

CHANGES IN THE POLITICAL AND LEGAL SYSTEM OF KAZAKHSTAN IN THE PROCESS OF ITS INCORPORATION INTO THE RUSSIAN EMPIRE FROM THE SECOND HALF OF THE 18th CENTURY TO THE END OF THE 19th CENTURY

Part I

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This article is devoted to studying changes that Kazakh society underwent in the political, legal and economic spheres in the process of its incorporation into the Russian Empire. This paper describes the peculiarities of the status of the khans' power on the Kazakh steppe and the specificity of power relations in the society of the nomads. The author has tried to identify the causes of the loss of sovereignty of the Kazakh khanates from the second half of the 18th century to the end of the 19th century.

Keywords: Customary law, nomads, capitalism, khans' power, protectorate of the Russian Empire, colonialism

The features of power relations in nomadic Kazakh society

The introduction of legislation should be preceded by the accumulation of real conditions related to the superstructure. These conditions, in turn, determine the transformation of relationship of the basis. Due to the interaction of many elements of the superstructure, the most significant of which are political and legal, economic factors eventually cause the occurrence of a specific legal regime that arises in the case of specific requirements of congruent generalization in temporary, social and substantive respects. And all of these relationships should be systematic.

“The social practices of the law are in fact the product of the functioning of a “field” whose specific logic is determined by two factors: on the one hand, by the specific power relations which give it its structure and which order the competitive struggles (or, more precisely, the conflicts over competence) that occur within it; and on the other hand, by the internal logic of juridical functioning which constantly constrains the range of possible actions and, thereby, limits the realm of specifically juridical solutions.”¹

An analysis of political and legal reforms and economic developments in Kazakhstan from the second half of the 18th century to the end of the 19th century will clarify many aspects of the transformation of Kazakh society in the process of its incorporation into the Russian Empire. Power does not belong only to the state apparatus and is not limited only to legal forms; it permeates all social space and goes beyond the scope of legal relations. The state with its totality of institutions is only the basis for a whole network of authorities. Moreover, among these micro-powers and the state structure there is a rigid coherent interdependence. As Foucault (1926 – 1984) reasoned, “in society itself, nothing will change if the mechanisms of power that operate outside the state apparatuses, under them, around them, and at a much lower level, at the ordinary level, are not modified”.²

Constrained by institutional and mental structures, the Kazakh elite was not able to find opportunities to move from a reciprocal form of integration of Kazakh society to a redistributive one. Measures which contributed to the creation of favorable conditions for the rise of individual khans (but which did not change the essence of the khans’ status and made no adjustments in the political structure of the nomads) had transient success, and after a while the centrifugal tendencies in the Kazakh zhuzes³ were again gaining strength.

It should be noted that a common occurrence in the Kazakh khanates was the institution of a few khans, which, in the vast spaces of the steppe, in conjunction with the tribal genealogical system, allowed them to quickly respond to emerging problems. The political system and the territorial organization of the nomadic Kazakhs were characterized by their high mobility. In this case, one

¹ BOURDIEU, P. *The Force of Law: Toward a Sociology of the Juridical Field*, p. 816.

² FOUCAULT, M. *Intellectualy i vlast: Izbrannyje političeskije stat'i, vystuplenija i intervju. Čast 1*, pp. 167 – 168.

³ Zhuz (Kazakh – “union”) is the historical grouping of the Kazakhs. There were three zhuzes in total: the Senior Zhuz, the Middle Zhuz and the Junior Zhuz. There is no common opinion among historians with regards to the time of occurrence of the zhuzes, the reasons for their creation or their internal structure. Each of the zhuzes was characterized by internal regional and ethnic unity, cultural and economic commonness as well as by the ordinariness of its political leadership.

can talk about the phenomenon of a certain dispersal of central power, which was necessary and which was due to the nomadic tradition.

In Kazakh society, khans did not have the exclusive right to determine what was legal and what was not. One of the positive aspects of nomadic democracy was that ordinary nomads had the right to judge, the right to tell the truth, the right to direct the truth against their rulers and the right to force them to restore their violated rights. There were often cases when a khan or a sultan was coerced by society to perform various types of legal obligations. The right to oppose justice was devoid of reliance on power, a power unaware of fairness, and contributed to the establishment in the steppe of a constant search for a compromise. The customary law of the Kazakhs – *adat* – always provided the possibility to stop acts of retaliation through a contract: a certain transaction that compensated parties for their loss.

Thus, customary law, which became firmly established in the steppe, not only secured nomad elites with various kinds of rights but also obliged them to carry out power functions. In addition, when the elites committed offenses, such as damage to the health or property of a tribesman, customary law compelled them (like any other nomad) to restore this infringed right. The legal status of a khan only emphasizes the fact that in the political structure of the nomads the khan was the first among equals.

The political history of the Kazakh nation since its formation has been a history of continuous struggle for its sovereignty, the preservation and expansion of pastures and sovereignty over the cities of Central Asia. In the history of the Kazakhs, there have been not only internecine wars, inter-clan clashes and raids, but also military conflicts with neighboring tribes and nations. Disparate Kazakh clans' immediate vicinity to each other, perpetual conflicts and clashes, and unbalanced and volatile power relations obliged khans and sultans to assess each neighboring nomadic community, compare some with others, imitate the methods of the neighbors and try to replace power with other types of relations. Mainly, due to the conflicts and possibility to take the neighbors' products by force, Kazakh nomadic society could support its life.

In the difficult conditions prevailing in Central Asia in the first half of the 18th century, Kazakh khans were trying to preserve their independence and assert their rights as sovereigns with strategies that would help avoid wars.

The incorporation of Kazakhstan into the Russian Empire and its consequences

On February 19, 1731, the Russian Empress Anna Ioannovna (1693 – 1740) sent two letters – one to Khan Abulkhair (about 1680 – 1748) and one to

Kazakh elders, where she expressed her consent to take the Kazakhs (mainly the Junior Zhuz) under the patronage of the Russian Empire on the terms proposed by Abulkhair. To administer Abulkhair's oath, the imperial government sent a special mission to the Kazakh steppe headed by a translator from the Board of Foreign Affairs A. I. Tevkelev (1674/75 – 1766), who on October 5, 1731, came to Abulkhair's headquarters located in the Manityube tract on the right bank of the Irgiz River. Five days later on October 10, 1731, at a *kurultai* (meeting) of the Kazakh elite and the elders of the Junior Zhuz, Abulkhair signed an oath of allegiance to the Russian throne in an atmosphere of acute confrontation between the parties. Along with him, 30 distinguished elders signed similar papers. This legal act started the long and complex process of the accession of the Kazakh lands into the Russian Empire and the gradual Russian colonial presence in Kazakhstan.⁴

Following Abulkhair's example, the khan of the Middle Zhuz, Semeke (d. 1731/1738), also joined the Russian protectorate in his encampments on December 19, 1731, on the same terms as the Junior Zhuz.

On August 28, 1740, in the fortress at Orsk, the khan of the Middle Zhuz and much of the Senior Zhuz, Ablai (1711 – 1780), and Abulmambet Khan (late 17th century – about 1771) did likewise. By the beginning of September 1740, the protectorate of the Russian Empire included 399 representatives of the Junior and Middle Zhuzes. In November 1742 an oath of allegiance to Russia was given by Barak Khan (d. 1750).

Thus the Kazakh lands, formally of their own free will but in fact in an unequal position in negotiating the accession, were forced to join the protectorate of the Russian Empire, which certainly had an impact on the nature of future relations between the nomads and the state authorities of Russia.

It is well known that empires are created not only on the basis of strength alone, but also on the basis of the ability to represent this strength by a guarantee of law and peace: empires begin with the ability to resolve conflicts.⁵ The Russian Empire entered the Eurasian steppe as a mediator of disputes and conflicts in the nomad community. Such a "protectorate" position is the inner being of any imperial organization, and a completely natural and organic process of it, almost an end in itself, is the expansion of imperial territory with the inevitable rebalancing of its subordinate peoples and the destruction of their national identity.

⁴ For details refer to *Istorija Kazahstana v russkih istochnikah XVI – XX vekov. Pervyje istoriko-etnograficheskiye opisaniya kazahskih zemel. Pervaja polovina XIX veka*. Prepared by YEROFEYEVA, I. V., ZHANAYEV B. T., pp. 513 – 514.

⁵ For details refer to ISAYEV, I. A. *Topos i nomos: prostranstva pravoporjadkov*, p. 21.

According to A. N. Taukelev (1927 – 2003), state and legal relations between Kazakhstan and Russia after the Kazakh adoption of Russian citizenship in the 1730s – 1740s can be described not only as that of protector and protectorate, but also as a relationship of vassalage. According to the Kazakh researcher A. Taukelev, the first criterion for such dependence was the oath made by the rulers. The Kazakh khans, sultans, prominent elders and influential batyrs not only took an oath of allegiance to Russia, but also left their children for upbringing by the tsarist administration as hostages – *amanats*. The establishment of such a relationship implied taking a range of services (for example, the protection of the passing trade caravans and levying tribute or taxes in favor of the Russian Empire), and the loss of sovereignty in foreign policy.⁶ In fact, by the 1740s the activity of the tsarist government in the Kazakh steppe significantly intensified and began to assume distinct colonial features.

The official adoption of Russian citizenship by the rulers of the Junior and Middle Zhuzes did not result in any instant and tangible changes in the lives of the Kazakhs. If Kazakhstan's dependence on imperial Russia began in the 1730s, the final submission of Kazakhstan by the tsar took place only in the first half of the 19th century.⁷

A researcher of Turkestan, A. I. Maksheyev (1822 – 1892) wrote that “during the 18th century and the beginning of the 19th century, Kazakhs were only nominally considered Russian citizens. In fact they were independent, and the Russians, defending themselves with fortresses and troops, could not freely appear in the Kazakh steppes and go through them to Turkestan khanates”.⁸ But already in 1830 S. B. Bronevski (1786 – 1858) noted that “the fighting spirit of the Kazakhs of the Middle Zhuz was in complete decline; poor weaponry, egoism, prudence and a lack of unanimity did not harmonize with the common interests and made nomads safe for the Russian empire as they tended to live a peaceful pastoral life”.⁹

The power of the Kazakh rulers was formally limited through the implementation of the policy and legal procedures of the compulsory written approval of a khan's title by the Russian crown and the prohibition for Kazakh rulers to have any direct diplomatic contacts with neighboring countries.

⁶ SARTAYEV, S. S. (Ed.) *Istorija gosudarstva i prava Kazahskoj SSR*. Chast 1, pp. 88 – 89.

⁷ For details refer to BEKMAHANOV, E. B. *Kazahstan v 20-40-je gody XIX veka*, p.115.

⁸ MAKSHEYEV, A. I. *Istoricheskij obzor Turkestana i nastupatelnoje dvizhenije v nego russkih*, p. 104.

⁹ BRONEVSKI, S. B. *O Kirgiz-Kazahah Srednej ordy*, p. 80.

At the initial stage of accession of the Kazakh khanates, issues of internal governance were barely addressed; they were fully in charge of the subjects themselves. However, attempts to establish foreign relations with other states were limited to oral and written suggestions of the imperial administration about the incompatibility of this activity of the Kazakh khans with their status as Russian subjects. Any attempts made by the khans to establish international relations caused dissatisfaction among Russian officials, but in spite of this the imperial government was not able to prevent the independent relations of the Abulkhair and Abulmambet khans and the Batyr, Barak and Abylai sultans with the rulers of neighboring states for about twenty years.

In the first third of the 19th century, independence in the conduct of affairs and the political independence of the sultans and biys¹⁰ was apparent only on the steppe, far from regions bordering on Russia. The history of any state, including the Kazakh one, is primarily the history of power, the state apparatus, rulers and ruling. It is sovereignty that makes a country a state. At the same time, “sovereignty is united and indivisible; one cannot be sovereign in internal affairs and non-sovereign in external ones, and moreover, vice versa”.¹¹

According to the European tradition, sovereignty has always been associated with a sovereign. A monarch was the embodiment of sovereignty. Due to the absence of a single ruler of the Kazakhs (only in cases of *force majeure*, e.g. during events of hostilities, was the confederation of nomadic Kazakhs united under the rule of one of the khans), the khans’ power was weak and Russia’s bureaucratic apparatus successfully stimulated rivalry among the nomadic elite, creating separatist and centripetal tendencies on the steppe; according to I. V. Yerofeyeva, this was on the basis of “providing an equivalent image (gifts, awards) and institutional support to leaders of different tribal groups of nomads that were competing with each other for power”.¹²

In order to discredit the khans’ power among the steppe Kazakhs, the imperial government supported the most dependent on the Russian crown and the least influential candidates on the steppe among the Genghisides¹³ for the khan’s throne. On the contrary, the most influential and charismatic representatives of

¹⁰ Biys came from the richest, noblest and most influential group of the tribal noblemen, who managed tribal collectives and acted as their “natural” representatives and “defenders” in intertribal and external matters. In special and emergency cases, the Kazakh Khans would call a council of biys to coordinate and settle the most critical socioeconomic issues.

¹¹ IVANOV, V. *Teorija gosudarstva*, p. 16.

¹² YEROFEYeva, I. V. *Istoricheskij opyt Rossijskogo gosudarstva po inkorporatsii nomadov*, p. 102.

¹³ Genghisites (also *tore*) were the direct descendants of Genghis Khan and had the right of supreme power in the Kazakh steppe. Through elections the most influential Genghisites could become khans.

the steppe aristocracy were forcibly ousted from power or deliberately ignored by the tsarist government. The persistent and consistent implementation by the Russian administration of this strategy in the Kazakh zhuzes only led to the rise of executors of the will of the imperial government and created favorable conditions for the elimination of the institute of the khans' power.

By the end of the 18th century the organized executive power, army and police, equipped with administrative and judicial apparatus and a well-functioning bureaucracy had been common to many settled agricultural public entities of that time and developed in Russia. By contrast, the discrete, pulsating and reversible nature of the supreme power, power of supreme rulers, austere limited by various clans and groupings, characterizing the nomad societies, prevailed at that time in Kazakh society. Thus, it caused a problem in building relations of the nomads with the tsarist government.

On the other side of "the chessboard", the tsarist government found several khans with powerful status to be extremely unstable. None of the khans before the accession of Kazakhstan to Russia had been able to establish order and adopt a comprehensive law in the vast steppe area. And Russian autocracy could not find a "point of application" for focused political pressure.

G. Deleuze (1925 – 1995) and F. Guattari (1930 – 1992) compared the sedentary farming state system with chess. "Chess is a game of State, or of the court: the emperor of China played it. Chess pieces are coded; they have an internal nature and intrinsic properties from which their movements, situations, and confrontations derive. They have qualities; a knight remains a knight, a pawn a pawn, a bishop a bishop."¹⁴ Each piece takes its place and performs the functions that are assigned to it by politics and law.

The sociopolitical system of the nomads is discordant with the criteria of settled agricultural polities. The nomadic system, according to G. Deleuze and F. Guattari, more resembles the game of *go*. "Go pieces, in contrast, are pellets, disks, simple arithmetic units, and have only an anonymous, collective, or third-person function...Go pieces are elements of a nonsubjectified machine assemblage with no intrinsic properties, only situational ones."¹⁵ If "in chess, it is a question of arranging a closed space for oneself, thus of going from one point to another, of occupying the maximum number of squares with the minimum number of pieces. In *Go*, it is a question of arraying oneself in an open space, of holding space, of maintaining the possibility of springing up at any point: the movement is not from one point to another, but becomes

¹⁴ DELEUZE G., GUATTARI F. *A Thousand Plateaus: Capitalism and Schizophrenia*, p. 352.

¹⁵ *Ibid.*, pp. 352 – 353.

perpetual, without aim or destination, without departure or arrival. The “smooth” space of Go, as against the “striated” space of chess.”¹⁶

During the construction of cities and their walls there rose a rigid vertical axis of power with strictly paved roads and corridors of power. However, on the steppe the nomad eyes rested only on the horizon; the nomads were sick of artificial constraints, they didn’t need handwritten rules and a fenced piece of land. All that they needed was constant movement. Hardly had the Kazakh khan attempted the usurpation of power in the steppe when the fragile balance of interests of various clan-corporate groups was broken, which led to the dispersal of power.

N. I. Krasovski (1834 – ?) wrote that “in the steppe there was either no sovereign power, or, if it did exist, it was a popular government loved by the people, but at the same time too weak to overcome the arbitrariness of individual clan rulers”.¹⁷

“The weakness of the khans’ power, the quite scarce material and technical resources, the low mobilization capacity and limited legal prerogatives, which did not allow the rulers of the steppe to effectively resist the centrifugal tendencies within the Kazakh zhuzes, and even within their own tribal groups, are known to have earlier caused the alternative aspirations of the most authoritative and at the same time most forward-thinking Kazakh khans (Kasym, Yesim and Tauke), who tried to overcome the separatism of petty rulers and influential sultans through a more intense appeal to the established rules of the law of the steppe and the revival of rules that were half-forgotten in practice, but still profitable for them.”¹⁸

Hence it is quite logical that the priority for Russian politics and law from the very start of the adoption of Russian citizenship by the Kazakhs become the nomadic way of life and the structures of the khans’ power, which the tsarist government failed to embed in the political system of the empire. These aspects of Russian colonial policy have become a subject of interest for many researchers.

Thus, according to I. Ohayon, “sedentarization during tsarism was not limited to the territorial oppression of the nomads. In the first phase it was accompanied by a process of cultivation, resulting in a partial easing of nomadic mobility, but also by profound political transformations associated with the establishment of the system of colonial rule”.¹⁹

¹⁶ Ibid., p. 353.

¹⁷ KRASOVSKI, N. I. *Oblast Sibirskih Kirgizov (materialy dlja geografii i statistiki Rossii)*, p. 7.

¹⁸ YEROFYEVA, I. V. Han Abulhair: polkovodets, pravitel, politik, p. 227.

¹⁹ OHAYON, I. *Sedentarizatsija kazahov SSSR pri Staline. Kollektivizatsija i sotsialnyje izmenenija (1928 – 1945 gg.)*, p. 21.

The movable life of the Kazakhs remained a problem for the Russian autocracy almost to the end of the 19th century. In one of his works, P. P. Rumyantsev (1870 – 1925) asked the question: “How can you attach to one place a nomadic cattle-breeder who freely roams around the boundless, desolate steppes? Without such attachment there can be no firm power over him.”²⁰

For all administrators from the 1860s to the 1890s it was clear that it would be easier to manage the Kazakhs if they live in permanent, well-defined administrative units instead of mobile sites with their livestock.²¹ The system of fortification, pickets, settlements and cities played an extremely important role in the establishment of the Russian presence in the Kazakh steppe and in the coverage of the whole Kazakh population by the administrative and fiscal systems of tsarism.

As for the khans' power, the Russian Empire could not progressively secure a monopoly on violence in the steppe without depriving the nomadic nobility of their ability to use enforcement towards their tribesmen and the right to use it at their discretion. In order to integrate the Kazakhs into the Russian political system, tsarism tried to impose on nomads certain regulatory aims inherent to settled agricultural people and introduce the “rules of the game of chess” to the steppe.

If, according to Carl Schmitt (1888 – 1985), the state as a political entity is based on a combination of two contradictory principles – the principle of identity (i.e. identity of the people with themselves as a political entity) and the principle of representation, according to which political unity is displayed by the government,²² in eliminating the political unity in the Kazakh steppe, the empire was “a mediator of contradictions and conflicts among the nomads” and was restricted by a phased minimizing of power of the old nomadic Kazakh elite until its complete elimination and replacement with new rulers. This resulted in the fact that the nomads moved from political unity to a pre-political state, providing various services to other politically active people.

In fact, until the early 19th century, the Russian state did not have the sufficient military, administrative, economic, institutional or informational resources to provide for a more or less high degree of integration of nomadic societies into the administrative and political body of the empire. Therefore, for nearly a century it had to very sparingly and carefully build its relationship with these societies, trying through the empirical method of “trial and error” to gradually find the most effective channels of impact on the traditional

²⁰ RUMJANTSEV, P. P. *Kirgizskij narod v proshlom i nastojashem*, p. 19.

²¹ MARTIN, V. *Zakon i obychai v stepi: kazahi Srednego zhuza i rossijskij kolonializm v XIX veke*, p. 53.

²² SCHMITT, C. *Gosudarstvo i politicheskaja forma*, pp. 56 – 57.

institutions of power in the nomadic societies so that in the relatively near future, in the words of the famous official A. I. Tevkelev, they would “put reins on them”.²³

Before the elimination of the khans’ power on the Kazakh steppe, the Russian autocracy, taking into account the fundamental differences between the sociopolitical systems of the Russian Empire and nomadic Kazakh society, exercised restraint in dealing with the ruling elite of the nomads, without providing direct administrative pressure and avoiding open military conflicts. In other words, the Russian state, being stronger and having a military advantage, used a policy of indirect rule towards the Kazakh nomads rather than attempting to change their sociopolitical organization overnight, especially on its local levels, and contented itself with their encapsulation into the empire. But such a cautious policy in itself led to a strong transformation of nomadic Kazakh society.

The characteristics of building relations between the center and the colonies have been studied by J. Cadiot. She writes, “The Russian Empire traditionally relied on the integration of the non-Russian elites and guaranteed certain autonomy in the administrative and cultural areas. In the second half of the 19th century, this model, however, stopped working under the influence of the centralizing policy and difficulties faced by some nations that sought geographic and social mobility.”²⁴

Despite the fact that the Kazakh elite initially received a wide range of rights in the management of the steppe, it never became part of the Russian nobility. Through regulatory controls, the Russian authorities were able to not only introduce the colonial system of governance into the Kazakh lands, but also succeed in forcing Kazakhs to accept their colonial status and the conditions of their exploitation. All the Kazakh people, regardless of their origin and their positions, were placed in the social category of “foreigners”. And of course, “for the Kazakh aristocracy the status of a foreigner meant the inflation of their social status in society”.²⁵

The prerevolutionary researcher N. Balkashin (1840 – 1887) stated that:

“Kirghiz²⁶ sultans and noble people, with a difference in civilization, cannot accede to the Russian nobility like the former Tatar noblemen.

²³ YEROFYEVA, I. V. *Istoricheskij opyt Rossijskogo gosudarstva*, p. 97.

²⁴ CADIOT, J. *Laboratorija imperii: Rossija/SSSR, 1890 – 1940*, p. 28.

²⁵ YEMELJANOVA, N. M. *Integratsija kazahskogo naselenija stepnyh oblastej Zapadno-sibirskogo general-gubernatorstva v sostav Rossijskoj imperii*, p. 93.

²⁶ In pre-revolutionary sources, the Kazakh are called “Kirghiz”, “Kirghiz-Kaisaks”, “Kaisaks”, “Kirghiz-Kazakhs”, etc. Only on April 19, 1925 did the 5th Congress of Soviets of Kazakhstan restore the historically correct name of the Kazakh people by stating “to be called Kirghiz Kazakhs henceforth” in its resolution.

They cannot form any special landowning classes because a Kirghiz nomadic camp is considered to be state property. If some sultans and noblemen were given ranks, noble rights and lands in hereditary possession, and the khan of the Inner Horde Genghis Khan was granted the title of a prince, these were only insignificant exceptions.”²⁷

With Kazakhstan being in the orbit of colonial rule, the nature of the relationship between Kazakh society and the Russian autocracy transformed from the unconditional recognition of the supremacy of the class *tore*, which had the pre-emptive right to hold public office and implement government functions, to the complete abolition of class privileges and the genealogical system of political domination, and furthermore to the preference for those groups of the nomadic society that performed the greatest service for the Russian administration in the suppression of the steppe and its reform. Thus, super-group authorities were formed. The place of the individual in the public system of imperious domination was determined not by class and genealogical belonging to one group or another, but by loyalty and services, and the ability to involve one's group in the service of the Russian state.²⁸ Therefore, an effective way in the policy of incorporation of the Kazakh population into the Russian Empire was its social equalization – a gradual elimination of the privileges of the nomadic elite and a subsequent differentiation of the Kazakh society according to some other criteria.

By the mid-19th century the situation of the nomad, who was constrained by ancestral ties and whose authoritative status was in a nomadic space, was now substantially dependent on economic capital except for his cultural, social and symbolic assets (e.g. prestige, reputation and name). The matrix of values introduced by the colonial regime contributed to the fact that the “economic sphere” could impose its structure on other spheres. Namely, political and legal changes imposed from outside stimulated the transformation of basic relations on the steppe and at the same time undermined the family and ancestral forms of the identity of nomads. As a result of colonization, the society of nomadic Kazakhs became differentiated in terms of economic capital. The inevitable and gradual release of Kazakh nomads from tribal structures brought them previously unknown forms of exploitation and a growing bureaucratic empire

²⁷ BALKASHIN, N. N. O kirgizah i voobshche o podvlastnyh Rossii musulmanah, p. 30.

²⁸ MASANOV, N. E. Istoricheskaja tipologija gosudarstvennyh struktur i problema ih preemstvennosti (na primere gosudarstvenno-potestarnyh struktur kazahskogo obshchestva), pp. 55 – 56.

that eventually left the nomads no rights in decision making even at the local level.

It should be noted that although capitalism, which came to the Kazakh steppe and partly freed nomads from family and tribal forms of dependence, introduced new forms of profit, the capitalist socioeconomic system failed to completely overcome the traditional nomadic genealogical principle of domination. Attempts at commoditization by nomads were blocked by tribal organization. There was a symbiosis of capitalism with the traditional nomadic system of control.

The Russian Empire and 19th century capitalism

One of the key factors complicating the rapid penetration of the empire and the mastery of the vast steppe was the political and socio-economic change that was taking place in Russia. The accession of Kazakh lands coincided with a time when “on the European continent an absolute monarch-dependent state of the 18th century was replaced with a bourgeois law-based state of the 19th century”.²⁹ With some delay, such changes occurred in the Russian Empire as well. In the words of I. Wallerstein, “Not letting disintegration go unchecked to its obscure end, aristocracy started socio-structural radical surgery in order to maintain and expand its opportunities to exploit direct producers.”³⁰ Now it was economic interest that gave the state policy new content and informed it on the new forms of rationality.

The French bourgeois revolution played the role of accelerator of the previously developed process of state formation with a bureaucratic form of legal domination and capitalist economic system. “The revolution had a stimulating effect on the processes that were implemented in other places without a revolutionary transformation of political domination or the legal system.”³¹

The changes that were taking place in Europe led to the fact that the autocrat state fell into the fetters of the law and transformed from a powerful state into a legal one, where the law had become a technical means for calculation in the application of state power. Law, permeating into all aspects of public relations, turned the government into a positivist system of lawfulness; lawfulness, in its turn, became the positivist manner of the functioning of bureaucracy.

²⁹ SCHMITT, C. *Leviafan v uchenii o gosudarstve Tomasa Gobbsa*, p. 207.

³⁰ WALLERSTEIN, I. *Istoricheskij kapitalizm. Kapitalisticheskaja tsivilizatsija*, p. 137.

³¹ HABERMAS, J. *Demokratija. Razum. Nравstvennost. Moskovskije lektzii i intervju*, p. 59.

The late 18th and early 19th centuries in Russia were characterized by a number of important reforms.

In particular, there was a need to separate royal ownership from state ownership, which led to the formation and subsequently to the radical transformation of the political order of public power; this marked the arrival of a new time.

Designed by M. M. Speransky (1772 – 1839), the 1810 Finance Plan suggested sweeping changes in the financial performance of the state and was permeated with bourgeois tendencies. Describing in the introduction the current situation of financing in the Russian Empire and the significant budget deficit, he wrote that “all parts of the state economy, trade and industry have to suffer from this financial position”.³² With the gradual transition of the Russian Empire to capitalism, the whole financial legislation reformed as well. I. Janzhul (1846 – 1914) wrote that:

“At the end of the 18th century, a new era in taxation started. By this time, the rules of taxation have been elaborated, the awareness of firmness and constancy of taxes have taken root, the notion that the state has a legitimate right to demand from the subjects donations in the form of taxes has been included into the general consciousness, and gradually the belief has appeared that the large amount of various taxes has not only fulfilled its intended purpose, but has also stopped the progress of industrial development, and harmed the national economy, harming the fisc itself.”³³

Changes in the tax system of Russia during the reforms of the 1860s happened mainly in the development of indirect taxation, which meant the gradual destruction of the natural economy and the establishment of the supremacy of capitalist relations. During the first half of the 19th century, regulations were adopted which expanded the civil and economic rights of the peasants. In 1802 Alexander I (1777 – 1825) allowed landowners to exile serfs to Siberia only by a court decision, and in 1807 he denied them the right to send serfs to do hard labor. In 1808 auctions for the sale of serfs were completely stopped.

In 1812 farmer-landowners were given the right to sell any products, not just the ones they were growing or producing, and in 1818 peasants had the right to

³² SPERANSKY, M. M. *Plan Finansov*, p. 35.

³³ JANZHUL, I. I. *Osnovnyje nachala finansovoj nauki: Uchenije o gosudarstvennyh dohodah*, pp. 285 – 286.

build factories. The result of such liberalization was the active industrial activity of peasants, especially in the creation and development of the textile industry.

There was an increasing encouragement of the development of trade, manufacture and agriculture. Wealth in the 17th century meant mainly land, coins and jewelry, which people could exchange. According to Michel Foucault, in the 18th century “there was a new form of wealth which was now invested in a new kind of non-monetary materiality. Wealth was invested in commodities, funds, machinery, workshops, raw materials and goods for quick selling. The birth, development and rapid improvement of capitalism would be expressed in this new way of material investing of property”.³⁴ While many of the commodity chains in the historical social systems of the past were considered by the holders of political power as immoral, “the elite of the 18th century raised the moral evaluation of gainful employment as they expected socio-political advantages from this”.³⁵

The increase in production and the population, and the increment in trade turnover made it possible to finance the army and the entire bureaucracy, which provided the state with real power and offered advantages in relations with other states. Tsarism became more and more interested in the economic welfare of its subjects, as they formed the treasury. In the 19th century, the subjects of the Russian crown became taxpayers. Trade became free everywhere, and one of the ways of trade expansion in the era of free trade, according to J. Hicks (1904 – 1989), was colonialism.³⁶

Due to the complexities inside the country, developing Russian capital was looking for more attractive markets to sell their cheap goods, which could not compete with Western European goods. The territorial increase of the Russian Empire compensated for the losses of entrepreneurs, expanding the scope of demand for consumer goods.

The most attractive place for Russian capital was Central Asia. However, the unstable situation in the Kazakh steppes, the great hazards during the transportation of goods, and the necessity to be guided by the trade rules of the Kazakh rulers and Central Asian khans kept merchants from engaging in business activities, forcing them to wait for a final victory by the Russian army on the steppe and in Central Asia, which subsequently together with the Russian bureaucracy would be able to provide them with massive profits.

Some scientists question the fact that the colonial expansion of European powers, including Russia, was conducted solely for the purpose of profit. For

³⁴ FOUCAULT, M. *Intellectualy i vlast: Izbrannyje politicheskije stat'i, vystuplenija i intervju. Chast 2*, pp. 120 – 121.

³⁵ BOLTANSKI, L., CHIAPELLO, E. *Novyj duh kapitalizma*, p. 44.

³⁶ HICKS, J. *Teorija ekonomicheskij istorii*, p. 207.

example, according to L. Mises (1881 – 1973), the colonial expansion by the European powers in the 19th century “was inspired mainly by considerations of national glory and pride. French officers, poets and orators – but not all the people – deeply suffered from an inferiority complex, which developed because of the defeat at the battles of Leipzig and Waterloo, and later at Metz and Sedan. They yearned for fame and glory, and it was impossible to quench this thirst in liberal Europe or America, which was cut off by the Monroe Doctrine. For Louis-Philippe, a great comfort was the fact that his sons and generals were able to win the laurels in Algeria. In order to restore the morale of the army and navy, the Third Republic conquered Tunisia, Morocco, Madagascar and Tonkin. The inferiority complex caused by failures in Kustotstsa and Lissa, led Italy to Abyssinia, and to compensate for the loss in Adué, they had to conquer Tripoli”.³⁷

Concerning the conquests of Central Asia, the military historian M. A. Terentiev (1837 – 1909) noted that:

“In our armed forces there was a raging fever of conquests; this disease was resistant to cure, as together with drugs there were given very tolerable astringents: ranks and orders. Not only generals, but regular lieutenants raved about gains. Captains that were entrusted with a command immediately pursued their dreams: in this way, for example, Abramov conquered Yana-Kurgan, which enticed him by its proximity to the camp near Dzhizak, where Abramov remained in charge. How could one resist such temptations when thanks to them one could be promoted from artillery lieutenant to general in 4 years!”³⁸

A. I. Maksheyev claimed that:

“Economic incentives, like the rush for sable in Siberia, for gold in Turkestan at the times of Peter the Great and suchlike, obviously accompanied the Russian move to the East, but in their implementation they had a very discreet value. In this respect, our occupation of countries in Asia is very different from the taking by European states of countries in other parts of the world. There the point was solely to enrich the mother country at the expense of its established colonies.”³⁹

³⁷ MISES, L. *Vsemogushcheje pravitelstvo: Totalnoe gosudarstvo i totalnaja vojna*, p. 138.

³⁸ TARENTIEV, M. A. *Rossija i Anglija v Tsentralnoj Azii*, p. 226.

³⁹ MAKSHAYEV, A. I. *Puteshestvija po kirgizskim stepjam i Turkestanskomu kraju*, pp. 44 – 45.

Thus, in the initial phase of colonization of the Kazakh region the issue of economic benefit seemed to be in the background. Only with the strengthening of the position of the merchants and industrialists in Russian society, their significant concentration in the areas bordering on Kazakhstan and with lively military activity in mastering nomadic areas, was access opened to the retrieval of capital from the colony.

However, in this case, there are two essential points lost. Firstly, the capitalist system is organized so that the most effective tools for political control have always been state structures, whose creation in itself is the most important achievement of this system. In the capitalist system, capitalists always rely on their ability to use the state apparatus in their favor by all possible means, and in turn use the market to their advantage. The political and economic structures of the capitalist system are inextricably intertwined. Therefore, the penetration of Russian troops into Kazakhstan cannot be considered only as a political event. Secondly, as N. D. Kondratiev (1892 – 1938) correctly noted, “under capitalism the new territories were historically involved in the periods when the countries with older cultures needed new outlets and markets for raw materials”.⁴⁰

The wave-like activity of the Russian army in relation to Kazakhstan coincides with the deep economic crises that were happening within the Russian Empire. For example, the first wave of dynamic action on the steppe in the 1820s was associated with a prolonged post-war economic crisis. M. I. Bogolepov (1879 – 1945) wrote that “the war with Napoleon affected the state finances in a most disastrous way, it completely ruined the circulation of money, and it affected the imperial finances no less than the national economy”.⁴¹

A great chronological gap from the time of incorporation of the Kazakh lands into the Russian state and the spread of the administrative and political system of the empire in the steppe area happened not only because of the heterogeneity of the nomadic and settled agricultural cultures, and changes that were happening in the Russian society and the state apparatus, but also because of the ambiguous geopolitical situation.

The successes of the Russian Empire in the Middle East in the 1820s and 1830s resulted in the conclusion of the Treaty of Adrianople and the Treaty of Unkiar-Skelessi. However, under the active counteraction of England, the government of Nicholas I (1796 – 1855) failed to maintain a dominant position in Turkey. A consequence of the failure of Russian foreign policy on the Middle East issue was the London Convention of July 13, 1841, which effectively canceled the Treaty of Unkiar-Skelessi.

⁴⁰ KONDRATIEV, N. D. *Bolshije tsikly konjunktury i teorija predvidenija*, p. 383.

⁴¹ BOGOLEPOV, M. I. *Finansy, pravitelstvo i obshchestvennyje interesy*, pp. 216 – 217.

Back in the early 19th century, England put forward its claim, as Carl Schmitt wrote, “to become the center of the world and turn from a power which could manipulate the old European balance into a pillar of the new global world equilibrium which established a balance between the world’s major regions”.⁴²

As the new space of Anglo-Russian rivalry was the Central Asian khanates, Iran, Afghanistan and India, the Russian Empire in the first half of the 19th century increased its activities of its penetration into the Kazakh steppes, which were to be a reliable outpost for further deployment by the Russian army. Besides European powers, a significant role in Kazakhstan was also played by China.

It is important to mention Russia’s blunders in trade policy. At the 1815 Vienna Congress Alexander I agreed to ease tariffs at the insistence of England. By 1819 Russia had extremely and disproportionately reduced trade barriers to the extent that goods imported from abroad ousted local produce on the Russian market. Many businesses declared themselves bankrupt. As a result of such a “liberal” customs regime in the Russian Empire, there was an industrial crisis which was only overcome in the 1850s through active trading on the empire’s periphery. Thus, for example on October 15, 1852, customs duty on grain and flour was canceled in cases of it being exported to the Kazakh steppe. The need for additional funds to cover the increased public expenses resulted in a new customs tariff in 1868.

Thus, due to the global redistribution of the geopolitical map of the continent and the significant backwardness in Kazakh society in military, technical, institutional and technological terms, the border areas of the three zhuzes were quickly transformed into an object of permanent massive pressure from the outside and territorial claims by more powerful neighbors, including the Russian Empire, which after social changes and significant adjustments in its national mechanism became more active in the fight for territory and resources.

With the chains of cities ...

The most effective way to ensure dominance in the steppe area was the introduction of fortified border points. In 1715 the Siberian Fortified Line was formed. Later on, along with the construction of fortresses at Omsk, Zhelezninsk, Yamyshev (1717), Semipalatinsk (1718), Ust-Kamenogorsk (1720) and Petropavlovsk (1745), the borders of this line advanced to the south, meaning the entire north-east of the Middle Zhuz was surrounded by military

⁴² SCHMITT, C. *Nomos Zemli v prave narodov jus publicum europaeum*, p. 326.

garrisons. The Junior Zhuz was surrounded by the Orenburg Fortified Line (1736), and with the occupation of the Ilets salt mines (1754), fortifications even penetrated the summer nomadic camps of the Junior Zhuz tribes. The accelerated construction of fortified lines and separate defenses was naturally accompanied by their simultaneous saturation with garrisons and the establishment of nearby permanent Cossack settlements. This led to the fact that by the mid 18th century the nomadic area of the Kazakhs was surrounded on three sides by fortified lines with a total length of more than 6,000 kilometers.

According to M. A. Terentiev, “the experience of the previous period, and the failure of the present finally convinced V. A. Obruchev (1793 – 1866), that no sultan-rulers, flying groups, humility, cruelty, diplomacy or power – nothing – can subdue the Kirghiz while their summer and winter camps are not in our hands. In other words, V. A. Obruchev thought of the old method, which had been tested with the Bashkirs – to surround the Kirghiz with fortifications”.⁴³

According to the Soviet historian V. F. Shakhmatov (1903 – 1964), “at best, the Kazakhs were given small plots of land between the lines where they could place no more than 20 – 25 nomadic tents. Therefore, Kazakhs had to leave those places and go deeper into the steppe, and so they came to the pastures of other clans. Thus, Kazakhs of one part of a zhuz settled in the pastures of Kazakhs of another part, which led to controversy and conflicts”.⁴⁴

“The colonization process was almost always accompanied by the urbanization of the countries involved in colonial dependency. Colonizers settled mainly in the cities. And where there were no cities, they built them anew. Such cities quickly turned into fortresses, administrative centers, places of commerce and industry. The urbanization process gradually involved more and more indigenous people.”⁴⁵ The cities were military and administrative centers whose mission was to provide a new order in the steppe area. For settled conquerors they represented a stronghold of order in the chaos of the steppe.

With the extension of the line of fortresses and with the construction of cities, the steppe turned into a springboard for an attack on Central Asia. In the 1840s and 1850s the Russian bourgeoisie was extremely active in Central Asian markets, seeking support from the tsarist government in the deployment of trade with these countries.⁴⁶ The introduction into the Kazakh steppe of a new administrative and territorial system led to the disavowal of the tribal

⁴³ THERENTIEV, M. A. *Rossija i Anglija v Tsentralnoj Azii*, p. 13.

⁴⁴ SHAKHMATOV, V. F. *Kazahskaja pastbishchno-kochevaja obshchina (voprosy obrazovanija, evoljutsii i razlozhenija)*, p. 39.

⁴⁵ LEYZEROVICH, E. E. *Sotsialnyje i ekonomicheskie itogi Rossijskoj kolonizatsii Turkestana*, p. 79.

⁴⁶ POGREBINSKY, A. P. *Ocherki istorii finansov dorevoljucionnoj Rossii (XIX – XX vv.)*, p. 14.

organization of potestarian structures. The implementation of power was relocated from traditional nomadic camps to the new administrative and territorial units.

It should be noted that the conquest by the Russian army of the steppe was accompanied by serious research. There was not only topographic and cartographic research of the area, but also an examination of the flora and fauna of the steppe; there were collections made of historical and ethnographic data, and of materials on the customary law of the Kazakhs as well as an analysis of statistical data.

In 1851 – 1852 topographic research was carried out at Lake Balkhash. In 1856 – 1857 P. P. Semenov (1827 – 1914) made several trips from the fortification at Vernyi to Lake Issyk-Kul and the Tien Shan Mountains. In 1859 Captain A. Golubev identified 16 astronomical points, held numerous barometric and temperature-monitoring surveys and described the general geographic profile of the Kazakh territory in several articles. In the same period, M. I. Venyukov (1832 – 1901), a well-known collector of information about Asia who wrote many articles about Turkestan, was also in this region.⁴⁷

It is no accident that one of the main reasons why the army in the 18th and early 19th centuries represented a real force and was the guarantor of civil peace was the fact that it embodied vehicles and knowledge which could be used for the entire public body.⁴⁸ It was through research on the situation of the population, the level of wealth, the amount of resources, and the administrative and political structure of the steppe that the imperial agents established and enhanced the power of the Russian empire in Kazakhstan. During the construction of fortifications, and later on during the administrative division of the steppe, the familiar nomadic routes were cut, which significantly exacerbated the land issue. With the accession of the Kazakh lands to the Russian Empire and the colonization of many areas of the Kazakh region by the Cossacks, and later by peasant farmers who moved from the western regions of Russia, there arose new socioeconomic and political factors, which to a large extent changed the entire economic structure of life of the Kazakhs.⁴⁹

The previously dominant and prevailing economic activity of animal breeding, as the researcher of the Kazakh steppes V.A. Ostafyev noted, was declining every year together with the reduction of fallow lands, steppes and pastures. “A greedy owner hurries as soon as possible to plow his virgin lands, and not being able to acquire the tools necessary for the good cultivation of the

⁴⁷ MAKSHEYEV, A. I. *Puteshestvija po kirgizskim stepjam*, p. 137.

⁴⁸ FOUCAULT, M. *Nadzirat i nakazyvat. Rozhdenije tjurmy*, p. 246.

⁴⁹ For details refer to KURYLEV, V. P. Skot, zemlya, obshchina u kochevyh i polukochevyh kazahov (vtoraja polovina XIX – nachalo XX vv.), pp. 29 – 30.

land and the plough cattle, he plows the land badly, somehow counting on a miracle.”⁵⁰

The active mastering of the steppe by the Russian Empire, which started in the first half of the 19th century, brought a foreign element which noticeably intruded into the nomadic lifestyle of the Kazakhs. It gradually brought to an end a way of thinking, a value system and a way of life; the socioeconomic structure of the nomads was changed and many regulations of the customary law of Kazakhs ceased to be in force. The traditional system of control of the nomadic community underwent significant changes.

Conclusion

The end of the 19th century was marked by the final realization of a program which had been aggressively implemented over the whole century by the Russian policy in the Kazakh steppes and by the final victory of a settled way of life over nomadism: the victory of the city culture over the steppe.

Through mapping, ethnography, statistics, building cities and fortifications, dividing the territory of the Kazakh nomads into regions optimal for the Russian authorities, an active migration policy and a gradual introduction of the vertical model of management, the nomadic population was gradually forced into a settled lifestyle. In Kazakh society a contradiction arose between the claims of the importance of norms and legitimacy, which had to prevent exploitation from becoming apparent, and a more clearly discernible class structure, which turned the privileged appropriation of publicly produced wealth into a rule. The imposed Russian legislation had a negative impact on the effectiveness of rules and on the uniformity of feelings and beliefs that had prevailed in the nomadic society. The set of measures taken by the colonial authorities was both repressive and productive. Colonization was a way of producing a certain socioeconomic structure. It was a radical socioeconomic transformation with a new political structure that made it possible to use a new form of integration like redistribution. In this case, the redistributive function was performed by the colonial administration of the region.

⁵⁰ OSTAFYEV, V. A. Golod v Petropavlovskom i Kokchetavskom ujezdah Akmolinskoj oblasti, p. 456.

REFERENCES

- BALKASHIN, Nikolai. *O kirgizah i voobshche o podvlastnyh Rossii musulmanah*. [About the Kirghiz and Generally the Muslims Subservient to Russia]. St. Petersburg: Tipografija Ministerstva Vnutrennih Del, 1887.
- BEKMAHANOV, Ermahan. *Kazakhstan v 20-40-je gody XIX veka*. [Kazakhstan from the 1820s to the 1840s]. Alma-Ata: Kazakh Universiteti, 1992.
- BOGOLEPOV, Mihail. *Finansy, pravitelstvo i obshchestvennyje interesy*. [Finance, Government and Public Interests]. Moscow: Obshchestvo Kuptsov i Promyshlennikov Rossii, 2006.
- BOLTANSKI, Luc, CHIAPELLO, Ève. *Novyj duh kapitalizma*. [Le nouvel esprit du capitalisme]. Moscow: Novoje Literaturnoje Obozrenije, 2011.
- BOURDIEU, Pierre. The Force of Law: toward a Sociology of the Juridical Field. In *Hastings law journal*, 1987, Vol. 38, pp. 805 – 853.
- BRONEVSKI, Semen. *O Kirgiz-Kazakhah Srednej ordy. Otechestvennyje zapiski*. [About the Kirghiz-Kazakhs of the Middle Orda]. In *Otechestvennyje zapiski*, 1830, Ijule, No. 118, pp. 70 – 97.
- CADIOT, Juliette. *Laboratorija imperii: Rossija/SSSR, 1890 – 1940*. [Le laboratoire imperial: Russie/URSS, 1860 – 1940]. Moscow: Novoje Literaturnoje Obozrenije, 2010.
- DELEUZE, Gilles, GUATTARI, Felix. *A Thousand Plateaus: Capitalism and Schizophrenia*. London: The University of Minnesota Press, 1987.
- FOUCAULT, Michel. *Nadzirat i nakazyvat. Rozhdenije tjurmy*. [Surveiller et punir. Naissance de la prison]. Moscow: Ad Marginem, 1999.
- FOUCAULT, Michel. *Intellectually i vlast: Izbrannyje politicheskije stat'i, vystuplenija i intervju. Chast 1*. [Intellectuals and Power: Selected Political Articles, Speeches and Interviews. Part 1]. Moscow: Praksis, 2002.
- FOUCAULT, Michel. *Intellectually i vlast: Izbrannyje politicheskije stat'i, vystuplenija i intervju. Chast 2*. [Intellectuals and Power: Selected Political Articles, Speeches and Interviews. Part 2]. Moscow: Praksis, 2005.
- HABERMAS, Jurgen. *Demokratija. Razum. Nravstvennost. Moskovskije leksii i interv'ju*. [Democracy, Reason, Morality: Moscow Lectures and Interviews]. Moscow: Academia, 1995.
- HICKS, John. *Teorija ekonomicheskoj istorii*. [A Theory of Economic History]. Moscow: NP Zhurnal Voprosy Ekonomiki, 2006.
- ISAYEV, Igor. *Topos i nomos: prostranstva pravoporjadkov*. [Topos and Nomos: Space Law and Order]. Moscow: Norma, 2007.
- Istorija Kazahstana v russkih istochnikah XVI – XX vekov. Pervyje istoriko-etnograficheskije opisanija kazahskih zemel. Pervaja polovina XIX veka*. [The History of Kazakhstan in the Russian Sources of the 16th – 20th Centuries – The First Historical and Ethnographic Descriptions of the Kazakh Lands. The first half of the 19th century]. Prepared by I. V. Yerofeyeva and B. T. Zhanayev. Almaty: Daik – Press, 2007, pp. 15 – 154.
- IVANOV, Vitali. *Teorija gosudarstva*. [Theory of the State]. Moscow: Territorija budushego, 2010.

- JANZHUL, Ivan. *Osnovnyje nachala finansovoj nauki: Uchenije o gosudarstvennyh dohodah*. [Basic Fundamentals of the Science of Finances: the Theory of Public Revenues]. Moscow: Statut, 2002.
- KONDRATIEV, Nikolai. *Bolshyje tsikly konjunktury i teorija predvidenija*. [Large Cycles of Conditions and Prediction Theory]. Moscow: Ekonomika, 2002.
- KRASOVSKI, Nikolai. *Oblast Sibirskih Kirgizov (materialy dlja geografii i statistiki Rossii)*. [The Area of the Siberian Kirghiz (materials for the geography and statistics of Russia)] Part 3. St Petersburg: Tipografija Transhelja; Retgera i Shneidera, 1868.
- KURYLEV, Vadim. *Skot, zemlya, obshchina u kochevyh i polukochevyh kazahov (vtoraja polovina XIX – nachalo XX vv.)*. [Livestock, Land and Community with Nomadic and Seminomadic Kazakhs (the second half of the 19th century – early 20th century)]. St Petersburg, 1998.
- LEYZEROVICH, Evgenii. *Sotsialnyje i ekonomicheskiye itogi Rossijskoj kolonizatsii Turkestana*. [The Social and Economic Results of the Russian Colonization of Turkestan]. Tel Aviv, 2001.
- MAKSHEYEV, Aleksei. *Istoricheskij obzor Turkestana i nastupatelnoje dvizhenije v nego russkih*. [A Historical Overview of Turkestan and the Russians' Offensive Movement into It]. St Petersburg: Vojennaja Tipografija, 1890.
- MAKSHEYEV, Aleksei. *Puteshestvija po kirgizskim stepjam i Turkestanskomu kraju*. [Travels in the Kirghiz Steppes and Turkestan]. St Petersburg: Vojennaja Tipografija, 1896.
- MARTIN, Virginia. *Zakon i obychai v stepi: kazahi Srednego zhuza i rossijskij kolonializm v XIX veke*. [Law and Custom in the Steppe: the Kazakhs of the Middle Horde and Russian Colonialism in the 19th century]. Almaty: Sanat, 2009.
- MASANOV, Nurbolat. *Istoricheskaja tipologija gosudarstvennyh struktur i problema ih preemstvennosti (na primere gosudarstvenno-potestarnyh struktur kazahskogo obshchestva). Fenomen kochevnichestva v istorii Evrazii. Nomadizm i razvitije gosudarstva*. Sbornik materialov mezhdunarodnoi nauchnoj konferentsii, pod red. Yerofeyevoj I. V i Masanovoj L. E. [The Historical Typology of State Structures and the Problem of their Succession (using the example of the state and potestary structures of the Kazakh society). The Phenomenon of Nomadism in the History of Eurasia. Nomadism and Development of the State. A collection of materials from an international scientific conference, edited by I. V. Yerofeyeva and L. E. Masanova]. Almaty: Daik - Press, 2007, pp. 44 – 61.
- MISES, Ludwig. *Vsemogushcheje pravitelstvo: Totalnoe gosudarstvo i totalnaja vojna*. [Omnipotent Government: the Rise of the Total State and Total War]. Chelyabinsk: Sotium, 2006.
- OHAYON, Isabelle. *Sedentarizatsija kazahov SSSR pri Staline. Kollektivizatsija i sotsialnyje izmenenija (1928 – 1945 gg.)*. [La sedentarisation des kazakhs dans l'URSS de Stalin. Collectivisation et chanement social (1928 – 1945)]. Almaty: Sanat, 2009.
- OSTAFYEV, Vladimir. *Golod v Petropavlovskom i Kokchetavskom ujezdah Akmolinskoj oblasti*. [Hunger in the Petropavlovsk and Kokchetav Counties of the Akmola Region]. In *Juridicheskij Vestnik*, 1892, Vol. XI, pp. 445 – 457.

- POGREBINSKY, Aleksandr. *Očerki istorii finansov dorevolucionnoj Rossii (XIX – XX vv.)*. [Essays on the History of Finance of Pre-Revolutionary Russia (19th and 20th centuries)]. Moscow: Gosfinizdat, 1954.
- RUMJANTSEV, Petr. *Kirgizskij narod v proshlom i nastojashem*. [The Kirghiz People: Past and Present]. St. Petersburg, 1910.
- SARTAYEV, Sultan. (Ed.) *Istorija gosudarstva i prava Kazahskoj SSR. Chast 1*. [The History of the State and Law of the Kazakh SSR. Part 1]. Alma-Ata: Mektep, 1982.
- SCHMITT, Carl. *Leviafan v uchenii o gosudarstve Tomasa Gobbsa*. [Der Leviathan in der Staatslehre des Thomas Hobbes]. St. Petersburg: Vladimir Dal, 2006.
- SCHMITT, Carl. *Nomos Zemli v prave narodov jus publicum europaeum*. [Der Nomos der Erde im Volkerrecht des jus publi um europaeum]. St. Petersburg: Vladimir Dal, 2008.
- SCHMITT, Carl. *Gosudarstvo i politicheskaja forma*. [State and Political Form]. Moscow: Izdatelskii Dom Vysshei Shkoly Ekonomiki, 2010.
- SHAKHMATOV, Viktor. *Kazahskaja pastbishchno-kochevaja obshchina (voprosy obrazovaniya, evoljutsii i razlozheniya)*. [The Kazakh Nomadic Pastoralist Community (Education, Evolution and Expansion)]. Alma-Ata: Izdatelstvo AN KazSSR, 1964.
- SPERANSKY, Mihail. *Plan Finansov. Istoki finansovogo prava*. [The Plan of Finance: the Origins of Financial Law]. Moscow: Statut, 1998, pp. 17 – 106.
- TERENTIEV, Mihail. *Rossija i Anglija v Tsentralnoj Azii*. [Russia and England in Central Asia]. St. Petersburg: Tipografija P.P. Merkuljeva, 1875.
- WALLERSTEIN, Immanuel. *Istoricheskij kapitalizm. Kapitalisticheskaja tsivilizatsija*. [Historical Capitalism with Capitalist Civilization]. Moscow: Tovatishchestvo nauchnyh izdaniy KMK, 2008.
- YEMELJANOVA, Natalja. *Integratsija kazahskogo naselenija stepnyh oblastej Zapadno-sibirskogo general-gubernatorstva v sostav Rossijskoj imperii*. Diss...k.i.n. [Integration of the Kazakh Population of the Steppe Regions of the West Siberian General-Governorship into the Russian Empire.] Omsk, 2005. 183 p. Diss. for the degree of Candidate of Historical Sciences. Omskii Gosudarstvennyi Universitet imeni F. M. Dostojevskogo. Specialnost 07.00.02 – Otechestvennaja Istorija.
- YEROFEYEVA, Irina. *Han Abulhair: polkovodets, pravitel, politik*. [Abulhair Khan: Commander, Ruler and Politician]. Almaty: Daik-Press, 2007.
- YEROFEYEVA, Irina. *Istoricheskij opyt Rossijskogo gosudarstva po inkorporatsii nomadov. Fenomen kochevnichestva v istorii Evrazii. Nomadizm i razvitije gosudarstva*. Sbornik materialov mezhdunarodnoi nauchnoj konferentsii, pod red. Yerofeyevoj I.V i Masanovoj L.E. [The Historical Experience of the Russian State in the Incorporation of Nomads. The Phenomenon of Nomadism in the History of Eurasia. Nomadism and the Development of the State.] A collection of materials from an international scientific conference, edited by Yerofeyeva I. V. and Masanova L. E. Almaty: Daik-Press, 2007, pp. 94 – 111.