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ON CERTAIN ASPECTS OF LAND TENURE RELATIONS IN TURKESTAN DURING THE SECOND HALF OF THE NINETEENTH CENTURY: A STUDY BASED ON THE ACTIVITIES OF THE A.I. GOMZIN COMMISSION

Usarov Umidjon Abdumavlyanovich
Associate Professor, Doctor of Philosophy (PhD) in History
National University of Uzbekistan

Annotation. This article examines the commission established under the leadership of A.I. Gomzin, head of the chancellery of the Turkestan Governor-Generalship, in the late 1860s – a period when the Russian Empire was implementing its colonial policy in the Turkestan region. The commission was formed with the aim of studying the political and socio-economic conditions of the region, in particular the relations of land tenure prevailing there, and the article analyzes the results of its activities. The study also seeks to shed light on the commission headed by A.I. Gomzin and its work by drawing on primary sources of the period as well as on scholarly research conducted at different stages of historiography.

Keywords: Russian Empire, Turkestan, region, Governor-General, K.P. Kaufman, A.I. Gomzin, colonialism, commission, land tenure, property, waqf.

INTRODUCTION.

In the second half of the 19th century, after the Russian Empire, through military operations, seized a large part of the territory of the Central Asian khanates, it established in this territory the Turkestan Governor-Generalship, based on colonial principles. Thereafter, having taken political power in the Turkestan region into its own hands, the government of the Russian Empire, in pursuing its colonial policy in the region, sought to exercise full control over political and socio-economic life. To this end, the empire's government entrusted its Governors-General, who served as its official representatives in the region, with the task of conducting relations with the local population in accordance with imperial interests. In this regard, K.P. Kaufman, the first Governor-General of the Turkestan region, in the course of his activities, implemented a number of measures aimed at exercising not only political authority in the region but also control over its socio-economic life, in particular, the relations of land tenure in the region.

RESULTS OF DISCUSSION.

By the second half of the 19th century, the Russian Empire, being interested in developing cotton cultivation in the Turkestan region, began studying land-water relations – one of the main branches of the economic relations of the local population – in the newly conquered territories. In this regard, the Turkestan Governor-General K.P. Kaufman, making use of the authority granted to him "to modify the administration of the region in accordance with local conditions", carried out a number of measures [1, – Б. 90.]. In particular, during the years 1867–1881, he led the development of several new projects on the issue of land tenure, and in some cases even permitted experiments to be carried out in this sphere [6, – С. 14.].

Initially, in early 1868, with regard to the land-water relations in the region, Governor-General K.P. Kaufman had a commission established under the leadership of Colonel M.N. Nikolayev, a member of the Council of the Turkestan Military District, with the aim of studying and determining the land rights of the local population and of nomads, as well as deciding which land rights the imperial government should observe with respect to the issue of land and property ownership. This

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commission completed its work in August 1869 and submitted its report to Governor-General K.P. Kaufman. However, the Governor-General was not satisfied with this report.

Heeding the advice of the regional chancellery, on October 6, 1869, by Order No. 67, Turkestan Governor-General K.P. Kaufman formed the composition of a new commission made up of local administrators and representatives of the population. According to the order, A.I. Gomzin, head of the chancellery of the Turkestan Governor-Generalship, was appointed chairman of the newly formed commission. The members included Colonel Eyler, head of the Sirdarya regional administration; Ozerov, head of the Yettisuv regional administration; Nosovich, head of the Jizzakh uyezd; Medinsky, head of the Aulie-Ata uyezd; Gerasimov, assistant head of the Chimkent uyezd; and Savenkov, the chancellery clerk. This commission was entrusted with the task of "discussing land-water relations in the region and resolving the problems". The commission studied the relations of land tenure in the region, and its head, A.I. Gomzin, upon the conclusion of its work, prepared a enchiridion consisting of three reports [6, – C. 16.].

In the first report, titled "The State's Right to Land", prepared by Major General A.I. Gomzin, he discussed the rights pertaining to the lands inhabited by the nomadic and the settled population, asserting in it that the state was the true owner of the land [6, – C. 30.]. Another of the principal issues addressed in the report was the lands inhabited by the settled population. With regard to such lands, the right of ownership required, first, that the land be purchased from the state for money, after which two-thirds of the harvest had to be handed over to the state treasury, while the remaining one-third could be retained as personal property. Taxes such as kharaj and tanob were not levied on these lands. According to the report, the khan had the right to sell state land in time of war or when the state treasury was depleted. For a sale to be legally valid, it had to be confirmed by four qazis. On the basis of this information, the commission arrived at the conclusion that lands designated as "mulki hur" (free property) were to be considered private, while all other lands were to be regarded as belonging to the state; and, second, that lands subject to taxes such as kharaj and ushr were state-owned [6, – C. 31.].

It should be specifically noted at this point that the imperial administration, paying particular attention to land-water relations in the region, sought to keep waqf lands under constant control. They sought to obtain more information regarding the fact that "lands, bathhouses, palaces, shops, mills, and canals could also be donated as waqf, and that any property granted as a charitable endowment to a mosque or madrasa was called waqf " [5, – C. 335.]. It was precisely for the purpose of gathering such information that the commission instructed the heads of the city of Tashkent and of the Tashkent uyezd to collect, within a period of one month, through their respective administrations, either the originals or duly certified copies of documents belonging to the local population pertaining to waqf, state, and private lands [2, – C. 21.]. According to the researcher O. Sultonov, in the mid-60s–80s of the 19th century the establishment of waqfs in Tashkent increased several times over compared to the preceding period [7, – B. 167.].

The fact that the members of the commission did not know the local language and were unable to comprehend the rules and norms of sharia law prevented them from fully carrying out the tasks assigned to them. Naturally enough, Governor-General K.P. Kaufman, having failed to obtain a report consistent with colonial interests, included in the commission's composition additional Russian and local administrative officials, representatives of the population, as well as two more persons from each uyezd [2, – C. 21.]. This commission, too, was unable to fully clarify certain issues regarding waqf property ownership, the income derived from waqf estates, and land-water relations – matters that had, over the years, taken shape and grown increasingly complex. In its report, the commission arrived at the conclusion that, "in accordance with the laws of shariah, waqf property was owned solely by the

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state and was exempt from taxes such as kharaj and tanob; waqf lands were not private property but were state lands belonging to mosques, madrasas, and khanaqahs, which could be administered by an amir, khan, or imams" [6, – C. 32.].

It should be noted here that the issue of waqf constituted a major problem in the land economy of Turkestan. The waqf lands, which had become the trust property of the clergy, were in fact granted out of the lands of "landowners" with the khan's permission, as an act of favor. At the time such land was allotted, the khan would confirm the waqfnoma (deed of endowment) drawn up for it. Subsequent khans, in turn, would also confirm this waqfnoma [8, – C. 66.]. Because this was a peculiarly complex process, the commission, having studied the documents on land ownership submitted by the local population in 1869, presented them to the military governor only on June 1, 1874. The documents reviewed by the commission and returned to the population were as follows: 1,219 from the Tashkent uyezd, 575 from the Khujand uyezd, 447 from the Turkestan uyezd, 109 from the Qurama uyezd, 13 from the Chimkent uyezd, and 1 document from the city of Tashkent. In total, 2,364 documents were returned [2, – C. 21-22]. A certain portion of the population submitted documents to the former commission again in 1882. However, these were left unreviewed [2, – C. 22].

The second report, prepared by Major General A.I. Gomzin, was titled "The Land Ownership Rights of the Population", and in it the stages of the development and origin of land ownership and its use, deriving from the rules and norms of Muslim sharia law, were set forth. The commission divided the right to land ownership into two main factors: acquisition through cultivating uncultivated land, or acquisition through the forcible seizure and occupation of land.

According to numerous sources, the bulk of the population of Turkestan was engaged primarily in agriculture and animal husbandry. In particular, in the Fergana and Samarkand regions 75 percent of the population was engaged in agriculture and 5 to 9 percent in animal husbandry; in the Sirdarya and Trans-Caspian regions nearly half were engaged in agriculture and another 30 percent in animal husbandry; while in the Yettisuv region agriculture and animal husbandry were developed in roughly equal measure [4, – C. 86-87]. Together with the study of these lands, the commission's conclusions also provided information regarding conquered lands. On the whole, the commission's conclusions noted that the land ownership rights of the population in the region were guaranteed on the basis of sharia, and that these consisted of three categories of land: hurri-holis, mamluk, and amlok. It was likewise specifically pointed out that both private and communal forms of land use existed in the region [6, – C. 41]. These lands were entirely based on irrigated agriculture, with the peasant farmers cultivating agricultural produce. In Russian sources this was also described by the phrase "the land yields a harvest twice during the summer" [3, – C. 139].

The commission headed by A.I. Gomzin presented its final conclusions in the third report. In it, it was stated that land ownership in the region, as divided on the basis of sharia, consisted of four types, namely: mamlakat lands, belonging to a private individual or to a community; mamluk lands, granted by the state to a private individual or to a community; mavat lands (dead lands – U.U.), which were uncultivated and belonged entirely to the state; and waqf lands, the income from which was expended on someone or something [6, – C. 42]. In its conclusions, this commission headed by A.I. Gomzin specifically emphasized that the unsettled political situation prevailing in the region at that time, characteristic of the period, had affected the population possessing small plots of land, leading them to be separated from their land and to swell the ranks of hired laborers, and resulting in the absence of large landownership.

CONCLUSION.

Based on the information presented above, it can be seen that, in his policy of regulating all processes in the region in accordance with imperial interests, Turkestan Governor-General K.P.

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Kaufman established several commissions during his tenure. Among these commissions, the one formed under the leadership of A.I. Gomzin, head of the chancellery of the Turkestan Governor-Generalship, stands out in particular. As a result of this commission's activities, the relations of land tenure in the region were studied in detail. In particular, as a result of this commission's work, three major reports were prepared, according to which: the first report, titled "The State's Right to Land", addressed the issue of rights pertaining to lands inhabited by the nomadic and the settled population; the second report, titled "The Land Ownership Rights of the Population", addressed the origin and stages of development of land ownership and its use in the region, deriving from the rules and norms of Muslim sharia law; and the third report was devoted to the commission's final conclusions, in which it can be seen that land ownership in the region, as divided on the basis of sharia, consisted of four types, including waqf lands, the income from which was expended on someone or something. Thus, according to the conclusions of the Gomzin commission, it can be seen that K.P. Kaufman, the Turkestan Governor-General and representative of the imperial government, sought to adapt the relations of land tenure in the region to serve his own interests.

REFERENCES

1. Абдураҳимова Н., Эргашев Ф. Туркистонда чор мустамлака тизими. – Тошкент: Академия, 2002. – Б. 90.
2. Благовѣщенский В.Ц. Къ вопросу о вакуфахъ в Сыръ-Даръинской области // Сборникъ матеріаловъ для статистики Сыръ-Даръинской области. Изд. Сыръ-Даръинскаго областного Статистическаго комитета. Под ред. секретаря комитета И.И. Гейера. – Ташкент: Типо-литографія С.И. Лахтина. 1891. – С. 21-22.
3. Маев Н. Туркестанская выставка 1890 г. Путеводитель по выставке и её отделам. – Ташкент, 1890. – С. 139.
4. Махмудова Н. Развитие административного управления, социально-экономических и культурных процессов в колониальном Туркестане в начале XX века. – Ташкент: Фан, 2015. – С. 86-87.
5. Ростиславов М.Н. Очерк видов земельной собственности и поземельный вопрос в Туркестанском крае. – СПб., 1876. – С. 335.
6. Савицкий А.П. Поземельный вопрос в Туркестане (в проектах и законе 1867–1886 гг.). – Ташкент, 1963. – С. 14-42.
7. Султонов Ў.А. Тошкент вақф хўжалигида анъаналар, ислоҳотлар ва муаммолар (XVI–XX аср бошларига оид тарихий ҳужжатлар асосида): тарих фанл. бўй. фалс. докт. (DSc) дисс. – Тошкент, 2016. – 167 б.
8. Шукурова Л. Туркистонда чоризм ҳукмронлигининг дастлабки йилларида ер-солиқ системаси тарихидан // Научные работы и сообщение. Кн. №1. – Ташкент: Изд. АН УзССР, 1960. – Б. 66.