

UDC 342.5

BODIES OF LAND OF DONETSK REGION WITHIN RELATIONS OF POWER IN POST-REFORM PERIOD

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The article reveals the character and directions of relations between Donetsk region's zemstva (bodies of Land) and public authorities at the turn of XX century. It is noted that the state limited the competence of bodies of Land and put their activity under thorough governor's control. It is emphasized that the absence of equitable dialog as well as an opportunity to defend own interests significantly narrowed the boundaries of bodies of Land's initiative. The author points out that the activity of bodies of Land was substantially complicated by shifting the whole range of responsibility concerning population education and health care coverage onto the bodies of Land's shoulders (on condition they lacked legal definition of obligations as for those tasks) as well as by unwillingness to finance those directions from state budget.

Key words: zemstva (bodies of Land), local governments, application, paperwork materials.

In modern democratic world decentralization of public administration and creation opportunities for self-governing bodies to solve the local issues independently are among the universal trends within the system of political power relationships. Ukraine faces the challenge to reform the sphere of public administration and grant self-governing bodies with wider legal and economic authorities to meet the communities' requests. Within this context the investigation into the experience of local governments and historical examples of public administration decentralization is of great use and actual importance. The phenomenon of bodies of Land provides an excellent example of such experience as they were capable of solving important issues in the socio economic, educational, cultural, health care and other spheres.

The article views the activity of bodies of Land located in Slovyanoserb'sk, Bakhmut and Mariupol districts of Katerinoslavl' province. It is these districts which shaped the image of the region as they possessed such specific features of Donets Basin as quality changes in economy, heavy industry development, polyethnic socio cultural environment etc.

The objective of research is to define the character, directions and tools of interaction between Donetsk region's bodies of Land and public authorities as well as different communities within the context of bodies of Land's social and educational activity.

Governors were the main person in charge who bodies of Land communicated with. The law clearly stated that bodies of Land as non-governmental bodies were independent and beyond hierarchical subordination. Though each their step was under control from the governors. The latter ones were satisfied with such situation. For instance, the governor of Katerinoslavl' province V. Dunin-Borkovskiy wrote in his letter to the Minister of Internal Affairs: "The governor is sure to supervise the activity of bodies of Land, control their fulfillment of laws and deter unlawful and criminal acts" [1, p. 122].

Nearly all bodies of Land's decrees were revised by the governor and the Minister of Internal Affairs, governorate Assemblies were obliged to issue orders which were mandatory for local bodies of Land. Provincial bodies of Land constantly granted instructions to bodies of Land's authorities in districts. It can be noted that exercising the personal control over bodies of Land's

decrees was among the main duties of the Governor and governorate Assemblies. So bodies of Land didn't have to fall outside of the scope set by those [2, p. 108].

The Act of Senate of December 16, 1866 made the situation more complicated, as the governors gained the right to refuse to commission any person elected at the bodies of Land's meetings in case one was recognized as disloyal. The law of June, 13, 1867 "On Conduct of Procedure in meetings of bodies of Land, Nobility Assemblies, local, public and communal meetings" widened the competence of the Chairmen of bodies of Land's meetings. According to it they could dismiss meetings, debar from voting, penalize and expel from the hall those members who brought up the issues beyond the competence of bodies of Land in their speeches.

Supervisory functions shaped three options of governors' behavior strategy towards bodies of Land. The first one was based on paternalistic state of mind and implemented as excessive guardianship and intrusion into bodies of Land's activity. The second one demonstrated indifferent attitude towards local governments, which means that the governor watched the legality of bodies of Land's activity without any intrusion. The third option grounded on developing specific constructive collaboration.

On the territory of Donetsk region the first model of relations prevailed. Thus, bodies of Land were beneath governorate power foot which disgruntled the communities. On September 22, 1867 Bakhmut and Slavyanoserbsk district bodies of Land appealed to the Minister of Internal Affairs as for revocation of right to reject bodies of Land's requests by the Governor. On May 22 bodies of Land got the following reply: "Applications concerning the issues which fall within the bodies of Land's authority are to be submitted to the Ministry only with the recommendation and permit of the Governor. Since bodies of Land are just executive bodies unable to claim independently of local needs to the state government" [3, p. 230].

The situation with bodies of Land's paperwork materials is extremely significant referring to the conflict relations between Donetsk region bodies of Land and the Governor. According to the Directive by the Ministry of Internal Affairs # 180 of November 20, 1865, all decrees of body of Land's meetings were to be sent to the Minister of Internal Affairs for verification [4, p. 52]. On September 29, 1867 this directive caused rather complicated situation in Katerinoslavl provincial Board. Officer for Special Commissions V. Shiryayev subordinated to the Governor demanded from the Board the compilation of all latest body of Land's decrees for further confiscation. However, he did not explain the reasons for having those decrees, stating that he would not leave the building without them and afterwards called for the police. This conflict resulted in complaint from Katerinoslavl body of Land Board to the Minister of Internal Affairs P. Valuyev concerning the actions of Officer V. Shiryayev. In reply to Minister's inquiry about that situation the Katerinoslavl governor claimed in his turn that all the Board's complaints about V. Shiryayev's disrespect were exaggerated. The governor justified the actions of the Officer and stated that the latter just carried out his mission, whereas the conflict resulted from low moral qualities of body of Land's authorities. Moreover, the Governor valued all members of body of Land's Board negatively, while V. Shiryayev was characterized as well-educated person with scientific degree who could not demonstrate lack of culture towards the Chairman and members of body of Land's Board. The governor also claimed that Katerinoslavl body of Land's Board came under influence of governorate town councilor baron M. Korf who was in opposition to the local administration: "Baron M. Korf is constantly searching for the reasons for polemicizing with local administration, regarding himself as a body of Land's Rights Watch" [5, p. 136].

Thus, this case shows that relationships between governorate administration and bodies of Land were far beyond friendly ones. Moreover, the Governor accused body of Land's employees of unwillingness to obey the orders and insubordination which caused constant conflicts.

Surely, occasional situations occurred when governors actually concerned about "public needs" and rapidly reacted to the bodies of Land's applications. For instance, on March 27,

1897 members of Mariupol, Bahmut, Slavyanoserbsk and other district bodies of Land in Katerinoslavl province appealed to the governor D. Martynov with the gratitude for his “peering attitude to all the local issues and his being strong legal defendant of rights and advantages of all sides. He promotes towns well-being and develops economy, giving everyone the right to petition for specific matters” [6, p. 7]. Unfortunately, such people among governors were exceptional.

Some representatives of local state administration considered members of bodies of Land “dark mass” and acted towards them guiding by strict orders and compulsory measures. Most representatives of different state ministries impacted bodies of Land through material recovery and money exaction; these facts are confirmed in the works by V. Garmiza, P. Zayanchkovskiy, O. Lebedev. The members of bodies of Land were considered as “labor mass” by state administrations which excluded any gentle attitude towards them. Under such circumstances bodies of Land could appeal to governmental authorities only as applicants (through applications, petitions and requests). It is applications which were actually main tool of communication between bodies of Land and state authorities. According to “Regulations...” of 1864 the local governments had the right to appeal to the government only in case of issues concerning local economic needs”. This explains simple tastes of many applications, as bodies of Land realized the factual chances of their satisfaction. For instance, in the second half of 1890 bodies of Land in Katerinoslavl province appealed with an issue of corporal punishment abolition for rural settlers.

The way all applications passed was multistage and long-term: town councilor – meeting – Board – governor – Ministry of Internal Affairs and vice versa. So the verdicts on bodies of Land’s applications lasted for years. It surely generated a tension between local governments and Ministry of Internal Affairs but any bodies of Land’s attempts to change the situation were in vain.

Disputes forced bodies of Land to apply for help to so called ‘petitioners’ who accompanied an application following the formal procedure. As a rule, they were influential noblemen or dealers. Katerinoslavl governor V. Dunin-Borkovskiy even let know Minister P. Valuyev beforehand: “They sent petitioners to you personally to support their applications for needs” [7, p. 146]. In spite of these measures Ministry of Internal Affairs often replied bodies of Land’s applications with an evasive refusal. The reasoning was simply formal: “The similar application was not commenced in other towns”.

All the applications of Donbas’ bodies of Land by the contents can be divided into the following groups: 1) organization, structure, rights and duties of bodies of Land establishments; 2) bodies of Land finances – accounts valuation, budget, taxes and deficit; 3) bodies of Land’s compulsory service – maintenance of governmental establishments, apartment, transport etc.; 4) popular schooling; 5) economic measures and “popular supply of provisions”; 6) health care and social patronage; 7) judicial, notarial, boundary and other local administrative and rural establishments; 8) transport availability and post office; 9) bodies of Land’s press and statistics; 10) insurance and other issues.

As a rule, applications as for educational issues were not allowed by the Governor. For instance, on October 6, 1889 he dismissed the petition of Mariupol and Bahmut district bodies of Land concerning awarding and granting assistance to honored public teachers. Doing that, Katerinoslavl governor noted: “Petition allowing may become a basis for spreading of similar petitions concerning requests for help among other bodies of Land’s employees”.

Application of Mariupol body of Land’s Board as for including expenses on teaching in public schools of military gymnastics into the budget of governorate body of Land was also dismissed after lasting discussions just because the governor had not found the grounds for its allowing [8, p. 3].

Petition of Mariupol body of Land’s Board as for allocation an amount from the budget of governorate body of Land on taking measures for organization smallpox vaccination and establishing interim hospitals in towns was replied by the governor with wording that all those measures would be deferred until Mariupol body of Land’s budget supplement.

In general the issues on giving financial support of body of Land's measures were the fundamental in relationships between bodies of Land and state authorities. Having analyzed reports of bodies of Land's Boards, it can be noticed that their expenses were much larger than budget income. Though any attempts to change the situation were unsuccessful. For instance, on February 21, 1867 Mariupol district body of Land appealed to the Minister of Internal Affairs for the permit to impose a tax of 2% on fish factories. The proceed was necessary for the body of Land to build a hospital which opening was due in November 1868. The construction needed 2000 roubles, whereas body of Land's budget income in 1868 was about 2066 roubles, considering the fact that bodies of Land should also pay compulsory service with this money. The Minister of Internal Affairs rejected Mariupol body of Land's Board' application referring to art.94 of "Regulations..." of 1864 according to which bodies of Land's meetings had no right to call body of Land's Assembly [9, p. 11].

Laying down even taxation of local population by bodies of Land was one more important challenge in relationships between bodies of Land and surroundings. As mentioned above, bodies of Land existed mainly on account of funds from body of Land taxation. That aroused a great concern as the great number of well-to-do population was free of taxation, and the tax burden was laid upon the poorest rural and urban citizens. According to official evidence (1865), "The whole burden of natural compulsory service was laid on inhabitants like serfdom" [10, p. 11].

Time and again bodies of Land appealed to the state government with request to solve this issue by even distributing of taxes among different layers of population. But the state did not simplify the solution of the problem providing bodies of Land with out-of-date regulation on bodies of Land's compulsory service which did not take into account the interest of general population. So bodies of Land kept appealing to the state government with petitions on that issue. For instance, in 1869 Katerinoslavl governorate body of Land appealed as for transferring line-of-communication compulsory service from natural form to monetary one as well as demanded reduction in amount of expenses on line-of-communication compulsory service. That was justified by the fact that district bodies of Land did repairs in buildings for prisoners, paid for lighting and heating, bought crockery, straw and household goods at their own cost. Thus, line-of-communication compulsory service cost significant amount of funds. For instance, Slavyanoserbsk district supplied 550 carts and employed 1050 feet to transfer prisoners which cost 645 roubles. Mariupol district supply 1247 carts charged 935.25 roubles [11, p. 23]. In the end, having learned the petition, the government allowed it partly, as for transferring line-of-communication compulsory service from natural form to monetary one. Considering reduction in amount of expenses on line-of-communication compulsory service, Ministry of Internal Affairs gave no reply and mentioned that such applications should not be sent any more.

The conflict in relationships between bodies of Land and state authorities aroused an issue concerning taxation of commercial and industrial establishments. Adoption of the Law "On trade" of November 21, 1866 elaborated secretly divested bodies of Land to impose taxes on large industrial and commercial businesses. That situation caused plenty of petitions from bodies of Land to Ministry of Internal Affairs most of which claimed the injustice of innovations. For instance, Bakhmut district body of Land stated that "manufacturers and merchant should not have privileges concerning taxation in comparison with other layers of society", though the government paid no attention to those petitions. The state deprived bodies of Land an opportunity to impose taxes on wealthiest and most profitable factories, manufactories and layers of population as that undermined trust of noblemen to state's internal policy. Moreover, Ministry of Foreign Affairs issued a set of laws which banned bodies of land's taxation. For instance, on November 20, 1869 Senate cancelled taxation of local stores by bodies of Land, on November 28, 1869 taxation of woodworking trade was banned, on March 16, 1870 taxation of estate property of Tsar and clergy was also prohibited [12, p. 105–106].

As it is seen, discussion on taxation issues arose in the 1860–70s. Considering those events baron M. Korf noted: “Please God! The government – in the end – will come to conclusion that only even distribution of taxes should be fair... “Knowledge is power!” So the sacred obligation of state power institutions is to bring up this power with the help of public schools and promote fair and profitable tax distribution legally” [13, p. 514–515].

The provision on bodies of Land of 1890 fixed the principles of interaction between state authorities and local governments more efficiently, though the development of such interacting aimed at stricter administrative control. Firstly, bodies of Land’s powers of authorization whom the state delegated the only right to solve regional issues like realization “local needs and wants” within economic and social spheres were limited. Secondly, there were changes in understanding of the core of interaction between independent units and state, they stopped being even sides as for solving local issues – state authority transformed the role of bodies of Land making them poor excuse for state administration.

In governmental circles dissatisfaction with bodies of Land’s activity constantly grew which is confirmed with the report of Minister of Internal Affairs to the Tsar of January 15, 1904, which stated that in Slavyanoserbsk district subordinated to Katerinoslavl province bodies of Land’s establishments “digress from the fundamentals of legislation concerning bodies of Land and prevent from the right pace of life in bodies of Land”. Being anxious about those “undesirable occurrences” Minister of Internal Affairs’ secretary of state V. Pleve proposed all-round control over the activity of Slavyanoserbsk, Bakhmut and Oleksandrivsk district bodies of Land. Supervising responsibility was laid on a member General-Lieutenant M. Tomich. The Tsar supported the proposition which resulted in setting the control over the activity of above mentioned district bodies of Land within the period from January 18, 1904 and December 19, 1908 [14, p. 2]. In further correspondence M. Tomich reported to V. Pleve results of his supervision. The first report sent on February 17, 1904 noted that among bodies of Land’s members “anti-governmental views” were common. Besides, they included a request to broaden the sphere of bodies of Land’s competence and abolish the censorship concerning bodies of Land’s press. To monitor the political views of active members of bodies of Land count Ph. Keller was appointed as an extra supervisor. It led to the situation when all the problems concerning relationships between bodies of Land and administration were beyond the discussion within the hall of bodies of Land’s Assemblies as well as the issues of financing and support of social programs. The economic activity was also supervised in Slavyanoserbsk body of Land. The secretary of economic department of Ministry of Internal affairs A. Andriyevskiy was sent on business trip to check the estimate as well as find out the details concerning efficiency of body of Land’s activity and the realization of economic measures launched by it. The results of revision of body of Land’s activity were reported in the report to Minister of Internal Affairs M. Zinovyev on March 3, 1904. A. Andriyevskiy wrote: “I travelled all over district and say with my own eyes the results of body of Land’s activity for the last six years (from 1898 to 1903), which means during the period of body of Land’s current staff work. The reading of paperwork materials, personal reviews and evidence of people who are trustworthy afford ground to state that efficient work of Slavyanoserbsk body of Land had begun only six years before, since the time G. Rodakov hold the post of the Chairman of bodies of Land’s Board”. Then A. Andriyevskiy mentioned that to the author’s opinion, it is the scarce budget which was the only thing to justify such activity, as bodies of Land gained a large amount of income due to “unbelievable, even fantastic development” of mining and manufactories in this region at the end of the 1890s. Being wealthy and strong, it started active work aimed mostly at development of health care and education. A. Andriyevskiy reported the Minister that bodies of Land did not carry out social measures anyhow but realizing in full way that they worked according to scenario. Instead of poorly

equipped old hospitals they began to construct new ones fully equipped. A. Andriyevskiy stated that all body of Land's doctors were politically trustworthy, their views of state were out of question and their professional activity was brilliant [15, p. 2].

A. Andriyevskiy also mentioned changes for better in educational activity, since new buildings with single rooms for teachers were constructed as a school instead of wooden huts with straw roofs. But, in spite of all the facts mentioned above the activity of bodies of Land did not give expected excellent results. The reason was the following – bodies of Land's schools became a place where anti-state views were widespread. That phenomenon was rather surprising as the educational establishments functioned under the aegis of superintendent of public colleges and College Board, establishments that worked under the supervision of district marshal of nobility. The goal of those establishments was to supervise educational and training activity of public schools and colleges. Under such circumstances schools was fairly “insured” against intrusion of “unreliable and anti-religious elements”. Despite that body of Land's schools in Slavyanoserbbsk district turned into the workplace of people who chose a public school as a site for propaganda of own ideas. A. Andriyevskiy reasoned that phenomenon as follows: “school chain spread provoked lack of teachers and school staff in bodies of Land's schools so the staff was employed from different regions”. Those events coincided with the start of activity G. Rodakov as a Chairman of Slavyanoserbbsk Board. It was at that period of time when knowingly politically unreliable people were employed as employees by the body of Land. The educational activity was chosen among other spheres of body of Land's activity by new members of Board to manage and promote own applicants. Thus, the school staff was formed by the people recommended by the Board and thoughtlessly allowed by the superintendent to work in educational sphere [16, p. 2].

At first those teachers' activity was beyond the remarks, but at the beginning of 1901 “anti-state direction” and eagerness to vaccinate the youth with “anti-religious views” could be traced in their work. For instance, in autumn of 1901 college board and superintendent made a decision to dismiss teacher V. Smirnov blaming him for open criticizing Orthodox Church's rites as well as propaganda of “count L. Tolstoy's anti-state views” among local peasants. V. Smirnov was put under gendarme control.

In spring of 1902 teacher K. Gerus was dismissed also accused of ‘anti-religious views’ spread and neglecting command's instructions. Besides, he was charged with love affair with local peasant woman.

Teachers' dismissal caused the wave of dissatisfaction among their accomplices who were sure that Board would gain cancellation of college board's order, and the teachers could went on their working. But Board refused to stand by the fired teachers, and at the beginning of 1902–1903 the rest of teachers demonstratively left the district protesting against the College Board's activity. Under such circumstances a new staff had to be employed that was for no good, to A. Andriyevskiy's opinion. After that there was disorganization of education in Slavyanoserbbsk district. Summing up the monitoring of activity in Slavyanoserbbsk district body of Land, A. Andriyevskiy noted that body of Land's board made significant mistakes while implementing the orders of superiors, and in general body of Land could not drew up social sphere from the “routine” it had been for many years. Surprisingly that such conclusion was made after set of achievements gained by body of Land in health care and education.

It should be stated that at the beginning of XX century the state was more and more eager to communicate with bodies of Land. In 1895 the decision was made to include the most progressive body of Land's members to the committee on solving some state problems. However, mostly marshals of nobility and board's chairmen were invited to be a member of committee that led to dissatisfaction among body of Land's members. For instance, in December 1903 Bakhmut district body of Land's Assembly accepted the proposal by town

councilor Yeliseyev to appeal as for untimely discussion of statutes concerning local economic interests, as well as people elected at body of land's meetings. But Katerinoslavl governor protested against that application. All in all, mixed (public and bureaucratic) character of committees made them similar to state structure. Committees acted under the patronage of Minister of Internal Affairs. Their members had the authority to "punish peasants strictly and made them property accountable, as well as search for people taking part in criminal riots". Obviously, that led to displeasure of body of Land's members who felt "insincerity of the eagerness to get them invited and concern about his becoming the means of public opinion falsification" [17, p. 52].

Thus, the character and directions of relationships between bodies of Land and state administration in Donetsk region were defined by statutory and regulatory area of activity as well as by general attitude of central government and governorate authorities to local administrations. The limited competence, thorough supervision of Governor, absence of equal dialog and an opportunity to defend their interests in applications as the only form of communication narrowed the sphere of bodies of Land's initiative. The body of Land's activity was significantly complicated by the following: shifting the whole range of responsibility concerning population education and health care coverage onto the bodies of Land's shoulders (on condition they lacked legal definition of obligations as for those tasks), as well as unwillingness to finance those directions from state budget.

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**ЗЕМСТВА ДОНЕЧЧИНИ В СИСТЕМІ
ВЛАДНИХ ВІДНОСИН ПОРЕФОРМЕНОЇ ДОБИ**

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У статті розглянуто характер і напрями відносин земств Донеччини з органами державної влади наприкінці XIX – на початку XX ст. Відзначено, що держава обмежувала компетенцію земств і встановила прискіпливий контроль за земською діяльністю з боку губернатора. Підкреслюється, що відсутність рівноправного діалогу й можливості відстоювати свої інтереси значно звужували межі земської ініціативи. Наголошується, що перекладання на плечі земств майже всієї повноти дій щодо освітнього та медичного забезпечення широкого загалу населення (за відсутності юридичного визначення обов'язковості цих завдань), небажання фінансувати ці напрями діяльності з державного бюджету значною мірою ускладнювало роботу земств.

Ключові слова: земства, органи місцевого самоврядування, клопотання, матеріали діловодства.