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Land Relations in Turkestan in Second Half of the XIX Century and the Early XX Century

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ABSTRACT: The article describes the types of land ownership and features of property relations in Turkestan in the second half of the 19th - early 20th centuries, the change in the form of ownership and the policy of the Russian Empire in relation to land tenure in the country. Based on a number of historical sources, archival documents, reports, scientific literature and researches, the policy of the government of the Russian Empire in determining the ownership of land in its interest, the fact that a number of laws were developed that established its legal basis, documents confirming the ownership of land by the local population were studied by the revision commission, and the attitude of the administration of the empire to land ownership in the country is revealed.

KEYWORDS: Turkestan, Russian Empire, agriculture, local population, land tenure, types of land ownership, amlak lands, state land, mulk lands, private land, mulki khalis, vaqf lands, taxes, khiraj, irrigated agriculture, revision commission, reports.

I. INTRODUCTION

After the Russian Empire established its colonial rule in Turkestan in the second half of the 19th century, it paid special attention to agriculture, which formed the basis of the country's economic life, especially land tenure. The main goal of the agrarian policy of the Russian Empire in the country was to increase the production of agricultural products, especially raw cotton, to meet the needs of its industrial enterprises. Therefore, the imperial government first had to study it well in order to regulate land relations in the country. Officials of the Russian Empire in the country took a number of measures in this regard. But from the earliest years they were very cautious in the approach to land ownership and property. Because a large part of the land was concentrated in the hands of the local population. Realizing that a single wrong decision could negatively affect the colonial power's system of governance in the country, the imperial rulers gradually adapted the solution to the interests of the empire.

II. RELATED WORK

The study of the types of land ownership and property relations in the Turkestan region in the second half of the XIX - early XX centuries has become very important. Even during the period when the Russian Empire established its power in the country, it faced a number of problems with land ownership here. To address this issue, a number of experts were hired and land tenure commissions were set up. The information on land ownership in Turkestan was encountered in the reports on the activities of the Russian Empire officials and the revision commission in the disclosure of imperial policy during this period. In particular, it was also reflected in various correspondence, reports and foundation documents of imperial officials on land relations being kept in the "I-1 Fund of the Office of the General-Governorship of Turkestan" in the National Archives of Uzbekistan contains, as well as in the reports of revision commissions of high-ranking officials of the empire such as the emperor's secret adviser K. Girs (1882-1883), Count Ignatev (1884), and Senator K.K. Reports of Palen (1908-1909) and in the reports of special commissions on land and water relations established by the general –governors of Turkestan (Commissions headed by M.N. Nikolayev, A.I. Gomzin, Abramov) and operated in the country.

Moreover, a number of science representatives including historians, orientalists, naturalists, and other scholars, have conducted researches on land tenure in the country, the land ownership rights of indigenous settled population and nomadic populations, and the attitude of the imperial government to land tenure. These included M.N. Rostilavov (1876), A.I. Shakhnazarov (1908), N.N. Aleksandrov (1916), O. Aminov (1959), L. Shukurova (1960), A.P. Savitsky (1963), A.M. Yuldashev (1969), Z.D. Kastelskaya (1980), D.J. Urakov (2005), S. Boltaboev (2010), O.A. Sultonov (2016), B.A. Alimdjanov (2016), X.E. Yunusova (2018), U.A. Usarov (2018, 2019) and others authors' researches. In the works of these authors, agriculture, which was the basis of the regional economy in the late XIX - early XX

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|| Volume 9, Issue 11, November 2020 ||

centuries, the importance of land for farming, types of land ownership, their classification, land use methods and the attitude of the imperial administration to land ownership are discussed in detail.

III. METHODOLOGY

This study is based on the principles of historical methods, such as historicity, authenticity, social approach, accuracy, reliance on historical sources, systematization, comparative analysis [22], describing the types of land ownership and the peculiarities of property relations in Turkestan in the second half of the XIX - early XX centuries, changes in ownership relations and the policy of the Russian Empire on land ownership in the country.

IV. RESULTS AND DISCUSSION

When the Russian Empire came to Turkestan, it encountered developed large-scale forms of land tenure. These include "amlak" - lands belonging to the governor, or in other words, state lands used by farmers as inherited land, "mulk lands" belonging to private individuals, and "vaqf lands" those which were bequeathed to religious institutions by khans, senior officials and wealthy merchants as a donation[6, –P. 39].

The first type of land tenure that existed in the country at that time was called "amlak lands" and belonged to the amir or khan. The landowner, through his subordinates, leased the land to the peasents for use and received "khiraj" or other taxes from them. That is why at that time such lands were called "khiraj lands" as well[10, –P. 33]. Such taxes were the main income of landowners. The tax of khiraj was taken from the crops grown, which in most cases accounted for one fifth of the harvest, and in the rice fields it accounted for one tenth of the harvest. For example, one fifth of agricultural products such as wheat, barley, peas, sesame, tobacco, and millet were purchased as khiraj.

The second type of land ownership, "mulk lands", was private, some of which were exempted from khiraj and others taxes. On mulk lands, the peasants did not pay taxes to the khan, but to the owner of the land. Most of the income from mulk lands remained with the landowners. The population who used these lands had to give half, sometimes a third of the harvest to the owners[14, -P. 48-48 b.p.]. The mulk lands, in turn, were divided into several types, such as the "mulki khurri-khalis", "mulki khiraj", and "mulki ushr". The landowners of the first type of land, "mulki khurri-kholis" did not pay any taxes to the state treasury. The lands of the mulki khurri-kholis were separated from the lands that had not been used before and passed down over generations. Local peasants leased the land. The second type of mulk lands was called "mulki khiraj" or "khiraj lands". Such lands were considered the allotted land to the population who had long been paying the "khiraj" tax in form of harvest or money. This kind of lands could be sold[4, -P. 31]. The third type of mulk lands was called "mulki ushr" or "dakhyak" which means one-tenth. The mulki ushr lands paid a tax in the amount of one-tenth of the harvest or income received to the state treasury[10, -P. 331-333]. Such lands were not inherited and were given to particular people forever. This type of land was leased for a certain period of time rent, precisely, once a year basis[20, -P. 65].

The third type of land ownership was "vakf lands", which were mainly given by khans, emirs, regional beks and other wealthy people from a certain part of their property to madrasas, mosques, cemeteries, holy shrines, or to the descendants of the sheikhs, lords and saids in the shrines as a vaqf land[14, –P. 49]. In addition to vaqf lands, the whole villages, auls and pastures had also been converted to vaqf [7, –P. 351]. The vaqf lands were not allowed to confiscate, sell or purchase. They were not divided either. The owners of the vaqf lands kept the income. In case of the death of the person to whom the vaqf was donated, the funds were transferred directly to the right heirs. Proceeds from the vaqf donated to religious organizations were used to maintain small schools, repair them, and finance mullahs, imams, and muezzins[14, –P. 49 b.p.]. Along with all the property in the country, the vaqf lands also paid taxes. However, the khans and emirs, as well as the governors of the regions, exempted most vaqf lands from taxes. According to the researcher S. Boltabayev, there were two reasons for this. First, the vaqfs were more related to educational institutions such as schools, madrassas, as well as the elderly, the poor, orphans and widows. Second, vaqf was considered a reward as a donation for Allah's mercy[5, –P. 10]. Prior to the Russian Empire's occupation of Central Asia, Sharia law and the requirements of the waqf were followed, and the waqf courts were inspected by "mutavalliboshi"s (Mutavalli is the manager of the vaqf property. Mutavalliboshi - is the chief mutavalli who coordinates the activities of several mutavallis in large vaqf farms[12, –P. 296]).

The Russian Empire, taking into account its own interests, paid special attention to the economic development of Turkestan. However, for this a lot of money and business people were required. The local administration was well aware of the goals of the imperial government in the country[3, –P. 43-44]. Despite serious criticism and warnings from the ruling circles of the Russian Empire at the time of the establishment of the General-Governorship of Turkestan, General -Governor K.P. Kaufman using his right to "change the administration of the country in accordance with local conditions" took a number of measures on land and water relations[1, –P. 90]. He realized the importance of the land



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|| Volume 9, Issue 11, November 2020 ||

issue in strengthening the political position of the new government in the newly occupied country. As a result, from 1867 to 1881 he led the development of several new land tenure projects, and in some cases allowed experiments in this field[11, -P. 14].

The General-Governor of Turkestan, K.P. Kaufman recruited a number of specialists to study the structure of existing land tenure in Turkestan and to develop new land tenure projects, as well as on general and specific issues. He established contacts with prominent orientalists to study Sharia and customary law of muslims in the country, and invited them to work in the country on a permanent basis. For example, on January 3, 1868, K.P. Kaufman gave Military Okrug Council member M.N. Nikolayev the task to study and determine the land ownership rights of locals and nomads as well as to decide on what land ownership rights to use in the country[15, –P. 17]. In addition, in May 1869, Captain of the General Staff V. Komarov was sent to study the land rights of the Turkestan settlement population to libraries and scientific institutions in St. Petersburg[11, –P. 15].

As a result, as early as 1869, the materials collected by Colonel M.N. Nikolaev, Staff Captain V. Komarov and orientalist A.L. Kun clarified the theoretical and legal aspects of land tenure in the country. It was presented on August 11, 1869 in the report of the administration office of the General- Governorship of Turkestan. K.P. Kaufman listened to the advice of the Administration, and on October 6, 1869, by order No. 67, a new commission was formed, consisting of local administrators and representatives of the population. According to the order, the head of the Administration of the General- Governorship of Turkestan A.I. Gomzin was appointed as chairman of the commission. The summery of the commission says that the cultivated lands were divided into three categories according to the Sharia including 1) khurri-kholis, 2) mamluk (mulk), and 3) amlok[11, –P. 37]. The commission considered the land to be valid only if it had documents drawn up in accordance with Sharia law. Also, the commission headed by Major-General A.I. Gomzin concluded that the imperial administration should be cautious in its future activities in the agricultural sector, especially in land relations, and emphasized that land relations should be the interests of the empire. Only in this way can the country achieve its intended economic benefits.

From the earliest years, the government of the Russian Empire, in their own interests, gradually began to nationalize all the lands in the country "legally". According to official and other documents, the imperial government had a long-term view of land and water relations. First of all, the government studied the attitude of the local population to the land and declared the lands of the nomadic peoples living in the country "state property". These lands were given to their owners for use for unlimited period. "Mulk lands" were also recognized as private property. All other types of land were declared as state property[16, –P. 76].

At the same time, land relations were adapted to the needs of Russian industry and the preferential resettlement of the population. Initially, in order to reduce the social and political status of large local landowners in the country, as well as to implement the plans of colonial policy, all the lands of the country were transformed into state-owned property expressing more or less local laws. They were taxed and enriched the treasury of the Russian Empire[13, –P. 24].

F.K.Girs, a secret adviser to the Russian emperor, who held a revision in Turkestan in 1882-1883, pointed out the types of land tenure in the country in the report of revision[7, -P. 318]. According to him there were three types of land tenure in the country when Turkestan was occupied by the Russian Empire. They are: 1) "amlok lands" that pay khiraj taxes depending on the harvest and tanob taxes according to the land; 2) "mulk lands" exempted from taxes or partially exempted; 3) "Vaqf lands" intended for the realization of religious purposes[14, -P. 46-47]. Meanwhile the commission of inspection, headed by Girs, encouraged the empire administration in the country to cooperate with the local people, who, unlike the Russian peasants, were living in peculiar conditions in the matter of land tenure, in order not to increase their dissatisfaction. He added that if the local population was satisfied with the land relations, then there was no need to change the land management[14, -P. 47 b.p.]. However, the conclusion of the commission on land ownership in the country found calling the "mulk" lands that did not benefit the state, but only created conditions for landowners to become rich for the last 14 years (1867-1881) later and taxing them expedient[7, -P. 349]. The commission also discussed the ownership of vaqf lands in the country, which was divided into two types. The former is property donated to religious institutions, and the latter is property donated to certain people[7, -P. 350].

In Turkestan, a commission of revision chaired by Count K.K. Palen, a member of the Imperial Senate during 1908 and 1909, also provided crucial information on land ownership and land use in the country. According to the commission's reports, the following types of land tenure were encountered during the Russian Empire's occupation of Turkestan. They are 1) State lands (kingdom, mumluk, mamluk-kingdom); 2) Mulk lands (private property); 3) Vaqf lands; 4) "mavlat" (dead) lands of the state that did not belong to anyone[9, –P. 89-920]. The materials of the revision commission also touched upon the issue of nomadic land ownership, according to which the lands used by nomads had been under the control of tribes for many years. According to the Regulations on the Administration of the country of Turkestan of 1886, such lands were referred to as state lands[9, –P. 90].

The commission of revision noted that during its period agriculture in almost all parts of the country was based entirely on artificial irrigation, with an estimated 68,000,000 desiatinas of the country's land area[8, –P. I]. Taking into account the importance of agriculture in the economic life of the country, the commission divided the land in the country into

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|| Volume 9, Issue 11, November 2020 ||

irrigated and non-irrigated lands as well as five main types. The first type included valley lands, the second type included valley-steppe lands, the third type included foothill lands, the fourth type includes mountainous lands, and the fifth type included steppe lands [9, –P. IX].

The head of the commission, Senator K.K. Palen, noted that in the early twentieth century, three local regions in Turkestan including Syrdarya, Fergana, Samarkand and Yettisuv region had different land use rights. He described such lands as divided into several categories. They include 1) urban lands; 2) lands inhabited by sedentary population; 3) private lands; 4) lands belonging to Russian villages; 5) lands used by the nomadic population; 6) state-owned lands (lands belonging to rented and field yards); 7) lands permanently used by nomadic population and independent states[9, -P. 93].

As reported by A. Shakhnazarov, who studied land relations in Turkestan, during the reign of the Russian Empire, all lands in the country were divided into three categories. The first category includes "mamluk" - state lands, the second category is "mulk" - private lands, and the third category is "vaqf" lands belonging to mosques and madrassas[18, –P. 36]. The author also divides the ownership of "mulk lands" into four categories. They are: 1) "mulki khur" or "mulki kholis", 2) "mulki ushr", 3) "mulki khiraj", 4) "mulki vakhmi" [19, –P. 64]. It turns out that, in consonance with the author, there were three major categories of land tenure in the country, which, in turn, could be divided into several categories, depending on the size of the land and the payment of various fees.

Similarly, during this period, N.N. Alexandrov tried to reveal the country's land ownership on the example of the Syrdarya region. He stated that in agreement with the land policy of the imperial government at the beginning of the twentieth century, all the lands in the country were divided into six categories including 1) state lands; 2) state lands used by nomads; 3) private lands inhabited by local population; 4) vaqf lands belonging to religious institutions and charities; 5) private lands of Russian owners; 6) lands belonging to the resettlement unit at the disposal of other nationalities relocated to the region [2, -P. 211]. The author also divided the vast territory of the region into three parts, depending on the degree of water supply to irrigated lands. The first part is the south-eastern part, which is well supplied with water, consisting of Tashkent, Chernyaev (except Turkestan sector) and Avliyota uezd; the second part includes the north-western part, consisting of Chernyaev (only Turkestan sector), Perovsky, Kazalinsk uezds, which were poorly supplied with water, and the third part is a separate Amudarya section (less irrigated area) [2, -P. 12]. Thus, based on the author's research, the division of land in the country, especially in the Syrdarya region, into categories, depending on the purpose for which it is used and who owns it, was contingent on the area of water supply in the region. During this period, the main occupation of the population of Turkestan was agriculture, and in the Fergana, Syrdarya and Samarkand regions of the country, agriculture was more developed[17, -P. 513-515]. Agriculture was mainly on rain-fed and irrigated lands. Due to the fact that most of the arable land is irrigated, the construction, repair and use of various water facilities had been carried out with the participation of the community[21, -P. 43-47]. However, heavy manual labor played pivotal role in agricultural production, there was almost no modern machinery and equipment, and the relationship of laborers with landowners was not always fair.

V. CONCLUSION

In general, with the annexation of Turkestan to the Russian Empire, the settled population underwent a number of changes in land tenure during the khanate. As a result, the lands held by inheritance rights and all categories of property owners who enjoyed all the benefits in the payment of taxes, disappeared. However, according to the article 255 of the Regulations on the Administration of the Territory of Turkestan, in the interests of the empire, the settled population who had lands inherited from all the ancestors in the country received the right to own the land. Lands used by the nomadic population was turned into state property. Such changes in the country's land tenure were made by the imperial government in its own interests. Some categories of land tenure remained unchanged were taxed at the expense of the state treasury.

Furthermore, the Russian Empire, which aimed to use Turkestan as a source of raw materials and a market for finished products, also achieved the goals set by taking full control of land relations in the country. At first, after a thorough study of land relations, the Empire government gradually expanded the cotton fields. Due to the rapid development of cotton growing in the country, the empire began to reduce the purchase of raw cotton from foreign countries, including the United States. The cotton fields in the country had been steadily expanding. These efforts led to an increase in the attention paid to cotton growing in the country, as well as the rise in production of new high-yielding varieties of cotton. Consequently, the local population's need for food increased and their social situation deteriorated.

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|| Volume 9, Issue 11, November 2020 ||

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|| Volume 9, Issue 11, November 2020 ||

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