl residents were sent into exile, where many of them died; thus, it can be assumed that by the period under study (1898-1900) the number of houses was less.

⁵ See: <https://web.archive.org/web/20131208143649/http://unchukatl.ru/history2.php> (accessed: 15.09.2025)

the participation of different population groups in economic activities, and determine the specifics of debt obligations, sales and purchases, employment, and family relations. Moreover, this *defter* indicates the level of education and literacy in the village.

The purpose of this work is a comprehensive analysis of the structure and content of the *defter* of the village court of Unchukatl. A combined approach was applied to the processing and primary classification of 520 documents contained in the manuscript. Statistical calculation and thematic distribution of transactions were performed using modern neural network models, which significantly accelerated data processing. All the quantitative results obtained were carefully verified manually by the authors to ensure maximum accuracy.

The analysis includes: a source description of the manuscript, a textual study of key documents, as well as a statistical analysis of the thematic distribution of transactions and a critical assessment of the socio-economic processes reflected in these records. Special attention is paid to identifying the features of law enforcement practice, the interaction of traditional norms and external influences, as well as the role of women in legal relations. The presented data, along with detailed tables and their interpretation, are intended to expand our understanding of the history of Dagestan and the specifics of the functioning of rural communities on the periphery of the Russian Empire at the end of the 19th century.

Source analysis of the manuscript

The manuscript is a book with a 17.5×22 cm hard cardboard binding. The top cover of the binding has an inscription in Arabic:

دفتر معاملات محكمة قرية همچق
من نیاپر ۱۸۹۸ إلی ۳۰ مای ۱۹۰۰

which translated as “The Journal of transactions [conducted by] the village court of Unchukatl. From November 1898 to May 30, 1900”. The *defter* is written in Arabic, in a sweeping *naskh*. The paper stamped “Sergeev Factory [grade] No. 7”. The manuscript has 224 pages. The numbering of the folios has its own peculiarities: it starts from no. 102 and continues in descending order to no. 4. Then follows a new pagination, also in descending order, from no. 18 to no. 6. Several of the last and first pages at the beginning are missing, presumably containing no text. In addition, 4 folios of text were torn out between fol. no. 4 and fol. with a new pagination no. 18, which leads to the loss of documents for 1900 under numbers 26–46.

The folios of the manuscript with the new pagination are distinguished by a more yellow shade of paper and, obviously, were included in the *defter* later, since they were not laced together with the main part. There is a wax seal with minor damage in the upper left corner of the binding. On the first page, in the lower right corner, there is the same seal, but completely preserved. It bears the following inscription: “the seal of the administration of the Kazikumukhsky district”. The seal is applied to the knot of the thread with which the manuscript block is sewn, which confirms its official status. The same page contains the text in Russian: “In the entire book, numbered, laced and stamped with a government seal, there are only one hundred and two folios (102 fol.) of November 18, 1898. The village of Kumukh. For the Executing Chief of the Kazikumukhsky District. His Assistant, Captain Patskhveriya.”⁶

Some additional entries in Russian are present in the manuscript, recording the results of clerical work:

- On fol. 12 (verso), at the end of the last document, dated 1898, it is stated: “From November 1 to December 28, 1898, 50 deals were received. The executive of the Vitskhinsky Naib” with a subsequent signature.
- On fol. 96 (recto), between the documents dated December 24, 1899 and January 1, 1900, there is an entry: “In 1899, only 381 deals were received. The executive of the Vitskhinsky Naib” and a signature.
- On the first page (fol. no. 100, recto) of the new pagination, there is also an entry in Russian: “Eighteen folios have been stitched here on February 22, 1400 – The executive of the Vitskh. Distr.” with the signature.

⁶ Alexandre Dmitrievich Patskhveriya (Patskhverov), born in 1860 from the hereditary nobility of Tiflis. He was appointed assistant chief of the Kazikumukh district in 1898. In 1901, he was appointed Assistant Chief of the Darginsky district.

⁷ Unchukatl was a part of the Vitskhin naiby of the Kazikumukh district.

The manuscript contains a total of 520 documents. The numbering of the documents begins with no. 354 and ends with no. 404 for 1898. This is followed by the mentioned Russian text on fol. no. 12. The documents for the following year begin with the new numbering no. 1 and end with no. 381 by the end of 1899, followed by the Russian text. For 1900, the numbering of documents begins again with No. 1 and ends with no. 113. As already noted, the absence of 4 fols. leads to a gap in the numbering of documents for 1900 (no. 26-46).

Thus, despite minor losses, the manuscript is a unique and well-preserved document that reveals the daily life and socio-economic relations of a Dagestani village for fifteen months. It should be emphasized that 15 months is a relatively short period, but the intensity of records (520 documents) compensates for this time limit, presenting a diverse and dense cross-section of the socio-economic life of the Dagestan village.

Each document ends with a date according to the Julian calendar, the signature of the court, which stands for أهل محكمة همچوّط “members of the court of Unchukatl”, and six round official seals: five purple seals belong to rural judges (in Russian: : «1⁸ СУДЬЯ УНЧУГАТЛ. СЕЛЬ. СУДА КАЗИКУМУХ. ОК. Д. ОБ.»), and one black seal with the legend in Russian: «УНЧУГАТЛИНСК. СЕЛЬСК. СУДА КАЗИКУМ. ОК.». It should be noted that according to the “Regulations on Rural Societies” the number of judges in rural courts of Dagestan should have been odd. The seals are often followed by the original signatures of the persons involved in the transactions, as well as the witnesses. The handwriting of most of these signatures is uneven, which indicates that their owners lack writing skills and “drawing” their names in Arabic (Fig. 1).

The majority of documents mention the names of two witnesses, who are always men, as required by Sharia law. It is noteworthy that at least half of all the actors in the documents are women, which indicates the wide involvement of women in the social and economic life of the village during this period.

The documents reflect a wide range of legal relationships between the residents of the village of Unchukatl, as well as between them and neighboring communities: debt relations, purchase and sale, hiring, rent, wills/*waqf*, inheritance, marriage and much more. The subjects of the documents are summarized in Table 1, with absolute and relative values.

Thematic distribution of documents

The analysis of 520 documents of the *defter* allows us to identify the following main thematic categories, presented in Table 1.

Table 1. Thematic distribution of documents of the journal of the village court of Unchukatl (1898-1900)

Subject of the document	Number of documents	Percentage share (%)
Debt documents	291	55.96
Purchase and sale	136	26.15
Hiring	34	6.54
Marriage registration	21	4.04
<i>Wills/Waqf</i>	15	2.88
Recognition of the rights	15	2.88
Other (exchange, lease, renunciation of inheritance, fines, dispute resolution, etc.)	8	1.54
Total	520	100.00

Comment to Table 1: As can be seen from the table, more than half of all documents (55.96%) relate to debt relations, which underlines their widespread occurrence in rural economic life. Purchase and sale take the second place, accounting for more than a quarter of all transactions (26.15%). Documents related to hiring, marriage, wills, and recognition of the rights are presented in much smaller volumes, but they are also important for understanding the daily life of the community. The “Other” category includes various, less

⁸ The numbers change according to the judge's ordinal number.

common types of documents, such as exchanges, leases, renunciation of inheritance, dispute resolution, and fixing fines.

Detailed analysis of debt documents

As can be seen from Table 1, more than half of the documents of the *defter* relate to debt relations, which indicates their extremely important role in the economic activity of Unchukatl.

Table 2. Detailing debt documents

Type of debt document	Number of documents	The share of all debt documents (%)	Percentage of all documents (%)
Total debt documents	291	100.00	55.96
Debts (without specifying interest/collateral)	123	42.27	23.65
Interest-bearing debts	63	21.65	12.12
Secured debts	50	17.18	9.62
Secured interest-bearing debts	33	11.34	6.35
Repayment of debts (including through relatives/ <i>naibs</i>)	16	5.50	3.08
Surety for a debt/debtor	4	1.37	0.77
Debt recognition	2	0.69	0.38

Comment to Table 2: Most of the debt documents (over 42%) do not contain explicit references to interest or collateral, which may indicate the prevalence of interest-free loans, possibly based on personal or community ties. However, a significant proportion of interest-bearing loans (21.65%) and secured loans (17.18%), as well as their combinations (11.34%), indicate a developed lending system in which elements of usury and collateral were present. Repayment of debts was recorded separately, sometimes through intermediaries (*naibs* or relatives), as well as surety.

An interesting fact is that debt relations often occur between close family members, which indicates a complex domestic household economy. So, one of the documents says:

وأنا معن بن محمد الهمچقطي مدين لابنتي فطم ابنة معن المذكور ستين منات والتزمت آدائها إليها متى طلبت والشهدوا على ذلك قربان محمد ابن محاد وأستارباك بن مرزى الحياكى ولتصديقه رسمنا هذا في 19 نياير سنة 1898
أهل محكمة همچقط

“Ma‘ama, the son of Muhammad al-Humchukati, owes his daughter Fatima, the daughter of mentioned Ma‘ama, sixty rubles (manat). He undertakes to repay the debt when she demands it. Witnesses: Qurban Muhammad, the son of Mahad, and Ustarbak, the son of Mirza al-Chayaki⁹. To confirm it we issued this on January 19th, 1898. Members of the court of Unchukatl”. Another entry says: “We, four sisters: Patimat, Muminat, Hafsat and Maryam, the daughters of Hasil ‘Ali al-Humchukati, lend our sister Aminat, the daughter of said Hasil ‘Ali, 30 rubles. She undertakes to return them at the end of this year....” (f. 4r-5v).

One third of debt transactions (32.99%, if we sum up interest-bearing and debts with collateral from the total number of debt documents) are related to interest. A relatively large proportion of usury in debt relations is associated not only with Dagestan's involvement in the Russian economy and commodity-money relations during this period, but also, perhaps, reflects the crisis in the economic system of the Dagestan village. In most cases, the percentage is assigned 12 kopecks

⁹ Chayakh is an abolished village in the Lak district of the Republic of Dagestan.

for each ruble, less often 2 dirhams (?) for each ruble. In most cases, the creditors are the same residents of the community, which indicates the formation of a trade and usury stratum during this period.

However, in some cases, the lender (whether loans with or without interest) is the entire village community represented by its specific representative. For example, one document states: "Muhammad, the son of 'Abdulkadir al-Humchukati, owes the community (*jama'at*) of Unchukatl forty rubles, with a profit of 8 kopecks for each ruble during the year. He undertakes to return them to the hands of another representative (*vakil*) [of the community] Muhammad, the son of Musa al-Humchukati, at the end of the year. Witnesses: 'Ali, the son of Muhammad, and Ustarbak, the son of Mirza. To confirm it we issued this on July 25, 1899" (f. 38v).

Interestingly, the *defter* records cases where even a rural mosque acts as a lender, while in one case it is a question of an interest-bearing loan (Fig. 1):

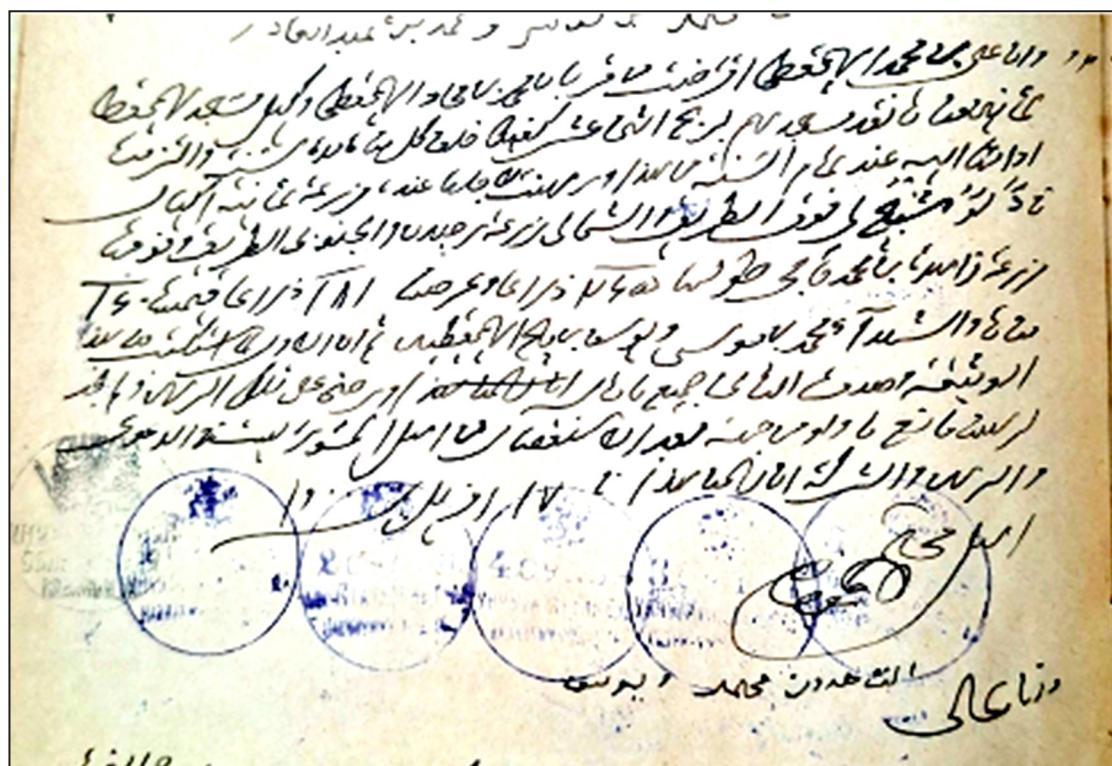


Fig. 1.

"I am 'Ali, the son of Muhammad al-Humchukati, from Qurban Muhammad, the son of Mahad al-Humchukati, the representative of the Unchukatl mosque, borrowed eighty rubles from the cash of their mosque with a profit of twelve kopecks for each ruble during the year. I promise to return it to him at the end of this year. To do this, I'm laying my land in the amount of eight measures..." (f. 108v). This attitude towards an interest-bearing loan from the mosque may be explained by the fact that at the beginning of the appearance of paper money (banknotes), Dagestani theologians, like the scholars of the Shafi'i legal system in the Middle East, did not recognize cash as Sharia-recognized cash (*naqd shar'i*). As a result, the prohibition on usury imposed by Islam could have been avoided in this way¹⁰.

It should also be noted that the widespread occurrence of interest-bearing debt relations, which often occurred between close relatives, was probably due to the fact that residents of the village of Unchukatl were actively engaged in trading activities, which were accompanied by the attraction of additional capital, including by borrowing funds from close relatives. The villagers used this opportunity to make a profit from lending to various trade transactions.

Collateral as a form of security is found in 28.52% (summing up debts with collateral and interest-bearing debts from all debt) of debts for both interest-bearing and interest-free. In the vast majority of cases, the

¹⁰ Only money made of gold and silver, but not paper money (banknotes), was considered to be recognized by Sharia (*naqd shar'iya*). See [11, p. 185].

collateral is a cultivated area (*mazra'a*). Less often, a house or part of a house, gardens and pastures (*mar'a*) are mortgaged. The size of the sown area was determined using the number of grain measures that could be sown on it, as indicated in the previous document. The size of the pasture was determined by the amount of donkey loads, i.e., bales of hay obtained from this pasture. The collateral acreage was described in detail: its location was indicated with reference to the neighbor's land on four sides, and the size and cost of the plot were also described.

An example of such a detailed description of the collateral is given in the document, where the debt relationship occurs between a father and a son:

وأنا محمد بن أحمد الكماشي اقترضت ابني معاً بن محمد المذكور اثنى وأربعين منات والتزمت أدائها إليه عند تمام السنة من هذا ورهنت لأجلها عنده مزرعة ثلاثة أكيال ونصف كيل في شنخ على حدها الغري مزرعة پرحمد بن محمد والشرقي ح gio بن أحمد والشمالي زحي بن محمد والجنوبي براحمد طولها 150 ذراعاً وعرضها 40 ذراعاً قيمتها 35 منة ومزرعة كيل أخرى في كشنخ على حدها الغري مزرعة زحي بن محمد والشمالي مزرعة پرحمد بن محمد والجنوبي مزرعة شنث بن داود طولها 80 ذراعاً وعرضها 20 ذراعاً قيمتها 25 منة ومزرعة كيلين في موضع قربانل يُخَحَّ على الغري مزرعة أبكر بن إسحاق والشرقي مزرعة أحمد بن عمر الكماشين والشمالي مزرعة عمر بن علي الهمجقطي طولها 80 ذراعاً وعرضها 20 ذراعاً قيمتها 20 منة والشهداء محمد بن أحمد ومحاد بن محمد الكماشين ثم إن الأول لم استكتب من هذه الوثيقة وصدق الثاني جميع ما قاله ورضي على تلك الرهن ولم نجد رهنها مانع ما ولو من جهة بعد الاستفصال من أهل المشورة ليست في الدعوى والرهن والشركة إنا رسمنا هذا في 28 إيون سنه 1899
أهل محكمة حميجقط

"I am Muhammad, the son of Ahmad al-Kamashi, borrowed 42 rubles from my son Ma'i, the son of the said Muhammad. I am obligated to pay it at the end of this year. To [secure] the debt, I pledge an acreage of three and a half measures (*kayl*) in [the area] Shunikh. To the west of it is the site of Pirahmad, the son of Muhammad, to the east is the site of Hajiyiyav, the son of Ahmad, to the north is Tsakhkhai, the son of Muhammad, to the south is the site of Pirahmad. The length of the plot is 150 cubits, the width is 40 cubits. Its cost is 35 rubles. I am also laying out another plot of land in the size of one measure in [the area of] Kushnih. The area of Tsakhkhai, the son of Muhammad, is adjacent to the west, the area of Pirahmad, the son of Muhammad, to the east and north, and the area of Shansir (?), the son of Dawud, to the south. The length of the section is 80 cubits, the width is 20 cubits. Its cost is 25 rubles. There is also a plot of two grain measures in the Qurbanul Yukhakh area. The area of Abakar, the son of Iskhaq, is adjacent to the west, the area of Ahmad, the son of Umar, both al-Kamashi, is adjacent to the east, and the area of 'Umar, the son of 'Ali al-Humchukati is adjacent to the north. It is 80 cubits long, 20 cubits wide, and costs 20 rubles. The witnesses: Muhammad, the son of Ahmad, and Mahad, the son of Muhammad, are both al-Kamashi. Further, since the first one demanded to write this document, and the second one confirmed everything he said and agreed to this pledge, and we did not find any obstacles to this pledge after we studied the issue with the council members: the pledged property is not in dispute, it is not a pledge in another deal and has no co-owners – we issued it on July 28, 1899. Members of the Uncukatl Court" (f. 39r-40v).

As can be seen from the document, three land plots with a total value of 80 rubles act as collateral, while the debt is only 42 rubles. The need for collateral twice the value of the debt itself is not entirely clear, especially when it comes to close relatives. This may indicate the lender's desire to provide the maximum return guarantee, or the estimated cost, which could vary.

If the act of purchase and sale took place in debt, then the loan entry, as a rule, was recorded in the *defter*, and not the purchase and sale transaction. These documents include debts for the sale of various goods: sheep, horses, honey, millet, etc.

Debt repayment, debt recognition, sureties for a debt or a debtor are another type of debt documents that were recorded in this journal. Debt repayment documents often indicated that the debt was being repaid by a close relative of the borrower. Also, in some cases, such documents indicated that the debt was received through the Vitskhin *naib* Gasan Guzunov (1854-1940).

Purchase and sale

The purchase and sale take the second place in terms of the frequency of mentions in the Unchukatl *defter*.

Table 3. Detailing the purchase and sale documents

The object of purchase and sale	Number of documents	The share of all deeds of purchase and sale (%)	The share of all documents (%)
Total purchase and sale documents	136	100.00	26.15
Plots (cultivated, pastures)	61	44.85	11.73
Horses	42	30.88	8.08
Houses/Parts of houses/ Sheds	11	8.09	2.12
Storage compartments in the mill	7	5.15	1.35
Cows/Bulls	7	5.15	1.35
Shares in property (pastures, houses)	4	2.94	0.77
Donkeys/Mules	3	2.21	0.58
Gardens	1	0.74	0.19

Comment to Table 3: The main object of purchase and sale in the village of Unchukatl were land plots (44.85%), and that emphasizes the agrarian nature of the economy. Cattle are in second place, mainly horses (30.88%), which indicates their importance as working livestock and means of transportation. Real estate such as houses, sheds, and storage compartments in the mill were also actively sold, often in parts or shares.

The object being sold was also described in detail in the document. Here, for example, is how the sale of a warehouse compartment in a mill is recorded:

باع شيخ بن محمد الهمچقطي من جهةه ووكيلا من شركائه محمد بن يوسف ومريم ابنة قبده وفطمات ومؤمنات وأمنة وحفصات بنات حصل على وفطم ابنة حسين الهمچقطيين مكدهم المشتركة بينهم الكائنة في بيدرة قيدار على حدّها الجنوبي مكده عبد الفتاح والشمالي مكده حجي بن محمد والشرقي موضع الجماعة والغربي البيدرة قدرها ذراعين مع نصيب البيدرة عبد الفتاح بن قيدار حاجي الهمچقطي بسبعة عشر منات وأنه قبل ذلك ونقد الثمن تماما إلى يد الوكيل المذكور والشهداء على ذلك شيخ بن سليمان ومحمد بن علا الهمچقطيين ثم لما لم نجد لبيعها مانع ما ولو من جهة بعد الاستفصال من أهل المشورة ليست في الدعوى والرهن والشركة إنا رسمنا هذا في 10 دکابر سنة 1898

“Sheikh, the son of Muhammad al-Humchukati, carried out the sale on his part and, being authorized by the co-owners: Muhammad, the son of Yusuf, Maryam, the daughter of Qanbuddah, Patimat, Muminat, Aminat and Hafsat, the daughters of Hasil ‘Ali, and Fatima, the daughter of Hussein – all of them al-Humchukati – their compartment in the warehouse (*maqdis*), shared between them, and located in the Kayidar mill. The ‘Abdulfattah section is adjacent to the south, Haji’s, son of Muhammad, section is adjacent to the north, the community site is adjacent to the east, and the mill is adjacent to the west. Its size is two cubits, as well as a share in the mill. [He sold them to] ‘Abdulfattah, the son of Kayidarahaji al-Humchukati, for seventeen rubles. He accepted this and paid the amount in full into the hands of the said representative. The witnesses to this are Sheikh, the son of Suleiman, and Muhammad, the son of ‘Ali al-Humchukati. Then, in view of the fact that we did not find any obstacle to the sale, even after a thorough investigation with the members of the council: the object is not disputed by others, is not pledged and is not the property of [other] co-owners – we issued it on December 10, 1898” (f. 7v).

As in the case of real estate, the cattle being sold were described in detail. The most common asset was a horse. There are also mentions of selling cows, donkeys, bulls, etc. The external characteristics of the animal

being sold were described. In one case, when selling G. Guzunov's horse, the magazine even drew a picture of the mark on the animal (Fig. 2):

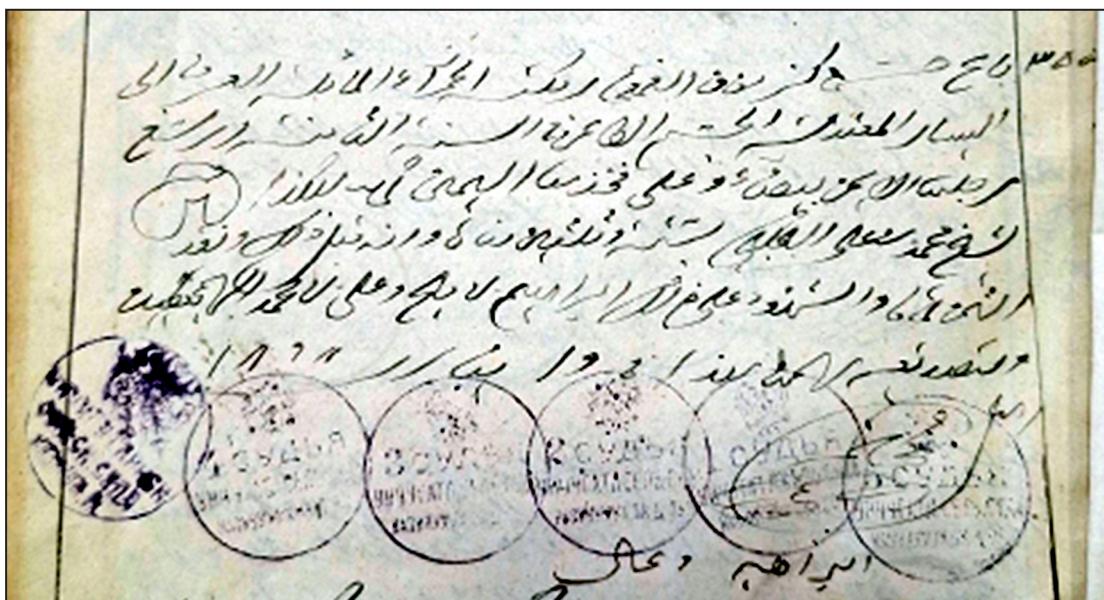


Fig. 2.

"Hasan Kuzunov al-Gumuki sold his red mare, whose mane lies to the left, of medium build, in the eighth year of life, the wrist of its right leg is white, and on its right thigh there is such a mark (here is a drawing. – Auth.), to Sheikmuhammad, the son of 'Ali al-Bajali (?), for thirty-six rubles. He accepted it and paid in full. The witnesses: Ibrahim, the son of Pilha (?), and 'Ali, the son of Muhammad al-Humchukati. To confirm it, we issued this on November 19th, 1898" (f. 2v).

As in the case of debt relations, purchase and sale agreements were sometimes concluded between close relatives – members of the same family, which is an interesting feature in the history of the Dagestan village, indicating internal redistribution of property. For example, one of the documents says that "Khuri, the daughter of Muhammad al-Humchukati, sold a plot of land measuring two measures of grain in [the area of] Aqah, on four sides of which are the pastures of Hasan, the son of 'Ali al-Humchukati, its length is 67 cubits, width is 45, to her son Iba, to the son of Wali al-Humchukati, for thirty rubles...". At the same time, it should not be excluded that such agreements between close relatives were fictitious, but in reality, in this way, property was redistributed in favor of specific heirs.

The same type of documents includes contracts of exchanges and leases, which occurred much less frequently and the objects of which were always land plots. In one case, the document is a sublease agreement for a pasture: "Musa, the son of Mata al-Humchukati, acknowledged in our presence that he had leased a pasture leased from Chuta, the son of Muhammad al-Humchukati, and located in [the area] Varran Sanu, which is called Karukh-Unutuli, to Murtaza'ali, the son of Muhammad al-Mukha, for thirteen rubles. And that he received only ten rubles for this payment, and the rest was left [in debt]..." (f. 97v).

Hiring

Hiring is the third most frequent category of documents, reflecting active labor relations in the community.

Table 4. Detailing the hiring documents

Type of hiring	Number of documents	Share of all hiring documents (%)	The share of all documents (%)
Total hiring documents	34	100.00	6.54

Hiring for agricultural work / general works	22	64.71	4.23
Hiring a shepherd	3	8.82	0.58
Hiring a bailiff/village executor	2	5.88	0.38
Hiring a shoemaker	1	2.94	0.19
Tailoring	1	2.94	0.19
The type of work is not specified	5	14.71	0.96

Comment to Table 4: The most common type of employment is hiring for agricultural or general works, which is expected for an agrarian society. The hiring of specialized workers such as shepherds, shoemakers, and even rural bailiffs is also recorded. It is important to note that hiring often meant working outside of one's native village, sometimes with transportation costs, which indicates labor migration.

Hiring contracts were usually concluded for a seasonal period for a particular job, and they indicated the amount of payment, which most often consisted of money and clothing, sometimes transportation costs to the workplace, and the period of work. Quite often, people from other villages were hired. At the same time, additional conditions could be imposed: if employee leaves work earlier than the agreed deadline, he would lose his payment. An example of such a contract is given in the document:

فإن علباك بن حج بدة الهمچقطي استأجر اربهن بن دبدان الدرقي ليعمل في بيته إلى أوسط خريف هذه السنة بأجرة
خمسة وعشرين منات وجميع لباس سوي فروة وعباء وقلنسوة ثم إنه إن هرب من عنده قبل قام المدة بلا عذر ما لا يكون
له شيء ما من الأجرة وإن أخرجه بلا سبب تكون له قام الأجرة وإن اربهن قبل ذلك والشهداء موسى بن معن ومحمد بن علاء
الهمچقطيين ولتصديقه رسمنا هذا في 22 فورال سنة 1900
أهل محكمة همچقط

“Alibak, the son of Hadjibudda al-Humchukati, hired Irbahin, the son of Dabandan al-Daraki, to work in his house until the middle of autumn this year for twenty-five rubles and all clothes except a sheepskin coat, a cloak and a headdress. Further, if he runs away before the deadline, without any valid reason, then he is not entitled to anything from the payment. And if he ('Alibak) expels him for no reason, he will receive the full amount. Irbahin accepted it. Witnesses: Musa, the son of Ma'ama, and Muhammad, the son of 'Ali (?) al-Humchukati. To confirm it, we issued this on February 22, 1900” (f. 100v).

Another document contains a contract for the employment of a rural executor (or bailiff). The document helps to understand the specifics of the tasks and activities of a rural official. It says: “Musa, the son of Ma'ama al-Humchukati, a representative of the Unchukatl community, hired Ustarbak, the son of Mirza al-Chayaki, as a bailiff (*sharit*), i.e., *chavush* (جوش), in their village to manage bailiff affairs in the village, to deliver messages to Kamasha¹¹, also, to bring ... (اليطاف؟) to Kamasha and Gukkala, and to collect fines established for the sake of order from those whose cattle are driven to protected places. [He hired him] for forty rubles for a year. He accepted it. He handed him five rubles, the rest will be given to him at the end of each month for three rubles. Witnesses are Said, the son of Yusufhaji, and Hajimirza, the son of Hussein al-Humchukati. We have put seals to confirm this. April 26, 1899” (f. 26r). It is worth noting that both actors in the contract are quite often mentioned in this *defter* as witnesses or representatives of the community, which shows that mainly a person from his environment was appointed to this position.

Another document, where the same representative of the village enters into a contract of employment with a rural shepherd, explains the tasks of the shepherd: “Musa, the son of Ma'ama al-Humchukati, a representative of the village of Unchukatl, hired Muhammad, the son of Mahad al-Kurli (القرلي), as a shepherd of donkeys and calves of the village of Unchukatl for a fee equal to half a measure of grain from everyone who owns these cattle – individual residents of Unchukatl. He also gets food from the village. It starts from the beginning of spring to the middle of autumn. He accepted this and pledged to shepherd so that the community would be happy with him. Further, if he runs away before the deadline, he will receive nothing from the fee. He accepted this [condition]. Witnesses: Hajimirza, the son of Hussein, and Umma (Amir?), the son of Hajibudda al-Humchukati. To confirm it, we issued this on February 15, 1899” (f. 16v).

¹¹ Kamasha now it is a village of the Laksky district of the Republic of Dagestan.

In many cases, it is understood from the hiring documents that the place of work where the person is hired is not in the village, but in another place or locality. This was expressed in the words "... so that he would go with him...". An example of this is given in the document, which specifies exactly where the employee and employer will go: "Muhammad, the son of Isa al-Humchukati hired Muhammad, the son of Jabrayil al-Kanadi, to go to work with him and work with him until the beginning of summer for thirty-five rubles. The expenses for the journey from Anzhi to the place of residence and from the place of residence to Anzhi are borne by the employer. Muhammad accepted it. The employer, Muhammad, undertakes to bring him to his homeland before the expiration of ten days from next summer. Witnesses: 'Abdal, the son of Hajibudda, and Qayta, the son of 'Abdullah al-Humchukati. To confirm it we issued this on September 6, 1899" (f. 69v).

Testament/Waqf

Documents containing testaments and last wills (wasiya) are also found in the defter.

Table 5. Detailing documents on testaments and waqf

Document type	Number of documents	The share of all documents of subject (%)	The share of all documents (%)
Total wills/waqfs	15	100.00	2.88
Bequests to the community (jama'at)	9	60.00	1.73
Bequests to the son/daughter	2	13.33	0.38
Bequests to the <i>qadi</i> of the mosque	2	13.33	0.38
The recipient is not specified	2	13.33	0.38

Comment to Table 5: Wills were connected to the death of the testator, and no more than a third of his property was bequeathed, as required by Sharia law. Most of the wills were addressed to the village community (60%), which indicates its exceptional importance in the socio-economic activities of the residents of Unchukatl. Sometimes the testator could specify exactly how the *jama'at* should spend the money, for example, on community needs or rituals.

Thus, one of the documents says:

ووصت ابنة صالح الهمچقطي ثلاثة وسبعون منات للجماعة الهمچقطية لأكلها على عادة القرية للمائدة وزبّن ولأجل قراءة القرآن في المقبرة ولذبح الثور يوم الموت ولنصب الحجر على قبرها ولختم القرآن عند الجنائزه والشهداء على ذلك يوسيف بن محمد وأميرخان المغرب ولتصديقه رسمنا هذا في 19 نياير سنة 1898

"Aisha, the daughter of Salih al-Humchukati, bequeathed seventy-three rubles to the Unchukatl community (*jama'at*), so that they could spend them, according to the custom of the village, on arranging a table for thirty [people] (*zubinnin*)¹², on reading the Quran near her grave, slaughtering a bull on the day of her death, on installing a gravestone and for a full reading of the Quran near her body (*janaza*). Witnesses: Yusuf, the son of Muhammad, and Amirkhan, an exiled man. To confirm it we issued this on November 19th, 1898" (f. 4v). As for donations to the waqf, they are quite rare in the defter.

Marriage registration

Table 6. Details of marriage registration documents

¹² A term from the Lak language, meaning "thirty".

The aspect of marriage registration	Number of documents	Share of all marriage registration acts (%)	Share of all documents (%)
Total marriage documents	21	100.00	4.04
<i>Mahr/sadaq</i> is indicated	21	100.00	4.04
The clothes are listed as part of <i>mahr</i>	12	57.14	2.31
The groom's debt to the bride is fixed (including after marriage)	4	19.05	0.77

Comment to Table 6: Marriage registration, of course, should have been recorded in such a *defter*. However, it is surprising that there is not a single document about the divorce in the manuscript. It is known that similar events were also reflected in other similar *defters*. Perhaps the divorces were registered elsewhere or did not require to be recorded in this *defter*.

All marriage documents indicated the fact of the marriage between the bride and groom, and almost always named the bride's trustee (*vali*), who married her off. All documents mention the amount of the marriage gift (*sadaq, mahr*) that the groom paid to the bride. At the same time, along with money, clothes for the bride were often used as a wedding gift. The mentioned clothes were necessarily valued in rubles, so that in the event of a divorce, the spouse could demand her right from her husband.

In some cases, immediately or sometime after the marriage was registered, the groom's debt to the bride was also recorded in the *defter*, which had to be paid before the end of the year. In one case, a document about the groom's debt to the bride was recorded a day after the marriage was registered. At the same time, the groom, apparently, managed to owe his new wife more money in one day in addition to the debt for the *mahr*:

فان شيخ بن محمد الهمچقطي زوج موليه ابنته البكر ابيه ابنة شيخ المذكور ياذن صريح منها لعاليل بن جني الهمچقطي بصدق
ثلاثين منات وفيها 5 منات لقطع الاذن وثوي حمير جيد مع خمارين إبرسيمين قيمتها 50 مناة وإن عاليل قبل ذلك وفق إيجابه والشهداء
حج بده بن محمد وأسد الله بن جرين الهمچقطيين ولتصديقه رسمنا هذا في 25 يونيو سنة 1899

“Sheikh, the son of Muhammad al-Humchukati, married his ward, his virgin daughter Abibaba, the daughter of aforementioned Sheikh, with her explicit consent, to ‘Alil, the son of Janai al-Humchukati, for a marriage gift of thirty rubles. Of these, 5 rubles for a permit [to marry this fiance?], as well as two pieces of high-quality silk with two silk shawls worth 50 rubles. ‘Alil accepted it according to his suggestion. The witnesses: Hajibudda, the son of Muhammad, and Asadullah, the son of Charin al-Humchukatiyayn. To confirm it we issued this on June 25, 1899” f. 39v). On the next page there is already a document about the duty of this groom to the bride:

“I am ‘Alil, the son of Janai al-Humchukati, and I owe my fiancée, Abibaba, the daughter of Sheikh al-Humchukati, one hundred rubles. I am obligated to pay it to her at the end of this year. The witnesses: Hajibudda, the son of Muhammad, and ‘Abdullah, the son of Sha‘ban al-Humchukati. To confirm it we issued this on June 26, 1899” (f. 39r).

Recognition of rights

Documents on the recognition of rights cover the most diverse cases.

Table 7. Detailing documents on recognition of rights

Type of recognition of rights	Number of documents	Share of all documents on the subject (%)	Share of all documents (%)
Total documents on recognition of rights	15	100.00	2.88
Recognition of the right of passage	3	20.00	0.58
Recognition of the right to build	2	13.33	0.38

Recognition of ownership rights (to cattle, utensils, land)	5	33.33	0.96
Renunciation of inheritance	3	20.00	0.58
Debt recognition (not in debt documents)	1	6.67	0.19
Money embezzlement proceedings	1	6.67	0.19

Comment to Table 7: The rights, as a rule, were related to land disputes between neighbors, or represented the right to property or the right to use something. Documents on the recognition of property rights (to cattle, utensils, land) account for the largest share, which indicates the importance of a clear legal consolidation of ownership in a rural community. Separately, there are unique cases of refusal of inheritance.

An example of a document in which a resident recognizes the rights of a neighbor to pass through his property is as follows:

أقر لدينا زكريا بن إبراهيم الهمچقطي بأن لإبراهيم بن محمد الهمچقطي ممر للذهاب إلى داره من الموضع التي بنى فيها خلائه وأنه التزم إزالة تلك الخلاء من تلك الموضع لتخليه الممر له متى طلب بلا قول ولا دعوى ما بعد ولتصديقه رسمنا هذا في 19 نياير سنة 1898

“Zakaria, the son of Ibrahim al-Humchukati, acknowledged in our presence that Ibrahim, the son of Muhammad al-Humchukati, could enter his house through the place where he built a latrine. He undertakes to demolish it from this place in order to make way for him when he demands it, and will not subsequently dispute this” (f. 4v).

Obviously, in many cases, the renunciation of their rights to something took place for a fee, but this fact, apparently, was not always recorded in the documents. The following document reports the amount of the fee for renunciation one's right:

“Qurban and ‘Ali, the sons of Muhammad al-Humchukati, give Muhammad, the son of Qurban al-Humchukati, the right to build a wall on top of the wall of their large house, to install pillars on it and to build a structure above it for fifteen rubles. They will no longer dispute or claim this. Muhammad accepted it and paid the full amount...” (f. 56v).

In some cases, the recognition of property rights occurred between close relatives. This can be explained by the likely fear that after the death of a person, this property will be disputed by other heirs. Here, for example, is a document in which a father recognizes his daughter's right to a cow:

“Hasan, the son of Muhammad al-Humchukati, admitted in our presence and demanded to write down that a small cow, black in color and 4 years old, worth 9 rubles, was the property of his daughter Patimat, the daughter of mentioned Hasan. And that he has no rights over her, she is her full property...” (f. 14v-14r).

Another interesting document informs about the recognition by the owner of the compartment in the warehouse inside the mill that the watchmen and employees of the mill have the right to pass through his warehouse:

“Muhammad, the son of Muhammad al-Humchukati, acknowledged in our presence that the watchmen (*shurata*) of the mill, Mudarris-Muhammad and Budda, the sons of Abdulkadir, as well as other watchmen from Unchukatl, have the right to pass through his warehouse, located in this mill from the warehouse of Ali, the son of Isbudda. This is so that the worker in this mill can go to the place to do the deed. But others don't have the right to do that” (f. 46r).

The refusal of the heir from the inheritance belongs to the same type. It includes three documents in the *defter* concerning the same person. It is about a certain Chalma, the son of Muhammad, because of whose escape to the Ottoman Empire, the authorities demanded to write a waiver of inheritance from his relatives: Haji, the son of Muhammad, and ‘Alil, the son of Iman‘ali. The first document is dated June 1, 1899, which states the following:

وأنا حجي بن موسى الهمچقطي سلمت هذه الفدفسة مستكتبة من محكمة همچقط بأني خرجت بالكلية من وارثية چلم بن محمد

الهمچقطية الهاوب إلى ولاية عثمانية ولا أطلب من تركته شيء ما ولا أكون مدعياً مع أحد ما في خصوص ذلك قط ولتصديقه رسمنا هذا في 1 إيون سنة 1899

"I am Haji, the son of Musa al-Humchukati, and I handed over this signed document, asking the court of Unchukatl to write down that I completely withdraw from the circle of persons of the heirs of Chalma, the son of Muhammad al-Humchukati, who fled to the Ottoman state. I will not claim anything from his inheritance, and I will never argue with anyone about it" (f. 32r).

On August 27 of the same year, 'Alil, Iman'ali's son, signs exactly the same document (f. 64v). Six months later, on June 24, 1900, Hadji, Musa's son, signed such a document again (f. 98v). Apparently, we are talking about a man who fled abroad for some crime (or, perhaps, who had outstanding debts to the state), and whose property was subject to confiscation, in connection with which the authorities demanded that potential heirs sign a waiver of inheritance.

Conclusion

The source and textual analysis of the journal of the rural court (*defter*) of the village of Unchukatl for 1898–1900 made it possible to identify key aspects of the legal, economic and social life of the Dagestan village at the turn of the century. The manuscript, despite minor losses, is a unique source of microhistory, offering a detailed cross-section of everyday interactions that are rarely reflected in official statistics or large administrative reports but widely represented in epistolary monuments.

More than half (almost 56% of all records) of the records are various debt documents, which may indicate a high degree of monetization of the economy and the active development of credit relations. The presence of interest-bearing loans and secured loans, along with the formation of a trade and usury stratum, confirms the thesis of the region's involvement in the new economic realities. Special attention should be paid to cases where the creditors were a community or even a rural mosque. This was possible due to a certain interpretation of Sharia norms regarding paper money and indicates a certain flexibility of the legal and religious systems in their adaptation to new economic realities.

The active participation of women in business transactions – as creditors, sellers, buyers and heiresses – is one of the most significant results of the study of this *defter*, which calls into question the established ideas about the minimal role of women in the economic life of Dagestan. At the same time, the economic status and legal subjectivity of women require further research.

Purchase and sale documents (26% of records) demonstrate the predominance of transactions with land and cattle, which emphasizes the agrarian basis of the rural economy. Hiring (6.5%), including the hiring of shepherds, shoemakers, and even rural officials, reflects the differentiation of labor and the mobility of the population. The lack of divorce records in the presence of detailed marriage registration acts raises questions about the jurisdiction and practices of family relations in this court.

The fact that the *defter* includes records in Russian is particularly noteworthy, as it demonstrates the significant impact of the imperial administration on the administrative affairs of the rural community. The presence of documents such as the renunciation of the inheritance by a fugitive who sought refuge in the Ottoman Empire also suggests a similar influence of the tsarist government. The meticulous documentation of the objects of the transactions, including details about land plots, cattle, and even animal tags, suggests a commitment to legal precision and a desire to prevent future disputes.

In general, the *defter* of the village court of Unchukatl is a unique document that reflects the life of the Dagestan village at the end of the 19th century in all its complexity and dynamics. This is a valuable source for studying the imperial influence on Dagestani communities, their legal and socio-economic activities, especially for studying the role of various segments of the population, including women, in the daily life of the village.

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