

"REGULATIONS ON MANAGEMENT" AS THE BASIS OF THE MANAGEMENT SYSTEM IN TURKESTAN

Boltabaev Bakhtiyor

Namangan State University

Department of Archival Science - Senior Lecturer.

E-mail: baxtiyor5577@gmail.com

ABSTRACT

The article reveals the formation of the management system in the Turkestan region after its capture by tsarist Russia. Adoption of legislative acts in the form of "Regulations" in several stages, as well as their impact on the policy of governance of Turkestan.

Keywords: *Turkestan, management system, colonialism, governor-General, position, system.*

«ПОЛОЖЕНИЯ ОБ УПРАВЛЕНИИ» КАК ОСНОВА СИСТЕМЫ УПРАВЛЕНИЯ В ТУРКЕСТАНЕ

Болтабаев Бахтиёр Сабиржанович

Наманганский государственный университет

Кафедра архивоведения - старший преподаватель.

E-mail: baxtiyor5577@gmail.com

АННОТАЦИЯ

В статье раскрывается становление системы управления в Туркестанском крае после захвата её царской Россией. Принятие в несколько этапов законодательных актов в виде «Положений» а также влияние их на политику управления Туркестаном.

Ключевые слова: *Туркестан, система управления, колониализм, генерал-губернатор, положение, система.*

INTRODUCTION

The basic principles of governance in the Turkestan Region were laid down under the first Governor-General K.P. von Kaufman, which were based on strengthening the unity of military and civil administration. The emphasis was placed on the unification under the control of the Governor-General of all governing bodies

in the territory of the region, which created prerequisites for strengthening the status of the Governor-General.

LITERATURE ANALYSIS AND METHODS:

The subject of the article is studied on the basis of conceptual and methodological approaches, according to the problem-chronological principle. All the variety of research literature, archival materials, monographs, brochures, articles related to the research topic can be divided into two groups: 1) Literature of the Soviet period; 2) Studies of the period of independence.

Discussion and results:

The forcible annexation of Central Asia into Russia occurred in the second half of the XIX century, which was closely connected with the defeat of tsarism in the Crimean War of 1853-1856, which seriously weakened the Russian Empire and contributed to the fall of its role as a "policeman of Europe", which passed to stronger and more developed capitalist powers. The Tsarist government was forced to temporarily abandon its active policy in the Balkans and the Middle East and pay more attention to strengthening its position in Central Asia. The primary interest of the ruling circles of the Russian Empire was caused by the Bukhara, Kokand and Khiva khanates, which maintained close and mutually beneficial trade relations with it. This was favored by their territorial proximity, as well as the economic situation prevailing in the Russian Empire and the Central Asian khanates of that period. Russia was becoming more firmly and irrevocably on the rails of capitalism, while Central Asia was an economically underdeveloped region that was a profitable market for industrial products and a promising source of raw materials. Therefore, the strengthening of its positions in Central Asia became very important for the ruling circles of the Russian Empire.

However, on the way to its acquisition, tsarism faced a strong and dangerous rival — the British Empire. In the middle of the XIX century. England completed the subjugation of India, turning it into the base of its broad economic and military-political expansion in Asia and Africa. British agents conducted active political activities in Bukhara, Khiva, Kokand, Turkmenistan, and the Pamirs. The ruling circles of Great Britain and the English press justified and presented these actions as a fight against the "Russian threat" to their colony in India.

The commercial, military and political expansion of England in the Middle East led to the activation of the Russian Empire in Central Asia. In 1857-1862, the tsarist government carefully studied the situation in it, in 1863-1868 extended its dominance

to Southern Kazakhstan, Northern Kyrgyzstan, the Tashkent and Samarkand oases, forced the largest Central Asian states — the Emirate of Bukhara and the Kokand Khanate — to recognize vassal dependence on the Russian Empire.

Not content with this, the ruling circles of Russia in 1869 established themselves on the eastern coast of the Caspian Sea, thereby preparing a springboard for penetration into the territory of modern Turkmenistan. In 1873, they established their authority over the Khanate of Khiva, and then (1875-1876) liquidated the independence of the Kokand Khanate, turning it into the Fergana region of the Turkestan Governor-General established in 1867.

By 1877, when international relations in the Middle East were particularly aggravated and the Russo-Turkish war began, most of the territory of Central Asia had already become part of the Russian Empire or had become its sphere of influence. The queue was for the "flank" lands: the Turkmen lands in the west and the Pamirs in the southeast of Central Asia. Their accession took place in the 80s - the first half of the 90s of the XIX century.

As an administrative unit within the Russian Empire, these territories, since the middle of the XIX century, were called the Turkestan Governor-General. This term did not go out of use at the beginning of the twentieth century, which is reflected in legislative acts. After the approval of the "Regulations on the administration of the Turkestan Region" in 1886, another official name appeared – the Turkestan Region¹. At the same time, in parallel, the term "Turkestan" was often used in official records management.

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On July 11, 1867, a draft Regulation on the administration of the Semirechensk and Syrdarya regions was put into effect, which established the rules by which Russian Turkestan was to live for the next three years. After the allotted time, a new draft Regulation on Governance in the Turkestan Region was prepared in Tashkent.

¹ Положеніе об управленіи Туркестанскаго края. Т.2, Ч.2, Санкт-Петербург, 1986, -С.1

² Проектъ всеподданнейшаго отчета Ген.Адъютанта К.П. фонъ-Кауфмана по гражданскому управленію и устройству въ областяхъ Туркестанскаго генераль-губернаторства. С.Петербург: Военная Типографія. 1885.

According to the drafters of the new bill, the time has come to move from the destruction of unacceptable institutions and institutions to the creation of others that take into account the new political reality. The leaders of Turkestan recognized that during the three years of the 1867 Regulation, the region had gone far in its development. The goals set by the law have been achieved, obstacles to the spread of Russian law in the region have been eliminated or bypassed, hostile forces have been defeated, the proposed methods of administrative modernization have been exhausted. The draft Regulation on Governance in the Syrdarya and Semirechensk oblasts fulfilled the task before it. The time has come to replace the local institutions and institutions shattered by him with new ones, "... to enter into the spontaneous beginning of custom and legitimize what is suitable in it, finally reject and replace everything harmful and not joint with our state system."

Like the law of 1867, the draft of 1871 stated the appointment of the chief of the region at the direct discretion of the emperor, the transfer into his hands of the command of the district troops and the direct conduct of border affairs. But unlike its predecessor, the new bill expanded the powers of the Governor-General in relation to officials subordinate to him. He now received the right, under special circumstances, to suspend officials from their duties up to regional governors, bringing such cases against officials to the attention of the emperor. In the draft of 1871, for the first time, rules were stipulated for the submission of Turkestan employees (including those listed in separate ministries) to awards exclusively through the Governor-General.

The drafters of the 1871 draft for the first time, obviously based on practical necessity, granted the chief of the region the exclusive right to expel unreliable persons from Turkestan. Moreover, no one, not even the Senate, had the right to consider complaints on these issues. The Governor-General was to receive the sole right to administrative exile of any person who was not in public service, under the supervision of the police in any part of the region. Moreover, he could transfer this right not only to the governors, but also to the heads of counties within the respective regions and counties. For the first time, the head of Turkestan was to receive a legally approved right to bring to court persons accused of military and criminal crimes³.

The draft Regulation of 1873, like the previous bill, did not establish a special office under the military governor, but proposed to create an office under the regional government, through which the military governor should manage the region entrusted

³Васильев Д.В. Организация управления в Русском Туркестане по проектам Положения об управлении 1870-х гг// Наукоеведение. 5 (24) 2014, -С.2.

to him. It should be noted that the drafters of the 1871 draft did not draw a line at all between the regional administration and the regional office.

For the first time, the local population was granted the right to participate in gatherings, to be elected to public positions, to freely move from one rural (urban) society to another, to send their children to educational institutions on general grounds and to enter public service themselves⁴.

It should be noted that if according to the draft of 1871, the county chief had to choose a district foreman from three candidates submitted by the district assembly, then in the next draft of 1873, the Turkestan authorities proposed that the choice of a village foreman be completely transferred to the competence of the rural assembly.

On June 12, 1886, the "Regulation on the administration of the Turkestan Region" was approved, according to which the general norms of the provincial administration of the Russian Empire were introduced on the territory of Turkestan, delineating the spheres of interests of the Turkestan Governor-General and representatives of ministries. As a result, on the one hand, the Governor-General was obliged to ensure compliance with the rule of law throughout the territory of the Turkestan Region and preserve the right of direct access to the sovereign. On the other hand, between the Governor-General, as a representative of the Ministry of War, and the emperor, a chain of intermediate instances was being built in the form of the General Staff and the Asian part, which implied a significant reduction in the status of the Governor-General in matters of civil administration in Turkestan⁵.

Under the Turkestan Governor-General, there was a Council that had advisory functions on all legislative issues. The peculiarity of his work was that on zemstvo duties and on land and tax arrangements, the decision was made by a simple majority of votes, which put the Governor-General in direct dependence on the decisions of the Council members.

A serious problem of the functioning of the Governor-General's office was the need to determine the status of the ministerial structures and the Governor-General in Turkestan. The broad rights and powers of the Governor-General and the regional administration as a whole caused the displeasure of many ministries and departments. At the center of the controversy was the question of who would be at the head of the sectoral management in the province: the relevant central ministries or all branches would be controlled by the Governor-General.

⁴ Мирзаджанов Б.Т. [Национальные кадры: вопросы равного представления в государственных органах и учреждениях Туркестана](#)// Oriental renaissance. 1 (2), -С.162-171

⁵ Шушкова М.Е. Организация управления Туркестаном в начале XX века . Автореферат диссертации на соискание ученой степени кандидата исторических наук. Москва: 2015, -С.9

As a result of the territorial and administrative reform of 1899, the Turkestan Governor-General consisted of 5 regions: Samarkand, Syrdarya, Ferghana, Semirechenskaya and Transcaspian.

The leadership in the first four regions was carried out by military governors, and in the fifth – by the head of the Transcaspian region. At the same time, the military governor of the Semirechensk region also performed the duties of the ataman of the Cossack troops. The rights and duties of the military governors of the regions and the head of the Transcaspian region differed significantly, which was due to the gradual entry of the regions into Turkestan. The head of the Transcaspian region had the broadest rights, since the Transcaspian region, on the one hand, had a common border with Persia and Afghanistan, and on the other, bordered the Emirate of Bukhara and the Khanate of Khiva.

Despite the fact that the military governors of the regions and the head of the Transcaspian region possessed the fullness of civil and military power, it was hardly possible to consider them full-fledged "masters" in their territories. Representatives of various ministries operating in the regions, guided by departmental instructions, often came into conflict with representatives of the administration of the Turkestan Governor-General.

The main executive authorities in the regions of Turkestan were the regional boards, which performed the functions of provincial boards and had all the powers of the latter. The difference between the regional boards and the provincial ones operating in central Russia was that in reality their functions were much broader. The boards solved the tasks of managing state property in the region, supervised irrigation facilities, dealt with issues related to military service and peasant affairs. The regional boards were responsible for the improvement of cities, of which there were very few in Turkestan.

The city administration had its own specific features. The "City Regulation" of 1870 on the territory of Turkestan was introduced only in 1877.. The small towns of Turkestan were divided into "Russian" and "native" parts and had different management. Attempts to introduce a "City State" in the province in 1892 were unsuccessfully undertaken for several years, but were never implemented. The city self-government bodies were in their infancy. Only in Tashkent were all-religious elected structures formed: the City Duma and the city council.

The county administration in the Turkestan Region was headed by a county chief who had a large number of responsibilities with a small staff of subordinates. His functions were broader than those of similar officials in Central Russia. He was

the chairman of the land-tax presences, controlled the people's courts, was responsible for city administration in the cities that were part of the county, the size of which, at times, significantly exceeded the size of the counties of the Russian Empire.

At the rural level, the Regulation on the Administration of the Turkestan Region of 1886 introduced the principle of elective self-government for the settled population. The positions of the volost administrator, village foreman and assistant foreman were elective, which became an incomprehensible phenomenon in the eyes of the local population. Election campaigning, accompanied by numerous bribes on the part of elected officials, sharply disorganized the "natives". During the period under study, the regional administration repeatedly tried to replace the elections with the direct appointment of officials loyal to the Russian government, but this contradicted the existing legislation in Turkestan.

To develop a new draft Regulation on the administration of the Turkestan Region in Tashkent in 1902, a commission was established under the chairmanship of K.A. Nestorovsky. Its main task was to conduct a comparative analysis of the articles "Regulations on the administration of the Turkestan Region" of 1886 and "Regulations on the administration of Akmola, Semipalatinsk, Semirechensk, Ural and Turgai regions" of 1891.

The work of the commission did not extend to the Transcaspian region. The Tashkent commission has developed recommendations for the reform of the administration of the region, according to which the issue of managing the spiritual affairs of the "natives" remained outside the competence of the regional administration. The proposals on changing the staffing of the staff of the Turkestan Governor-General turned out to be the most elaborated.

On the eve of the publication of the "Basic State Laws" of 1906, the issue of changing the departmental affiliation of the Turkestan Region and transferring it from the Military Department to the Ministry of Internal Affairs was raised. It was decided to form a special non-departmental meeting in St. Petersburg, chaired by K.A. Nestorovsky, which began its work in 1908. Its participants had to work out the materials of the Tashkent commission, taking into account the published "Basic State Laws" of 1906. The Special Meeting was faced with a lack of information needed to make key decisions. Therefore, the work of the Special Meeting was suspended and a senatorial audit was conducted under the chairmanship of K.K. Palen (1908-1910). Following its results, a whole set of measures necessary for the administrative

reorganization of the region was developed, submitted to the Council of Ministers in December 1910.

As for the judicial system, until the end of the 90s of the XIX century, a system of pre-reform judicial bodies operated in the Turkestan Region. Since the introduction of the "Provisional Rules on the application of judicial Statutes in the regions of Syrdarya, Samarkand, Fergana, Semirechensk, Akmola, Semipalatinsk, Ural and Turgay" (1898), all-Russian courts began to operate in Turkestan, which led to legal and administrative contradictions. Such issues as the integration of people's courts based on sharia law and reflecting the interests of the local population into the judicial system of Turkestan remained unresolved; about the priority of the regional administration or the Ministry of Justice in the sphere of control over judicial institutions, when appointing officials to judicial positions. This led to conflicts between the Turkestan Governor-General and the Ministry of Justice.

The need for uniformity in the activities of courts, both in central Russia and in the Turkestan Region, became the basis for the joint development by the Ministry of Justice and the Ministry of War of the draft judicial reform in Turkestan.

CONCLUSION

The study of the evolution of the legislative framework for the management of the Turkestan region allowed us to say that the period (1899-1917) was the period of validity of 3 independent legislative acts on the territory of the Turkestan Governor-General, which created serious problems in the management of the region. Among which it is necessary to highlight the lack of a unified regulatory framework, interdepartmental contradictions, the lack of a clear division of powers between the Turkestan Governor-General and the ministerial structures in the province. The conducted research showed the fluctuations of the tsarist government in choosing the model of management of the Turkestan governor-General. The unresolved nature of these problems against the background of the regular change of Turkestan governors-general contributed to the decline of the prestige of imperial power in Turkestan at the beginning of the twentieth century, the development of crisis phenomena in the management of the region.

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