94 (575)

"

!

& , (

. .

0 '

" , & , -

, .

:0 ; & 9 <; ; ; ; ; .

ABOUT THE TSARIST AUTHORITY S PLANS CONCERNING ABOLITION OF PEOPLE S COURTS OF THE TURKESTAN NOMADIC POPULATION &ON THE BASIS OF ARCHIVE, JURIDICAL AND OTHER MATERIALS(

A.L. Saliev

The article is dedicated to the problematic issues of interaction between the Tsarist authority and Turkestan Peoples Courts in the region, plans on abolition of the latter and their replacement with Magistrates Courts of Russian National sample, as well as the reasons prevented realization of that plans.

Key words: Turkestan; customary law 9adat<; juridical proceedings; Magistrates Courts; Tsarism; the Kyrgyz; the Kazakhs.

B ^ mijZg_gby gZhguo kmh\ dhq_\h]h gZe_gby Lmjd_klgZ \ i_j\u_]hu OO \. klZ \k_ [he__ dlb\gh h[kmZky \ dZbg_lZ g_ lhevdh jmdh\hbl_e_c hlZ_gguo l_jjblhjbc , gh b klgZh\beZv ij_f^_lhf bamq_gbykhhl_lkl\mx - sbfb qbgh\gbdZb \ jhkkbckdhc klhebp_. LZ , gZ- ijbf_j , \ ghy[j_ 1912]. [ueh jZkfhlj_eh ij_^ - klZe_gb_ lmjd_klgZkdh]h]_g_jZ -]m[_jgZhjZ : .<. KZkhgh\Z h[mijZg_gbb gZhguo kmh\ “lma_fgh]h” gZe_gby _j_ggh]h _fm djZ b aZ- f_g_ bo jmkkdbfb kmZb . A^kv ke_^m_l hlf_lblv , qlh KZkhgh\ [ue [hevrbf ih[hjgbdhf mijZg_ - gby gZhguo kmh\ b aZ_gu bo jmkkdbfb. Hg \klmibe \ he`ghklv lmjd_klgZkdh]h ]_g_jZ - ]m[_jgZhjZ \ 1909 ]., gh m` \ i_j\hf k\h_f “\k_ - ihZgg_cr_f ” hdeZ h iheh`gbb \ djZ ij_^ - ehbe ieg baf_g_gby “lma_fgh]h” kmhmkljhc - kl\Z b kmhhijhba\hkl\Z . <h-i_j\uo , hg ij_ehbe ebd\bbjh\Zv i_j\mx bgklgZpbx gZhgh]h kmZ, lh _klv _bghebqgh_ kmhhijhba\hkl\h [b_\ b dZ- ab_\, aZ_gb\ bo dhee_]beZvguf kmhhf ba lj_o \u - [hjguo gZhguo km^c , \ dhlhjhf ij_k_Ze ev - kl\h\Z [u jmkkdbc fbjh\hc kmvy. <h-\lhjuo , KZkhgh\ ij_eZ mijZgblv ijhklu_ b qj_a- \uqZgu_ kt_au gZhguo km^c-[b_\ , Z \ dZ_ - kl_ \lhjhc b ihke_g_c bgklgZpbb ey gZhguo kmh\ Lmjd_klgZkdh]h djZ “ijbagZv kt_a^ fbjh - \uo km^c gZ h[sbo hkgh\gbyo ”[1]. Ihwlhfm hg ijbehbe g_fZh mkbebc ey lh] , qlh[u j_Zbah - \Zv k\hb gZ_j_gby , \ k\yab k q_f ijb\e_d d kh- klZe_gbx khhl_lkl\mxs_]h ijh_dlZ ey ijZb - l_evkl_ggh]h jZkfhlj_gby gZ[he__ hiulguo b agZsbo ki_pbZbklh\ (G.I . Hkljhmfh\Z , <.I . GZb\dbgZ , G.K. Eudhrbg Z b j\ .). DZbg_l fbgbkljh\ , jZkfhlj_\ aZhghijh_dl KZkhgh\Z , kh]eZbeky k_]h fg_gb_f h lhf , qlh “lma_fgu_” km- u mklgZeb b g_hl_qZl lj_[h\gbyf [ukljhl_ - dms_]h \j_f_gb . Hg ijbagZ p_e_khh[jZghklv aZ- f_gu bo fbjh\ufb kmZb h[s_bfi_jkdh]h h[jZ - pZ, hgZh \uklmibe aZ__ihkl_i_gghklv , mdZ , qlh ey wlh]h lj_[m_lky [hevrgZ jZhlZ ih i_j_ - ih]hlh\d_ fbjh\uo km^c k l_f , qlh[u hgb hbgZ - dh\h ohjhrh agZb h[uqgh_ ijZh (Z) dhq_\gb - dh\ Lmjd_klgZ b fmkmevfgZkdh_ ijZh (rgbZ) –

[1] <k_ihgZg_crbc hdeZ lmjd_klgZkdh]h]_- g_jZ -]m[_jgZhjZ h iheh`gbb Lmjd_klgZkdh]h djZ \ 1909]hm . LZd_gl , 1910. K. 23.