

Some aspects of Russian legislation about the Muslim Tatars in the Volga and Ural regions in the post-reform period

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Abstract. The paper deals with the evolution of Russian legal frameworks governing the Muslim Tatars that resided in the Volga-Ural region during the liberal reforms implemented by Tsar Alexander II and during the conservative course by Tsar Alexander III. In this regard, the development of legal environment to define a status of Muslim Tatars is a certain projection of ups and downs passed through by the autocracy calibrating domestic policy in the era of its entry into an industrial society. This could not but affect the legal status of the Muslim Tatars who, on the one hand, were part of the all-Russian society and, on the other hand, represented a community with its well-tuned ethno-cultural traditions in various spheres of society.

1 Introduction

A scientific problem concerned in the paper has long been in the focus of attention of domestic and foreign researchers. The publications left by pre-revolutionary authors can be divided into two groups. The first, having a conservative and protective focus, is represented primarily by the publications by missionaries and a number of officials [1–3]. They shaped many of the relevant approaches to the Muslim Tatars taken by central authorities and the public. The liberal and democratic papers attempted to objectively and critically analyze certain aspects of the life of Muslim Tatars [4–7].

In the Soviet period, the target problem could be interpreted only from the perspective of criticism of the autocracy, as well as the national (here the Tatar-Muslim) bourgeoisie and the clergy. This approach to the problem adopted by Soviet historians does not detract from their scientific merit [8–11]. For example, they present rich factual materials.

The perestroika years and the post-Soviet period were marked by the liberation of the domestic humanities from ideological dogmas inoculated in the Soviet era. Historians got access to classified archival documents and could apply new approaches in interpreting past events. All of the above aspects were used to evaluate the history of the target scientific problem [12–14].

Foreign historiography has developed its own specific traditions and approaches to the legal status of the Muslim Tatars in the post-reform period. They were largely due to the diversity of political, ideological and socio-cultural conditions, which definitely resulted in the

interpretation of historical sources, assessments of events and processes [15–19].

2. Materials and Methods

A methodological kit relies on general scientific methods including analysis, synthesis, as well as private scientific methods including formal legal and comparative legal ones. These methods contributed to the stated topic and identified certain patterns in the development of legal norms of the Russian state in the post-reform period.

3. Results and Discussion

In the post-reform period, special attention is paid to the spread of all-Russian legislation to the periphery of the Russian empire. Some of these events were held under the slogan of implementing progressive Western European achievements and integrating the liberal reforms of the 1860s–1870s into the sociocultural realm. The transformations implied strengthening and upgrading a unitary multinational empire.

An important achievement of the post-reform period was the establishment of local self-governments – zemstvos and municipal dumas. In national regions, zemstvos could become institutions with a certain proportion of representatives from a non-titular nation. In this regard, the state could not allow the Tatars to strengthen their role in these bodies. Tatar representatives were elected and were known as *glasnye* from the peasant curia alone. Another hindrance for the Tatars was the ignorance of the Russian language by the majority of the Tatars, while it was a prerequisite to

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know the Russian language and be literate for being allowed to participate in zemstvo assemblies. According to the Kazan historian I.K. Zagidullina, in 1883 and 1886 about 25 % of Muslims in the Kazan province were elected from the rural societies to county zemstvos. However, with a total number of Muslim members – 289 people, their share was about 10 %. Only a few of Muslim members were elected to the provincial assemblies [20].

Representatives were elected to city self-governance bodies under the property qualification. In 1870, a special article was introduced in The Municipal Statute, according to which two thirds of the members in municipal dumas were Christians and one third – Muslims. Since 1892, the religious qualification was limited to “one-fifth of the members” [20].

A religious factor was also crucial in appointing officials to peasant self-governance bodies. In 1867, the Kazan provincial council for peasant affairs issued a special circular to replace all Muslim rural elders in districts where the Muslims lived together with the Orthodox, which caused unrest in a number of Tatar rural communities [20].

Meanwhile, during the target period, the observance of Muslim religious rights in prisons was somewhat slackened. Thus, since 1864 prisoners were allowed to cook Lenten foods.

In the 1890s, the Synod raised with the State Council a question “of the need to protect Orthodox populations in certain Russian areas from an untoward influence of the Tatars being in their service”. As a consequence, in 1896, Muslim Tatars were forbidden to prevent their Orthodox household or other workers “in honoring, in performing other religious duties” [21]. In relation to workmasters and craftsmen, there was an order in which neither Orthodox nor Muslims could force their workers of other faiths to work on religious holidays. Muslims were subjected to a monetary penalty in the amount of about 50 rubles for oppressing Christians [20].

The Russian Orthodox Church continued to have the exclusive right to conduct missionary activities among the Russian population. The anti-Muslim missionary department established in 1854 at the Kazan Theological Academy played an important role here. However, missionary activities were not so successful [22].

Those who returned to Islam were punished. Those who fell away from Orthodoxy were persecuted under The Code of Penalties that provided for the deprivation of “the rights of one’s property” and uprooting for leaving Orthodoxy. A person was also responsible for the members of his family [23]. An Orthodox who married a non-Christian was sentenced to 4 months imprisonment, and their marriage was declared null and void. Children of baptized Tatars did not have the right to possess their father’s surname and property [20].

The imperial administration had a negative attitude towards various initiatives of the non-Russian population aimed at national consolidation and promotion of secular culture. For example, the Tatar educator K. Nasyri was denied permission to publish a newspaper called “Tan Yoldyzy” (“The Morning Star”) [24].

One of the biggest challenges for Russian authorities was a multinational, multi-confessional population of the country, which provoked a tendency in imperial policies towards administrative and cultural unification. The issue called for active state intervention in the lives of ethnic groups and their integration into the Russian socio-cultural environment. One of the spheres likely to be suitable for shaping the population was the education system.

Since 1870, Muslims in Russian elementary schools were officially exempted from the lessons of the Law of God. At rural and urban elementary schools, students were exempted from reading Church Slavonic books. At district schools, the Church Slavonic language was canceled. For the first time, they came to consider a possibility of studying the fundamentals of the Islamic doctrine voluntarily at private and public primary schools, gymnasiums, primary and secondary vocational schools.

There were certain demands for religious rights at gymnasiums. According to The Charter of Gymnasiums and Progymnasiums of 1864, hours for non-Orthodox religions were allocated at the expense of Muslim communities alone. From 1871, it was possible to finance religious lessons from public funds or from a special school fund as soon as a permission from the Minister of Education was obtained.

The Russian authorities planned to promote the Russian language and education through special schools adapted to Muslim needs to integrate Muslim Tatars into the socio-cultural environment. On March 26, 1870, Rules on Measures for Education of Foreigners Inhabiting Russia [25] were approved, which established the legal framework for school policies, including Muslim peoples.

Originally, Russian-Tatar schools taught in the native language. The main disciplines were the Russian language (reading, writing) and arithmetic. The Muslim doctrine was taught financed by the community.

Muslim communities were offered to start self financed Russian classes attached to maktab and madrasahs. The classes were mandatory for all students going to maktab, as well as for students under the age of 16 going to madrasahs. It was prohibited to open new confessional schools without a full-time Russian language teacher.

The teachers employed at Russian-Tatar schools and Russian classes adapted the curricula developed for Russian elementary schools. In the late 19th century, the Sample Program of Subjects Taught in Elementary Public Schools of the Ministry of Education was known to be such a base approved by the Minister of Education on February 7, 1897 [26].

Originally, no period of study was set. One-class Russian-Tatar schools generally practiced three-year period of study in three departments. The Shakirds attended Russian classes after completing their classes at confessional schools.

As part of a new school course, four-year Tatar teachers’ schools were established to train teachers for Russian-Tatar schools and Russian classes. According to their status, they were classified as progymnasiums. All

subjects, except for the Muslim doctrine, were taught in the state language. Fridays was declared a day off, as well as the days of the major Christian and Muslim holidays and summer holidays [27].

The Kazan Tatar Teachers' School, opened in 1876 and funded by the state, became the main place to develop teaching staff for Russian-Tatar schools. A gradual rise in the number of students enrolled in the Kazan Tatar Teachers' School testified to the interest of the Turkic-Muslim society in secular education.

To promote Russian-Tatar schools, the position of inspector of Tatar, Bashkir and Kyrgyz schools was established in the Kazan educational district. It was in charge of setting up "by persuasion" Russian-Tatar schools for Muslims, general leadership and supervision of schools, reviewing existing and drawing up plans for new books necessary for teaching in these educational institutions [26].

In the target period, a small network of Russian-Tatar schools was created, a teachers training system as well as teaching materials were developed. Russian-Tatar schools were supported by the state, zemstvos, and municipal self-government bodies. At the turn of the century, Russian-Tatar schools and the Kazan Tatar Teacher School became an integral part of Tatar national education.

As part of state policies to control and unify the educational sphere among non-Russians, the authorities strove to keep maktab and madrasah in the Volga region and the Urals under systematic review. For the first time, the need for an educational institution to supervise Muslim schools came up in early 1866. The Rules of 1870 again raised this issue on the agenda. The Law of November 24, 1874, subordinated all Muslim confessional schools to the Ministry of Education. It was not recommended to start supervision over Muslim schools until a special instruction was approved on the procedure for control. Instead, on February 5, 1882, the Minister of Education gave a circular order to the trustees of the Kazan and Orenburg educational districts, whereby the officials of the educational institution were allowed to control Muslim schools. They were also asked to be careful during visits to schools, collect statistical information and give verbal advice without imposing any obligatory requirements. They were supposed to visit schools first in those regions where the Muslim population lived together with Russians or baptized "non-Russians" [29].

The next step towards the unification of Muslim school management was a circular of June 30, 1892, which ordered to open new maktab and madrasah, following the permission of directors of public schools.

Under the pretext that maktab and madrasah used manuscript books that promoted ideas "hostile to the Russian national principles", a circular of July 10, 1892, ordered to "use exclusively printed books approved by Russian censorship" in these schools. The mullahs who had received education in Muslim countries were accused of showing hostility to the "rapprochement of the Mohammedan population with the Russians" and preventing the "promotion of the Russian language and Russian literacy" [29]. For this reason, solely Russian

citizens who received education in Russia could be allowed to teach at schools. Such actions by the educational authorities on the implementation of this order stirred up intense protests of the Muslims in the Volga region and the Urals. Eventually, in 1894, the circular was temporarily canceled for the prohibition on Mullahs educated abroad to teach at maktab and madrasah and on the use of manuscript teaching aids.

In the 1890s, the state attempted to regulate the internal organization of maktab and madrasah. By a circular dated July 31, 1891, the Ministry of Education ordered the leaders of educational districts to observe sanitary norms at maktab and madrasah [30].

The Ministry attempted to use Muslim donations intended for confessional schools to develop a network of government educational institutions specializing in the promotion of the Russian language. A Ministry circular dated November 30, 1896, reported to immediately inform the administration of educational districts about donations to Muslim schools. The Government granted directors of primary schools the right to use donations for the maintenance of Russian classes at madrasah [31].

The authorities were of the opinion that religious fanaticism among Muslims was initiated and supported by religious leaders. The promotion of Russian culture among the religious establishment through the Russian language was supposed to convince them and further the entire Muslim population of the superiority of Russian culture and contribute to the assimilation of the Muslim Turks. Similar ideas were expressed in the proposals to change the management of Muslim religious affairs from the middle of the 19th century. In the process of establishing Russian national schools, the educational authorities strengthened in the opinion that if mullahs were taught Russian literacy, they would positively accept new schools, and moreover, would teach Russian to parishioners' children. It was also believed that religious leaders good at the Russian language would weaken the opposition of communities to open schools of a new type for Muslims.

A proposal of the Minister of Education D.A. Tolstoy, sent to the State Council in May 1877 on the introduction of an educational qualification for candidates for Muslim positions did not receive support. The main reason was the Russian-Turkish war of 1877–1878. In these conditions the state watched out for restrictive measures to provoke unrest among the Muslim population of the Crimea and the Volga region.

In 1888–1890, during a period of relative socio-political stability in the country, the government developed a new version of rules that formed the basis of an imperial decree of October 11, 1890. Since 1891, candidates for the Orenburg Mohammedan Assembly were required to have certificates confirming their ability to read and write in Russian. Only since 1896, they were required to have a certificate of completion of a city school, while candidates for rural mullahs were required to have a certificate of the ability to speak and write in the state language. The Ministry of Education developed Rules for Conducting Tests and Issuing Certificates in the Russian language for Positions in the District of the

Orenburg Theological Assembly, approved by the Minister N.I. Delianov on December 30, 1890.

By a Law of January 9, 1890, all three OMTA assessors began to be approved in turn by the Minister of Internal Affairs. The sequence of exemption from the position of members of religious administration was determined [20].

4. Conclusion

Summing up, in an earlier period the Russian Empire implemented a system for administering regions with a non-Russian population that along with an aspiration to preserve the administrative and territorial integrity of the state, respected the ethno-cultural differences of local nations. In the post-reform period, a more vivid process of involving national suburbs into the Russian sociocultural environment and the imperial system of administration was underway. This was included in the Russian legislation that regulated various spheres of life of the Muslim Tatars in the Volga and Ural regions, and above all, the sphere of education. The letter provided new opportunities for the Tatars to study the Russian language and secular disciplines. What is more, the legislation of the Russian Empire encapsulated and regulated an assimilatory internal political course towards the Muslim Tatars clearly expressed in the normative documents about persons who had converted into Islam. Assimilatory goals were also set in the legislation regulating the educational sphere. The participation of Muslim Tatars in self-government bodies was also legally restricted.

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