

FEATURES OF LOCAL SELF-GOVERNMENT IN THE STEPPE GENERAL GOVERNMENT

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The subject. Many shortcomings in the current state of local government and self-government systems are that in the process of forming institutions of public power, there were not evolutionary qualitative changes, but, on the contrary, there were processes of quantitative complication of mechanisms and institutions for the exercise of public power, making the role of the people in administrative processes impossible or insignificant.

The theoretical and methodological basis of the research are the categories and principles of materialistic dialectics, systematic, formal-logical, formal-legal and comparative-legal methods.

The main results. The article discusses 4 types of self-government that existed in the Steppe General Government in the pre-revolutionary period. Special attention is paid to organizational and legal issues, the structure and forms of activity of urban, peasant, Cossack and Kyrgyz (Kazakh) self-government, their interaction with local administrative and police bodies represented by the Governor-General, regional governors and county chiefs.

Conclusions. The activity of local self-government bodies in the Steppe Region was based on the concept of self-government, which was based on the fact that local self-government had to act in the interests of state power. It carried out its activities on the basis of laws, the subjects of its jurisdiction and competence were also determined by the state. The activities and powers of the local state administration and local self-government were considered homogeneous and constituted a single power vertical.

1. Introduction. The relevance of the topic of the article chosen by the author is determined by its little-studied in Russian and Kazakh historical and theoretical-legal science. Modern researchers have studied only certain types of organization of local self-government. A comprehensive study of local self-government in the Steppe General Government has not yet become the object of close attention of historians and lawyers, and only certain aspects of the problem in the form of studying urban, peasant, Cossack and Kyrgyz (Kazakh) self-government have been reflected in the works of applied or more general nature - Kazakh researchers B.M. Abdrakhmanova [1] and S.Z. Zimanov [2], in the collective monograph of L.M. Dameshek and I.N. Mamkina [3], as well as in the works of Omsk historian A.V. Remnev [4].

The theoretical and methodological basis of the research is the basic principles of historical and legal-theoretical knowledge – historicism and objectivity, which imply a critical attitude to sources, as well as unbiased approaches to the analysis of the studied problems. In the course of studying the problem, the author used a set of general scientific and special methods that are used in this kind of research.

2. General characteristics of local government in the Steppe General Government.

On May 18, 1882, in accordance with the decree of Emperor Alexander III, the Steppe Governor-General was formed, uniting the Akmola, Semipalatinsk and Semirechensk regions, with the administrative center in Omsk. However, the Semirechinsk region was transferred back to the Turkestan Governor-General in 1899. Administrative centers in the regions of the Steppe Governorate-General were located in Semipalatinsk, Omsk and Verny. The regions were administratively divided into counties. So, Akmola and Semipalatinsk regions consisted of 5 counties, Semirechka – of 6. The composition of counties, along with urban centers, included Cossack village administrations, Kazakh and peasant volosts [5, p. 21].

The integration of the territories of Kazakhstan into the Russian imperial management system was carried out through a special model of

administration, which was tested in Siberia as a result of the reforms of M.M. Speransky in 1822. This model was specially adapted to the conditions of territories remote from the center of the empire, peculiar in religious and national composition of the population and low density of its settlement. Its stability was explained, among other things, by the diversity of institutional and legal management forms, as well as territorial and administrative entities [6, p.44].

Characteristic of the Steppe governor-General, as well as for other possessions of the Russian Empire located beyond the Urals, was that the "Judicial Statutes" and "Regulations on provincial and county Zemstvo institutions" of 1864 were distributed here later than in the European provinces of the country [7, p. 215]. Therefore, the powers of local state authorities, represented primarily by the bodies of the Ministry of Internal Affairs, the subjects of their departments and the limits of power were more multifaceted than in the inner provinces. Police officers carried out the powers assigned in other regions to officials of the zemstvo self-government and employees of the judicial department [8, p.198].

In the Steppe General Government, a four-stage structure of local administration was immediately formed. At the head of which was the Governor-General, who was at the same time the head of the regional administration, the commander of the army and Cossack units stationed in the region, as well as the supervisory authority. The second stage in the structure of administration was the regional one, which included regional governors and institutions that performed police, administrative, police and financial powers (regional boards and state chambers). The third stage was represented by the county administration. It consisted of county chiefs and county treasuries. The fourth stage, completing the structure of local government in the general government, was the city, Cossack village, volost peasant and Kyrgyz (Kazakh) self-government, which exercised significant managerial powers and were actually integrated into a single vertical of power with local government [9, p.1232].

3. Local self-government. Urban public

administration appeared in the south of Western Siberia and in Northern Kazakhstan in the XVIII century after the distribution of the "Charter of the Cities of the Russian Empire" to the region in 1785. Since 1822, it has operated on the basis of "Institutions for the administration of Siberian provinces and regions" [10, p.18], and then in 16 regional and county centers of the Steppe Governor-General – based on the "City Regulations" of 1870 [11, p.118]. It had broad powers in the administrative and economic spheres, and was represented by representative bodies – city dumas and executive bodies – city councils. At the head of the dumas and councils were the mayors, who simultaneously presided over the city dumas and councils [12, p.278].

The powers of the city public administration in the Steppe Governor-General were significantly adjusted by the "City Regulation" of 1892, which seriously curtailed the rights of representative dumas and administrations in favor of local government bodies, as well as a high property qualification and reduced the circle of urban voters [13, p. 21]. According to the "City Regulations" of 1892, the governors of the regions approved the dates of the elections to the city дума, their organization, appointed the chairmen of the electoral assemblies. Complaints about violations committed during the elections were to be sent to the governors. The resolutions of the city дума on the new "City Regulation" began to enter into force only after their approval by the governors [14, p. 356].

According to the new "City Regulation", the executive bodies of city self-government - city councils became more independent from the representative city dumas and were placed under the direct control of administrative and police bodies [15, p. 124]. Their members were equated to government officials of the 8th grade, they could receive ranks and orders. The governors of the regions, who previously only supervised the legality of the activities of city self-government, have now acquired the right to make prescriptions to the members of the boards and even dismiss them from their posts [16, p. 22].

The supervision of the governors over the city self-government also began to consist in the

right to conduct audits of its activities. Having seen, according to the results of the audit, the irregularity in the actions of the boards, the governors suggested that they correct the violations. If the board failed to correct the violation and execute the governor's decree, the case was transferred to the city Дума, which had the right to either cancel the board's decision or transfer it for further consideration to the regional presence for city affairs.

The Cossack village administration in the south of Western Siberia and in Kazakhstan, after the creation of the Steppe Governor-General, was regulated by the regulation "On Public Administration in the Cossack troops" of 1870. Its structure included village courts, village atamans and village boards elected by Cossacks and "nonresidents" who lived on Cossack lands. The village board consisted of the village ataman with an assistant, the treasurer, the village clerk and the trustees of the village society. The village atamans were approved by the governors of the regions. As part of the Siberian army, there were first 37, and then 48 Cossack village boards [17, p.15].

Until 1870, there were almost no peasant settlements on the territory of modern Kazakhstan and only Cossacks were engaged in agriculture. After the adoption of the law of 1889 and the construction of the Trans-Siberian railway, mass peasant colonization of the Steppe General Government from the European part of the Russian Empire began. So, in 1908, 140,350 displaced peasants arrived in Akmola region alone [20, p. 8]. A volost peasant administration was organized for settlers in the region in accordance with the "Institution for the Administration of Siberian Provinces and Regions" of 1822 and the "Regulations" of February 19, 1861, which in 1898 were supplemented by the "Temporary Regulations on Peasant chiefs" [21, p. 34].

Local self-government was carried out by the desyatsky and sotsky, as well as the elders in the settlements, and at the volost level - volost boards. Heads of estate municipalities – volosts – volost elders were elected chairmen of volost boards. Volost peasant courts were also established in the volosts to deal with administrative, minor criminal and civil cases, making decisions on the basis of customary legal norms. The volost administration

apparatus was represented by a volost foreman, two volost assessors, a clerk and volost judges, all of whom were elected for three years by a lay (volost) meeting and approved by the governors of the regions. Sotsky, desyatsky, and also the elders were elected directly in their settlements and were approved not by the governors of the regions, but by the county chiefs. The peasant self-government was charged with ensuring "peace and order" in the territories of the volosts. He was responsible for the condition of roads, transports and bridges, for collecting taxes, as well as for the procedure for performing state and local duties [22, p. 18].

In 1898, the positions of peasant chiefs were established in the Steppe Governor-General [23, p. 51], who began to supervise the volost self-government, they approved the decisions of peasant gatherings and officials of volost boards. The peasant chief was vested with judicial powers and had to deal with the placement of migrants.

The Kyrgyz (Kazakh) volost administration deserves special attention for the study. In 1868, the "Temporary Regulation on the management of the Orenburg and Siberian departments and the Ural and Siberian Cossack troops in the steppe regions" was adopted, according to which, instead of hereditary sultans, elective positions of volost rulers appeared in Kazakhstan [24, p. 171]. Kyrgyz (Kazakh) volosts were divided into villages according to the number of tents. The number of caravans in the parish was supposed to be up to 2000, and in the villages – up to 200 caravans. A person who had reached the age of 25, who enjoyed the respect and trust of the local population and had no criminal record, could apply for the position of a volost ruler. The volost ruler was chosen by the volost congress of voters, which included one representative from 50 tents. The elected volost ruler was appointed to the post by the governor for a three - year term .

4. Conclusion. The Crown government was rather cautious about all types of local self-government represented on the territory of the Steppe General Government. The local state administration, represented by governors, regional boards, police chiefs and county chiefs, was accountable to the Governor-General and the

Ministry of Internal Affairs, which were the control bodies for local self-government bodies - city rights and dumas, village and township boards. The Supreme Power sought to incorporate all four types of local self-government into the system of local government. However, at the same time, it sought to leave self-governing corporations with responsibilities in the military mobilization, police and fiscal spheres.

The interaction of local government and self-government in the Steppe General Government was based on the concept that self-government had to act in the interests of state power. Since it carried out its activities on the basis of laws, the subjects of its jurisdiction were also determined by the state. The activities and powers of local government and self-government were considered the same, had a common goal and formed a single power vertical [25, p. 772]. The basis of their relationship in the Steppe Governor-General was based on the principles of "unity" and "hierarchy" of public power, which laid down a strict order of subordination of local self-government bodies to bodies and officials of the local administrative and police vertical of the region's power "from bottom to top", and also provided a commonality of ways to resolve issues, binding and unquestioning execution regulations of the crown administration. Thus, even at the beginning of the twentieth century. only state chambers, provincial excise offices, gendarmerie offices and courts were outside the control of the governors of the Steppe regions [20, p. 29].

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