

**ISCKMC 2022****International Scientific Congress «KNOWLEDGE, MAN AND CIVILIZATION»****LEGISLATIVE MEASURES OF PETER I IN THE FIELD OF  
MUNICIPAL PUBLIC GOVERNMENT**

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**Abstract**

The paper analyzes legislative activity of the Russian czar Peter the Great in the area of municipal public administration in the first quarter of the 18th century. It is noted that reforms of municipal government was undertaken in two stages. At that, the first stage of the reform was oriented towards the Dutch model of municipal government, regulating city life primarily from the point of view of taxation. The second stage was arising against the background of not quite complete second and was referencing the German system of municipal government. In this model, the functions of government are transferred to more reputable and responsible representatives of population involved in trade and industry; the aim of this reform was again creating a transparent and orderly system of taxation. The urban population itself is seen only as a source of revenue without taking into account their interests. Defining the boundaries of magistrate authorities, the legislation divided all the urban dwellers into two categories: posadskie, who were subjects to the City Magistrate, and all the rest outside of the Magistrate's authority. One of the principal function that the legislation transfers to municipal government is resolution of cases. This paper analyzes the process of creation of standing orders and other documents aimed at regulation of city life.

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## 1. Introduction

The subject of investigation in this paper is reforms of the system of municipal government during the reign of Peter I. The reforms started during 1690s and having last for a quarter of a century became a branched, multi-stage, multi-level and prolonged project covering almost all fields of the Russian public life and state government. In the scientific literature one may find works dedicated to general analysis of the period of reforms (Dzhanshiev, 1896; Ditiatin, 1877; Kamenskii, 1999; Pisar'kov, 2010); there are also specialized studies of a military reform (Dobrovolskii, 1901) and those of large legislative initiatives in the field of economic, social and spiritual life of the Russian society.

In Russia, public government, including urban one, has a long history. A well-known scholar of urban government and self-government Ditiatin (1877) identified three important periods in its development:

- I. I. From formation of the Ancient Russian state in the 9th century to Mongol invasion.
- II. Second half of the 14th – late 18th centuries.
- III. After late 18th century.

## 2. Problem Statement

The authors are of the opinion that the main task in this paper is to analyze the batch of documents reflecting the reform of the urban government system and finding possible elements of self-government during implementation of new models of urban government adopted from European practice. The authors also propose to use historical documents to give a comparative characteristic of various approaches to processes related to subsequent later reforms.

## 3. Research Questions

Legislative activity of Peter I aimed at transformation of municipal public government formed during the preceding periods, creation of new urban public government institutions.

Pride of place goes to development and adoption of legislative acts in the field of municipal public government, as well as formation of new municipal government institutions on their basis, such as town hall (*ratusha*), district council (*zemskaya izba*), magistrate, their functions, competences and importance in life of cities and the country as a whole.

## 4. Purpose of the Study

The purpose of this study is to examine historical documents that reflect the reform of the municipal government during the reign of Peter I.

## 5. Research Methods

In order to achieve the set goals, the authors employed comparative historical, systemic-historical and historico-genetic methods. The historico-genetic method, being the most common in historical

research, allowed consistently providing insight into properties, functions and features of each stage of the municipal government reform. Analytical method was used to systematize the obtained information (Pashkov, 1955). An update method was used to introduce research materials into the context of the modern scientific research.

## 6. Findings

Reforms of municipal government are typical for any type of power structure. In Russia, they existed long before the reign of Peter I. However, the 18th century became a critical time in changing the state's attitude to urban development; a number of legislative reforms was undertaken aimed at improvement of both physical and spiritual conditions of city dwellers, formation of commercial and industrial class.

Governmental regulation of life of the urban population moves in the direction of gradual expansion of rights for independently meeting one's needs and interests; city becomes an independent legal entity, capable of accommodating its own needs.

The period of 16<sup>th</sup>–17<sup>th</sup> century that preceded the reign of Peter I was not beneficial for urban development and formation of commercial and industrial class. City interests were subordinated to state interests. At that, the state was interested in city dwellers both as a source for replenishing state treasury and to use their labor for the benefit of the state.

The first serious step aimed at transformation of municipal government was a decree of Peter I dated January 30, 1699. According to that decree, “for resolution of various court cases between foreign merchants and craftsmen, to manage state duties and compulsory services...” (Speransky, 1830, No. 1674) a Burgomaster Chamber (*Burmistrskaia Palata*) was established.

Simultaneously with creation of the Burgomaster Chamber in Moscow, special local public offices were established in other cities of Russia – district councils, so-called *Zemskie Izby* (sg. *Zemskaia Izba*, lit. ‘house of the land’). Thus, urban population was removed from being under control of *boyars*, *voyevodas* and other state administrators.

Burgomasters were elected by town and city dwellers from first guild merchants (*gosti*), second guild merchants (*Gostinaya Sotnya*) and suburban population, from “good and truthful people” (Speransky, 1830, no. 1675).

Initially, the total number of burgomasters was not defined. Town dwellers were able of electing “whoever they want” and “however many” to be their representatives in *Zemskie Izby*.

Later, their number was defined by legislation as “from various societies, second guild of merchants and from each suburb by a person, then from them 12 people to the Burgomaster Chamber, including 1 president”. So, one of the elected should be the president (for 1 month).

November 17, 1699, Moscow Burgomaster Chamber was renamed *Ratusha* (Rathouse), which became the main institution concerned with the affairs of commercial and suburban population (Speransky, 1830, no. 1718).

Together with the *Ratusha*, there had been established the following:

1) ober-inspectors and inspectors of fortress affairs – they were involved in acceptance of fee collection reports and judging cases between merchants and suburban people;

2) fortress chamber – it took up cases between traders and freeholders.

Within the responsibility of the Moscow Ratusha there were:

1) court proceedings and punishments.

2) collection of various taxes and fees (*oklads*) from citizens.

Burgomasters conducted:

1) court proceedings and punishments involving merchants and suburbans, including on pleas from foreign subjects against Russian traders over their trade disputes. Before that, such cases fell under the competence of Ambassadorial Prikaz. They also investigated complaints from merchants against freeholders.

2) They were in charge of all fees collected from citizens and transported them to Treasury before a fixed date. They conducted spending as per royal decrees and reported on their spendings.

Zemskie Izby were directly subordinated to the Moscow Ratusha.

Affairs that previously were among responsibilities of the Great Treasury Prikaz were transferred under competences of Burgomasters, including measurement houses, various eateries, city customs, bars (*kruzhechny dvory*), etc.

In addition to that, Zemskie Izby were tasked with collection of fees from *Streltsy*, miller fees, tavern and salt levies, they were in charge of postal services (e.g., between Moscow and Arkhangelsk) and even guard duty.

Thus, in this case elected deputies effectively performed the tasks that previously had been performed by neglectful royal officials.

Among public functions of the *Zemskie Izby* there were the right to distribute fee and taxation duties among the members of urban classes, as well as auctioning a right to rent out various items.

Burgomasters of *Zemskie Izby* did not have direct relation either to distributing tax shares or collecting fees, as it was in competence of district headman (*zemsky starosta*), barrelhouse burgomasters and innkeepers. District burgomasters exercised only general control over their activities and drafted monthly reports on collected fees.

In case of neglectful exercise of their responsibilities, elected district officials were subjected to strict punishment with respect to their property and person (including death penalty, corporal punishment, excise to Azov, etc.).

Often, the area of activity of elected officials from suburban communities stretched far away from the boundaries of their town or even district.

In summer of 1704, in order to control activities of burgomasters and *voyevodas*, a special position of warden is established, selected “from all parties of good gentlemanship” (Speransky, 1830, no. 1986). It was the first step on the way to establishing a position of *ratusha* inspector. Having interdicted theft, a warden got estates and 1/4 of confiscated property, while a bond slave got freedom. Failure to report a crime was also punished with severity.

The urban public government system still under formation got a serious blow from governorates created in 1709.

Thus, uneasily constructed “temple of public government” started crumbling again. Many functions of district councils (*Zemskie Izby*) were transferred to newly established officials: governors, district commissioners, etc.

A new stage in formation of urban public structure started only a decade later, in 1719. In 1718, the czar decided to create new bodies of urban government called magistrates. A regulation had been developed on the basis of Riga and Revel regulations (Magdeburg Law).

In March of 1719, a regulation of Commertz College was published; it contained a statement that city management as a whole, that is, performance of administrative, taxation-related and police functions that the Moscow *Ratusha* has had, was transferred to the Chief Magistrate.

In 1720, the Chief Magistrate was established in Saint Petersburg by decree; Prince Troubetzkoy was made its head (ober-president), while Ilya Isaev was made his deputy (comrade) (Speransky, 1830, no. 3520). Prince Troubetzkoy was assigned to “manage all the merchant people and repair the crumbling temple”.

However, following adoption of the law, activities of the Chief Magistrate and those of other town magistrates were fair to middling. This is the subject matter of a decree issued by Peter I for ober-president of the Chief Magistrate “on necessity to remedy the affair that has been assigned to you”, where creation of the Chief Magistrate and guilds in Saint Petersburg and Moscow is referred, thus witnessing to a previous lack of a magistrate in Moscow and a number of other significant cities.

Six months were allocated for execution of this order, while failure to perform threatened Troubetzkoy and Isaev with penal servitude.

On January 16, 1721, a *Regulation or Charter of the Chief Magistrate* was adopted that defined functions, structure and scope of activity of the Magistrate (Speransky, 1830, no. 3708).

This time, Germany was taken as an inspiration. Formally, the new legislation took organization of West European cities as a foundation. Having named interests of the urban class as the goal of the reform and introducing a new form of population organization with the same content, the reform was as previously aimed at increasing state’s profit.

“...He attaches this envelope to the content elaborated by the Russian political life in accordance with those views and goals that the legislator necessarily had to have on that issue” (Ditiatin, 1877, p. 87).

In 1724, following an instruction developed by the Chief Magistrate, a decision was made to create magistrates in all towns following the blueprints of the one in Saint Petersburg (Speransky, 1830, no. 4624).

The staff of the Chief Magistrate of Saint Petersburg consisted of president, ober-president, burgomasters, councilors (*ratman*) and other members, as well as a secretary and a necessary number of clerks (Speransky, 1830, no. 3708).

Among the principal duties of the Chief Magistrate were the following:

1) establishment of magistrates in all cities, 2) development of necessary charters and instructions for city magistrates, 3) provision of equitable justice, 4) creation of city police, 5) taking care of commercial and industrial development, as well as straightening up “anything related to the good of the magistrate” (Speransky, 1830, no. 3708).

Before establishing magistrates in other cities, the Chief Magistrate had to collect information on the state of affairs in those cities, including: 1) layout drawings of the cities, 2) economic characteristic, 3) professional composition of population (Speransky, 1830, no. 3708).

Basing on analysis of data obtained from colleges, provinces and governorates, the Chief Magistrate divided all Russian cities and towns into five group depending on their size.

The first group included the largest cities: Saint Petersburg, Moscow, Nizhny Novgorod, Kazan, Riga, Astrakhan, Vologda, etc., including all cities with a population of 2000 to 3000 households. The second group included cities with 1000 to 1500 households, the third group included towns from 500 to 1000 households, the fourth one included towns of 250 households or more, and the fifth group included all the rest of towns and suburbs (Speransky, 1830, no. 3708).

According to Chapter VI of the *Regulation*, creation of city authorities—Magistrates—were to proceed gradually, first in Saint Petersburg and Moscow and then in smaller and smaller cities and towns.

At the same time, the legislator mandatory states a necessity to determine everything “from magistrate to the last shoemaker and tailor with their position...” (Speransky, 1830, no. 3708).

In other towns, creation of magistrate was a task for governors and *voyevodas*, who were responsible to initiate elections for these bodies. Similarly to Saint Petersburg, magistrates were formed by president, burgomasters and *ratmans* from “... first grade, good people, in good standing and smart...” (Speransky, 1830, no. 3708).

Besides that, the staff of magistrates in large cities included two *ratmans* (councilors). Persons elected to a position in a magistrate were released from “all civil duties...” (Speransky, 1830, no. 3708).

Defining the boundaries of magistrate authorities, the legislation divided all the urban dwellers into two categories: *posadskie* (suburbanites), who were subjects to the City Magistrate, and all the rest outside of the Magistrate’s authority. The latter included noblemen, merchants, bankers, apothecaries, artists, etc. Not included with the population they still had a right to participate in urban affairs and even in magistrate elections through the heads of their guilds, which were expected “... to assist magistrates in all urban affairs in word and in deed, while the best among them may be elected as *ratmans* and burgomasters” (Speransky, 1830, no. 3708).

Elaborating the scope of rights and responsibilities of the Chief Magistrate, the regulation states that “... being a head and authority to all, his position is to oversee police, collect fees ... establish and develop city economy and housing construction, [stimulate] crafts, arts and similar, and take thought for various needs...” (Speransky, 1830, no. 3708). Activity of the Chief Magistrate within the scope of its competence were put beyond control of governors, *voyevodas* and a number of other officials and authorities (Speransky, 1830, no. 3708).

Resolution of cases became one of the principal functions that the legislation had transferred to municipal government was resolution of court cases. Independent of Justice College, the Chief Magistrate were to take care of establishing civil courts in the city for handling civil suits by means of judges elected from the local populace (Speransky, 1830, no. 3708). The Chief Magistrate served as a court of appeal with respect to courts of other cities.

One of the tasks of the Chief Magistrate was drafting civil and police charters for city magistrates (Speransky, 1830, no. 3708).

The Chief Magistrate was tasked with establishing everything for the good of magistrates and citizens. It had to establish and correctly distribute shares for both stable and varying fees (Speransky, 1830, no. 3708), oversee election of city quartermasters and provision of housing to military personnel accommodated in the city (Speransky, 1830, no. 3708).

The Chief Magistrate was tasked with construction of the *ratusha* building in large and medium cities from revenues of the district (*zemstvo*) (Speransky, 1830, no. 3708), as well as election of brokers (Speransky, 1830, no. 3708), arrangement of fairs (Speransky, 1830, no. 3708) and exchanges where businesspeople could meet to trade and to obtain information on arrival and release of ships and other trade-related issues (Speransky, 1830, no. 3708).

In addition, the Chief Magistrate was tasked with establishing houses of correction (*zuchthaus*), hospitals (Speransky, 1830, no. 3708) and schools (Speransky, 1830, no. 3708). A primary task for the Chief Magistrate was to create magistrates in all the cities and towns.

Some rights and duties of town magistrates and their relationship with the Chief Magistrate were stated in the *Regulation or Charter of the Chief Magistrate* of 1721, and in 1724 an *Instruction to Magistrates* was additionally developed that elaborated a number of issues in more detail. According to Chapter VI of the *Regulation*, composition of town magistrates depended on the size of the town. In the first category cities, it consisted of one president and four burgomasters, in the second category cities it consisted of one president and three burgomaster, in the third and fourth category towns it consisted of one president and two burgomasters, while all the rest had just a single burgomaster (Speransky, 1830, no. 3708).

The staff of town magistrate bureau included one secretary, one clerk, two assistant clerks, four copyists, four watchmen. Members of magistrates (presidents, burgomasters and ratmans) were released from other duties (Speransky, 1830, no. 3708) and were strictly prohibited from being involved into any other business than their service (Speransky, 1830, no. 3708).

All contested matters between citizens and magistrates were considered in the Chief Magistrate (Speransky, 1830, no. 3708), in case of a false denunciation, the guilty party was subjected to trial and punishment (Speransky, 1830, no. 3708).

The range of powers of town magistrate was quite broad; effectively, it was tasked with taking care of external and internal state of the town and collecting information on the state of the town and its citizens. Annually, magistrates were obliged to provide the Chief Magistrate with general information on improvement in the state of the town for the preceding year, as well as various statistical data on population, number of households, male population, etc. (Speransky, 1830, no. 4624).

Town magistrates had vast judicial powers, covering both civil and criminal cases except grave offenses (Speransky, 1830, no. 4811).

For judicial functions, one of burgomasters was elected as a judge in the biggest cities. Magistrates were not only hearing cases, but also executed a judgment, except capital punishment, which was in the responsibilities of the Chief Magistrate.

Distributing citizens through guilds was also among the responsibilities of magistrates (Speransky, 1830, no. 4624). Each guild was mandated to elect several foremen (*starshina*) from among themselves; the foremen, especially those of the first guild had to advise magistrate in all civil

proceedings. One of the foremen was elected as a headman (*starosta*), and yet another as his deputy. Their responsibility included taking cares of the guild interests (Speransky, 1830, no. 4624).

One of the most important functions of magistrate was taking care of development of manufacture and crafts, especially where it considered the crafts not represented earlier (Speransky, 1830, no. 4624).

An important function of magistrates was control over correctness of sharing various fees between citizens and subsequent transportation of collected feed to the relevant authority (Speransky, 1830, no. 4624). "...shall oversee and be assiduous in their work so that fees as per decrees are collected from all and everyone according to their situation, so that no additional fees are installed for non-payment and thus no anger is generated in poor people against more well-off ones..." (Speransky, 1830, no. 4624).

In addition to the function listed above, town magistrates were obliged to take care of

- development of trade and to that end they had to arrange fairs (Speransky, 1830, no. 4624);
- they had to take care of education and thus open schools for children of all social classes "so that children of city dwellers could read and write and were taught arithmetics otherwise known as counting, and to that end organize schools at churches or where otherwise suitable..." (Speransky, 1830, no. 4624);
- they had to take care of orphans, elderly, poor and disabled "who having no source of nutrition and being unable to work have been settled in poorhouses..." (Speransky, 1830, no. 4624);
- they had to take care of fire safety "to protect against cases of fire and thus establish necessary arrangements together with quartermasters and others ... and to that end arrange necessary tools (Speransky, 1830, no. 4624);
- they had to take care of issuing passports to those who intended to leave the town and checking passports of those arriving (Speransky, 1830, no. 4624);
- they also had to collect and provide various statistical information to the Chief Magistrate and other central bodies.

## 7. Conclusion

From analysis of legislative activities of Peter I in the field of municipal self-government, the following may be concluded:

- Reforms of municipal self-government continued almost throughout the reign of Peter I, from 1699 to 1724.
- The true goal of the reforms was to create a powerful state with all the external attributes of a Western European state.

A formal goal of the reforms was a will to "...to repair the crumbled temple of the Russian merchant class", that is, to save urban population from complete ruin and provide necessary conditions for development and public education by means of creating bodies of municipal self-government to take care of interests of urban population.

Within this paradigm, a town, just as the rest of the population of the country was seen as a source for state treasury replenishment and performance of various state-imposed duties.

In his municipal reform of 1699, Peter I set and achieved two goals: to remove local authorities from interference into affairs of suburban communities and unite the commercial and industrial



population into a single class. An interim result of the reform was in creation of a municipal government central constituent body, Burgomaster chamber and local bodies, district councils (*Zemskie Izby*).

By its nature, the Burgomaster Chamber became a central government body, having replaced various prikazes, an authority in charge of all the urban population of the state by means of local district councils (*Zemskie Izby*). The main function of this body was primarily related to tax collection. The service of burgomasters was, essentially a class-related duty and a very hard one at that. In this case, elected representatives were just a replacement for state officials whose neglectful service was very much to a detriment of the state.

Essentially, the only function pertaining to local self-government was distribution of state tax shares within a community. However, while they collected taxes, district councils (*Zemskie Izby*) could not outlay them at their own discretion, as all the monies were transferred to the Moscow Ratusha.

Thus, not only class communities were devoid of capital to spend according to their interest, the whole urban class was devoid of the same.

Burgmaster Chamber, and later Ratusha as a central body did not manage towns, but only their commercial and industrial population.

The state did not have any interest in primary needs of either the commercial and industrial class as a whole, or those of individual suburban communities, so by this attempt to improve the status of the commercial and industrial class, the government actually hindered its development.

Only a couple of years after the reform, the building of the “temple” started to deteriorate.

One of the final blows to the reform of local self-government was creation of new administrative units, governorates.

A new stage in reforming the municipal self-government was related to adoption of *Regulation or Chapter of the Chief Magistrate* (1721) and *Instruction to Magistrates* (1724).

New municipal government bodies, magistrates, suffered from the same disadvantages as their predecessors: state principle suppressed the public one.

In addition to judicial and financial responsibilities, magistrates were tasked with observation over internal order and urban development.

This side is usually the main part of municipal self-government.

In Russia, however, it became a new tax imposed onto traders and industrialists, which did not see a need in all these bodies and saw them as a laborious duty imposed by the state, which was in charge of the sector, while using elected officials in place of regular executive bodies.

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