

## CONSTITUTIONAL POWERS OF

## ALL KHOREZM CONGRESSES OF PEOPLE'S REPRESENTATIVES

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**ABSTRACT:** The article is devoted to the constitutional powers of All Khorazm congresses of people's representatives. At the same time, in 1920-1924, on the basis of primary sources and literature, the creation of the Khorezm People's Soviet Republic and the implementation of constitutional reforms, congresses of people's representatives acting as the highest authority of public administration were analyzed.

**KEY WORDS:** Khiva Khanate, Revolutionary Committee. "Young Khiva" party, Khorezm People's Soviet Republic (KhPSR), congress (kurultay), people's representatives, constitution, Central Executive Committee, Council of People's Nazirs (Ministers).

In the early 20s of the 20th century, the Khanate of Khiva, which had a unique place in the history of Uzbek statehood, was experiencing its last period of rule. By this time, the political, social and economic situation of the khanate became extremely difficult, and the protests against the khan and his officials intensified.

In December 1919, Soviet troops began invading the territory of the Khiva Khanate. As a result of military operations, important cities of the khanate were captured one after another, and on February 1, 1920, the city of Khiva was captured. On February 2 of this year, Khan of Khiva Said Abdulla Khan (reigning period - 1918-1920) voluntarily abdicated and on this day all power passed to the Provisional Revolutionary Committee established in Khiva. This committee consisted of members of the "Yosh Khivalikar" party[1]. Until the founding meeting

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was convened, this committee met at least twice a week and discussed important issues. For two months, he served as both the legislature and the executive.

On April 9, 1920, to improve the activities of the Provisional Revolutionary Committee, bodies of the original people's government were created, consisting of 10 people - ministries. It was on this basis that the overthrow of the Khiva khanate led to the establishment of a republican form of government. Despite the fact that "Young Khiva" came to power with the help of the Bolsheviks, they began to build a democratic republic instead of the monarchical system practiced in the khanate. Congresses (kurultay) of people's representatives of All Khorezm had a special place in this.

On April 26, 1920, the first constituent congress of All Khorezm people's representatives was opened in the former khan's palace in the city of Khiva, i.e. Nurullabai Palace [2]. On the first day of its work, the congress abolished the Khanate of Khiva and in its place restored the historical name of the state Khorezm and announced the establishment of the Khorezm People's Soviet Republic (KhPSR).

On April 30, 1920, the text of the first provisional Constitution of the KhPSR was discussed and approved [3]. This constitution was published in Khiva in 1920 in two languages, Uzbek (old Uzbek script) and Russian. The first Constitution of the the Khorezm People's Soviet Republic included the Preamble (it consists of three parts), Chapter XIII, Article 37[4].

This constitution is the first supreme normative legal document in the history of Khorezm, which equalized the political rights of the masses for the first time. It defined the structure of state power and management bodies. For example, in Chapter III, Article 6 of the basic law entitled "Congress (Kurultay) of People's Representatives", "Once a year, but if it is considered important, before the end of the year, at the request of many local Soviets, the Congress of People's Representatives will be convened in the Soviet Republic of Khorezm".

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This Congress is considered the highest body in the Republic and decides the most urgent issues concerning the Republic", it was noted [5]. However, it did not specify the issues under the authority of the Congress and the procedure for electing its representatives. Along with the Basic Law, the Congress also approved the state coat of arms and flag of the republic.

The second congress of people's representatives of All Khorezm was opened on May 15, 1921 at 16:00 in the afternoon at Nurullabai Palace in Khiva. Worked until May 23 [6]. On May 23, 1921, the congress approved the newly revised text of the Constitution of the KhPSR with amendments. It consisted of the Introduction, Chapter XIII, Paragraph 42 [7]. Although this new constitution was amended, this time the issues under the jurisdiction of the "Congress (Kurultay) of Soviets of the Working People" were again not specified, the text stated that "... This congress is the highest authority in the Republic and decides the most important issues related to the life of the Republic" (paragraph 6). He explained to him the procedure for electing a representative, that is, deputies. In particular, according to paragraph 7, it was determined that "the deputies of the Congress are elected by the general meetings of the district Soviets at the rate of one deputy for 400 people and one deputy for 100 Red Army soldiers".

On July 15, 1922, the third congress of All Khorezm soviets opened in Khiva[8]. Worked until July 23. The activity of this congress was quite different from previous congresses. In order to deeply study the adopted materials and prepare draft resolutions, the assembly created a finance (economic), control (emergency) and constitutional commission. In the previous meetings, the procedure was not organized in this way.

The Constitutional commission revised the constitution. On July 23, 1922, he approved it with some changes. The new Constitution included section 6, chapter XV, paragraph 87. This time, too, it was based on the 1918 Constitution of the RSFSR. However, unlike the previous Constitutions, it strengthened the powers of

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the All-Khorazm Congress of Soviets and the All-Khorazm Central Executive Committee. According to paragraph 51, their powers include:

- 1) approving the constitution of the Khorezm People's Soviet Republic, introducing changes and additions to it;
- 2) joint leadership of the entire internal and foreign policy of the KhPSR;
- 3) determining and changing the territorial boundaries of the KhPSR, as well as transferring the relevant parts thereof;
- 4) determining the borders of districts within the state, approving the general administrative division of the territory of the KhPSR and national associations;
- 5) establishing a system of money and weights in the territory of the USSR, as well as the elimination of old systems and the introduction of new ones, as well as determining the amount of money issuance;
- 6) conducting relations with foreign countries, declaring war and making peace;
- 7) drawing up loans, customs and trade agreements and financial agreements;
- 8) determining the foundations and general plan of the national economy and some of its branches in the territory of the KhPSR;
- 9) introducing the KhPSR budget, i.e. distribution of republican expenses and incomes and finding sources of income;
- 10) establishment of state taxes and duties;
- 11) establishing the foundations for the organization of the armed forces of the KhPSR;
- 12) general state laws, formation of judicial bodies, civil, criminal and other laws in a certain order;

13) appointment and dismissal of some members of the the Council of People's Nazirs (Ministers), as well as the entire Council of Nazirs in full, at the same time confirmation of the chairman of the Council of Nazirs;

14) Issuing general decisions on the acquisition and deprivation of Khorezm citizenship and the rights of foreigners on the territory of the republic;

15) general and partial amnesty right[9].

It is clear that these higher authorities jointly resolved all issues of national importance. The Constitution of the KhPSR did not limit the powers of these bodies to the issues listed above. In particular, according to paragraph 52, they are empowered to consider all issues that need to be resolved. However, paragraph 53 specified the absolute authority of the All Khorezm Congress. It included the following: 1) Defining, supplementing and changing the basic principles of the Khorezm Constitution; 2) ratification of peace agreements[10].

On October 17-20, 1923, the fourth congress of All Khorezm soviets was held in Khiva[11]. On October 20, 1923, the Kurultai adopted the decision "Renaming the Khorezm Soviet People's Republic as the Khorezm Soviet Socialist Republic (KhSSR)"[12]. On the same day, a new Constitution was adopted in order to constitutionally strengthen the KhSSR. It was based on the Constitution of the USSR. Consisting of 5 sections, Chapter XII and 44 articles[13], this constitution legislated the country's transition to socialist construction.

According to the new Constitution of the KhSSR, the procedure for electing deputies to the All Khorezm congresses has also changed: According to Article 4, the Congress of Khorezm Soviets will be formed from the representatives (deputies) of the congresses of the district Soviets at the rate of one deputy per 10,000 inhabitants, and the representatives of the Red Army, trade union members, and "Koshchi" association will be sent separately. Article 5 states that "the total number

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of representatives at the Khorezm Congress should not exceed 200 members with a decisive vote" [14].

On September 29, 1924, at 10:00 a.m., the Fifth Congress of All Khorezm Soviets began work in Khiva. His main attention was focused on the issue of national-territorial demarcation. At the meeting on September 30, on the issue of national-territorial delimitation, the head of the Central Asia Bureau of the RCP(b) Central Asia Bureau A. Udarov's speech was heard. In his speech, he approved the "national-state demarcation" in Central Asia[15]. After that, the Deputy Chairman of the Supervisory Council, Tursun Khojaev, made a report on this issue. At the end of the report, the assembly adopted the decision "On demarcation of the nation-state". With this decision, which was taken in a spirit of classism, Khorezm SSR was announced. As a result, the entire territory of Khorezm and its inhabitants were divided into three parts. Yangi Urganch region and 23 districts, whose population consists mainly of Uzbeks, were included in the Khorezm region of the Uzbek SSR, the rest of the republic was added to the Turkmen SSR and the Karakalpak autonomous region (in the Kazakh ASSR).

In short, the issue of the constitution was considered an urgent issue in the activities of the congresses of people's representatives of All Khorezm. The Provisional Constitution of the KhPSR, adopted at the first congress, reflected democratic reforms and gave political rights to the masses for the first time. As a result of further constitutional reforms, changes and additions were made to the Constitution of the Republic of Khorezm at the II, III, IV congresses.

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