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SOME ASPECTS OF THE PROVINCIAL GOVERNMENT INTRODUCTION IN KALMYKIA IN 18TH CENTURY

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Abstract

The Russian government did not immediately dispense with the practice of the single authority and national authorities in governing the Kalmyk nomads due to challenges faced and hoping to return at least some of the nomads who had left. Beketov proposed Prince Dondukov to be "the head of the Kalmyk people." Many representatives of the Kalmyk nobility were discontented considering themselves worthy candidates for this high post. Thus, the Russian government was surprised to know about the migration of Ubashi and part of the people who were under his control. The provincial authorities did not expect the Kalmyks to migrate. The tsarist government was aware of the need for decisive actions and introduced direct regional governance in the territory of the nomads. This can be considered the historical and legal roots of the current institution of direct presidential governance in the regions of the Russian Federation. Governor Beketov became not just an intermediary between the Russian authorities and the Kalmyks, but also the person in charge of supervision.

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1. Introduction

One of the most important tasks of public administration in the Russian Federation is the development of Russian federalism and relations between the center and the subjects based on the country's constitutional legislation. In this regard, the study of the history of provincial governance is of particular relevance. Current problems of state building in the Russian Federation are largely the result of the processes that developed in times of the Russian Empire.

The history of Russia can be looked at as an endless chain of governmental reforms. However, by the 19th century, Russia was a unitary state with more or less unified centralized governing. At the same time, specific national features were not completely eliminated from the provincial governance. Local sources of law including customs continued to be widely used.

Adequate understanding of the features of regional governance in conditions of autocracy can be reached after insight in the legal status of non-Russian peoples within the empire. The Russian authorities pursued forward-looking policy and tried to preserve the legal and sometimes state systems for more "developed" peoples. When issuing laws for other peoples, the authorities made the maximum use of the customary law, in fact, they kept the customary legal system of these peoples. At the same time, the conformity of the state-legal regulations of the joined peoples to Western models was taken as the criterion of "development". All transformations undertaken "from above" were somehow aimed at the solution of this particular problem. The paradox was that the state-legal regulations of the West (especially in the middle of the 19th century) were used only for superficial modernization. Thus, freedom of agreement, publicity of state institutions, independent equal court, and local self-governance were introduced in the country where police regime had reigned among people with no equality of citizens preserved.

When dividing territories into administrative units, ethnic and economic factors were rarely considered and sometimes were completely ignored. In general, when carrying out administrative reforms, borrowed models were often transferred to the Russian reality with anticipation of immediate positive results and previous experience and established cultural and economic ties were rejected.

Thus, the expressed desire to unify governance gradually came to the fore, which did not exclude the possibility of preserving the features of legal, but not administrative systems of the nations of the empire. The newly attached regions used old institutions for some time, but later, they were almost always replaced by general imperial ones.

Russia, being a multinational and multi-religious country, united peoples of different levels of cultural development. The relationships evolved with many of them were troublesome and often dramatic. To comprehend the state and legal grounds, on which the Russian system of government was introduced in a region populated in particular by the Kalmyks, is of historical and of current practical interest.

When the Kalmyks migrated in January 1771, only owners, who were roaming along the right bank of the Volga, and influential representatives of the Kalmyk nobility, who had serious contradictions with the governor, continued to live in Russia. The Kalmyks, who took part in the Russian-Turkish war, did not have the opportunity to join the decamping Kalmyks as they were involved in military operations in the Crimea and the North Caucasus.

The news about decampment of most of the Kalmyk uluses (30285 tents, about 73%) took not only the central government bodies of Russia, but even the local administration by surprise (Novoletov, 1884).

The reports of the Astrakhan governor N.A. Beketov to the Collegium of Foreign Affairs about possible migrating of the Kalmyks (for example, on April 15, 1770, he sent a report about possible departure of the Kalmyks) were perceived with distrust and were not considered. Nevertheless, the government was seriously worried about the departure of most of the Kalmyks. The issue became the subject of special discussion at the Council at the highest court with participation of Empress Catherine II. It was by decision of the Council that measures were taken to return the Kalmyks to the Volga River.

In 1728, a new system of local government was established, according to which the competence of the governor was limited to specific and everyday problems (Eroshkin, 1983). The governors were obliged to obey the laws and to execute orders of the supreme power, and to keep peace in the territory entrusted to them. The governors were in charge of some military functions: army recruitment, lodging troops, etc. They were charged with the collection of the head tax, other direct and indirect taxes, the collection of tax arrears, orders for various duties in kind. The governors received extensive judicial functions after liquidation of the courts. The governors used offices to carry out their activities. Each of them had a military detachment to assist in the execution of laws since 1763.

The Astrakhan governor, in whose jurisdiction the Kalmyks roamed, was accountable to the Collegium of Foreign Affairs, which remained the central governing body of these peoples.

Petersburg was also concerned about bringing the situation with the remaining nomads under control. To stop migration of the remaining Kalmyks, the Russian authorities began to take immediate measures.

2. Problem Statement

The governing system in Kalmykia was formed in the context of general governmental principles based on flexible application of general imperial approaches and political and legal institutions combined with national peculiarities of the Kalmyks with regard to the established systems of traditional governance and the customary law of the Kalmyk people.

The leading trends in the development of governance in Kalmykia were localization of power in the region combined with centralization, when the government was the central power in the system of "center – region" relations, and the Astrakhan governor and a special unit for Kalmyk Affairs (expedition, office, governance) were its local representatives in the territory of Kalmykia (Ochir-Garyaeva, 2014).

The governmental system in Kalmykia was based on the experience of similar institutions, which proved their viability in other regions of the country, but with regard to specific features of this province (Ochir-Garyaeva & Komandzhaev, 2017).

To achieve this goal, it was necessary to solve the following tasks: to determine the content and direction of the regional policy of the Russian government in national provinces through the example of the Kalmyk steppe; to consider the structure of state institutions, namely, the local authorities of the Kalmyks and the legal framework for their activities; to study the influence of political forces on the inclusion of nomadic society of the Kalmyks in the government of Russia

3. Research Questions

The subject of the research is the historical and legal aspects of the genesis of governance in Kalmykia in the period of the formation of the general imperial governance in this region, relations of central and local government authorities, structure, competence and activity of the national administration apparatus.

4. Purpose of the Study

The aim of the study is to investigate the political and legal transformations in the Kalmyk nomads and the related policy of Russia.

An attempt is made to summarize the theoretical material accumulated to date, to realize the advantages and disadvantages of the tsarist regional policy, and to assess the significance of our national governance experience, including the negative one. All-Russian institutions of management are considered with focus on the specifics of governance in national regions and on traditional forms of self-governance of foreigners.

5. Research Methods

In the study, the author used a dialectical method of scientific knowledge. A systematic, comparative and legal, historical, structural and functional, and other methods of cognition were used along with the principles of the unity of the historical and the logical, the abstract and the concrete. These methods were employed to consider the problem of introducing the nomads into the system of state governance with regard to the features of the social organization of the Kalmyks and the development of Russian statehood and law.

6. Findings

The Russian government was surprised to know about the migration of Ubashi and part of the people who were under his control. The provincial authorities did not expect the Kalmyks to migrate. The government being aware of the need for decisive action introduced direct provincial governance in the territory of the nomads. This can be considered the historical and legal roots of the present institution of direct presidential rule in the regions of the Russian Federation. Governor Beketov became not just an intermediary between the Russian authorities and the Kalmyks, but also the person in charge of supervision. The appointment of Dondukov, “the head of the Kalmyk people”, who was not recognized by the Kalmyks, was erroneous. This did not contribute to the establishment of good relations between the provincial authorities and the Kalmyks and caused indignation among noble noyons.

The delay of the government in determination of the status of the remaining Kalmyks can be due to the expected return of Ubashi and his people.

After it became obvious that the Kalmyks who had left with their governor would not return, Catherine II did not issue a special decree on the liquidation of the Kalmyk Khanate. On October 19, 1771, the empress sent a rescript to the Astrakhan governor.

The document testifies that the Russian empress treated the Kalmyk migration as treason and rebellion. At the same time, the migration provided the opportunity for more systematic colonization of the region. Catherine II had to change the strategy of governing the Kalmyks. Thus, independent statehood of the nomads could not be recognized.

The migration of Ubashi gave the Russian government the opportunity to establish direct governing of the remaining Kalmyks. In this regard, a special attention of the Russian authorities was drawn to the Astrakhan province, a large administrative-territorial unit with a fairly strong bureaucratic apparatus, where the governor played a key role. The actions of N.A. Beketov towards the Kalmyk migration and his reports on Ubashi's plans showed the city authorities not only his perspicacity in the Kalmyk affairs, but also the correct attitude of the imperial intentions towards foreigners in the entrusted province. The empress granted the governor additional powers, "... so that all of them [the owners] were under your control and governance and submitted all arguable issues to your consideration".

Catherine II considered that the Expedition of Kalmyk Affairs that was established at the Governor's Office successfully solved the problem of creation of the executive and administrative body to govern the Kalmyks.

Taking into account the governor's concern about the potential risk of discontent among the Kalmyk nobles, Catherine II supported his proposal on the need to improve the situation by compensating the losses to the remaining Kalmyk owners. She allowed compensation for losses and distributed the remaining Kalmyks, whose owners had migrated, between the nobles as a reward for loyalty to the Russian authorities. The rescript provided a detailed guide to the implementation of compensatory measures. It stated that those who proved to be the most trustworthy should be rewarded first, and then other owners were to be rewarded based on their nobility and authority among the Kalmyks.

The Russian authorities tried to use the Kalmyk people who inhabited Astrakhan province in their interests and to control them through the governor. As a rule, the governor acted as an intermediary between the Kalmyks and Kazakhs, Circassians, Turkmen and other peoples.

The Astrakhan authorities had to count and distribute the remaining Kalmyks and to establish order in the uluses. Upon the request of the governor, the owners submitted letters to the Kalmyk expedition about the number of people who migrated and were forced to migrate. The document compiled based on these data was then submitted to the Collegium of Foreign Affairs (Maksimov, 2000).

Strengthening of the administrative supervision of the Kalmyk people aimed to decrease the number of nomadic camps and to increase the number of the settled populated areas. Due to this, pasture lands of the Kalmyks significantly reduced that subsequently led to worsening of living conditions. This, in turn, resulted in permanent conflicts between nomads and neighboring peoples, which were accompanied by robberies, kidnappings, theft of livestock, etc.

The provincial reform held in the Russian Empire in 1775–1785 was intended to significantly strengthen the local government apparatus. The number of provinces more than doubled. Each province was subdivided into counties, the intermediate territorial unit – province – was annulled. The territorial division was carried out in the interests of the tax and punitive policy of the government.

Larger regions (most often consisting of two provinces) were headed by the governor-general – an official who had extraordinary powers and was responsible to the empress only. The governor-general was

the head of the local authorities and the police and was in charge of general supervision of the entire governing body and the court.

In 1786, Astrakhan province became part of the established Caucasian region ruled by the governor-general.

The Russian government established Caucasian region ruled by the governor-general as strong administrative authority to eliminate disaffection.

7. Conclusion

Without governmental orders, N.A. Beketov made an attempt to bring the province under control. As early as March 1771, he dismissed Colonel Kyshensky and sent him to the Collegium of Foreign Affairs. The "Kalmyk affairs" administered by the colonel were liquidated, and the documentation was transferred to the Kalmyk Expedition established at the Governor's Office. According to Beketov's instructions, the uluses who roamed on the left (meadow) bank of the Volga River were forced to move to its right bank. According to the governor's plan, only the Derbetov ulus was left on the left side of the river to protect the area against possible attacks from the nomadic Kazakhs.

The Rescript of Catherine II dated October 19, 1771 stated a change in the legal policy of the Russian state towards the Kalmyks. The goal was to bring these nomads "into a categorical and useful state for Russia". The legal status of the Astrakhan governor changed. He became an authorized representative of the empress and a reliable defender of the government's interests in the steppes of the Lower Volga. It was he to whom Catherine II addressed the rescripts bypassing central authorities. When the Kalmyk governor's decampment, the empress recommended both directly and indirectly that Beketov made every effort to prevent the restoration of the former statehood.

The departure of Ubashi provided the Russian government with an opportunity to establish a direct mechanism for governing the remaining Kalmyks. In this regard, a special attention of the Russian authorities was drawn to the Astrakhan province, a large administrative-territorial unit with a fairly strong bureaucratic apparatus, where the governor played a key role. The actions of N.A. Beketov in the Kalmyk migration and his reports on Ubashi's plans showed the city authorities his perspicacity in the Kalmyk affairs and the correct attitude of the imperial intentions towards foreigners of the entrusted province. The empress granted the governor additional powers, "... so that all of them were under your control and governance and submitted all arguable issues to your consideration".

It was Beketov who was able to accept responsibility for control, governance, and legal proceedings over the nomads of the province in order to take them out of the state of "wildness". The empress recommended to act carefully and flexibly: "... try to convince them of usefulness of these actions to themselves under the present circumstances ...". This tactics in the negotiations with the Kalmyk nobility were dictated by the need, "... so that in time the Kalmyks ... follow the local laws ... but not their old prejudices ...".

The rescript, a special form of legal act, conferred temporal powers to the Astrakhan governor, and certain instructions of the empress were provided.

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