

THE NEW CONCEPTION OF STUDY OF ADMINISTRATIVE REFORMS
IN THE STATE SYSTEM OF THE RUSSIAN EMPIRE IN THE BEGINNING
OF THE XIX CENTURY

M. Prihodko, Ph.D in Law, Doctoral Candidate, Senior Lecturer
History Department of the Moscow State Law Academy named after O.E. Kutafin, Russia

The scientific concept, forming the basis of this publication, reflects the integrated, classified approach to the research of the process of creation of the ministerial system of governance in Russia in the first third of XIX century, examining this process from the point of view of the actual formation and the completion of the legislation of the ministerial system of governance in Russia.

Keywords: state system, state administration, the Russian empire, the board, ministry, central government departments, collegiate management system, the ministerial system of governance reform.

Conference participant

The analysis of the administrative reorganization of the state system in Russian Empire in the first third of XIX century remains the topical subject requiring the detailed research.

The majority of pre-revolutionary^a, Soviet^b and contemporary^c Russian researchers of the given subject, and foreign historians as well^d in their scientific works focused their attention mainly on 1811 year – the year of issuing of the “The general establishment of the ministries”. Having timed, thereby, the fact of the final establishment of the Russian ministerial management system just to this date.

Only the works of N.P.Eroshkin^e and S.M.Kazantsev^f contained the separate statements that “The general establishment of the ministries” had been expanded to the government central institution not at once and that the colleges and the college establishments continued to operate until the 30th years of XIX century. Meanwhile, the contemporary lawyer S.V.Kodan^g expanded the time frame of the process of forming and establishment of ministries in the public government in the Russian Empire for the whole 1st half of the XIX century.

The basis of the presented historical and legal conception is the determination of two major stages in the establishment of the ministerial system of governance: the stage of the ministerial reform carrying-out in 1802-1811 (subdividing in turn into the initial (1802-1810) and the final (1810-1811) periods of the ministerial reform) and the stage of the legal execution completion of the ministerial system of governance in 1811-1835.

As it is known, the Manifest “About the establishment of the ministries” and the decree to the Senate “About the formation of the first three colleges for the execution of the affaires on the former basis and about the persons, elected for the governance of the ministries”^h initiated the ministerial reform implementation in Russia on September 8, 1802. The first eight ministries were established and the first ministers and their deputies were appointed by these acts.

The legislative acts of 1810-1811 years (the Manifest of July 25, 1810 “About the division of state affairs into special administrations, with the indication of subjects pertaining to each administration”; “The distribution of state affairs amongst the ministries approved by the Emperor” of August 17, 1810, “The general establishment of the ministries” of June 25, 1811), actually completed the ministerial reform. Actually all the basic fields of governance were segregated in independent ministries and headquarters, identifying the common legislative foundation for the ministerial system of governance.

After the publication of “The general establishment of the ministries” of June 25, 1811 the next stage of the formation of the ministerial system of governance, the stage of its legal execution completion, i.e. the spreading of “The general establishment of the ministries” to all central institutions of governance in the form of “Establishments” or “Formations” of each specified ministry, began.

The Ministry of police and the Ministry of Finance^j got their “Establishments” firstly. In 1812 “The general establishment

of the ministries” was widespread to the Military Ministry^k. In 1817 “The general establishment of the ministries” was widespread to the Integrated Ministry of Ecclesiastical Affairs and National Education^l. In 1820 – it was widespread to the Headquarters of communication lines^m. In 1826 – to the integrated Ministry of the Imperial Court and appanagesⁿ. In 1827 – to the Ministry of Navy^o. In 1832 – to the Ministry of Foreign Affairs^p. In 1835, when the Russian Empire Code containing the “Formations” of the Ministry of Foreign Affairs, Headquarters of the State Accounts Audit, the Ministry of Justice and “The establishment of the Capitule of the Russian imperial and tsarist awards” became effective, “The General establishment of the ministries” was widespread to those official bodies^q.

Hereby, the ministerial system of governance in Russia in the first third of the XIX-th century had passed in its development through the different stages of legal execution.

If by the moment of the termination of the stage of the ministerial reform implementation the unified legislative fundamentals of the ministerial system of governance stated in “The general establishment of the ministries” June 25, 1811 were created and actually the ministerial system of governance was introduced, the termination of the following stage – the stage of the completion of the legal execution of the ministerial system of governance, completed the spreading of these legislative fundamentals to each element of the ministerial system of governance, having had completed, thereby, the creation of the ministerial system of governance de jure.

The presented historical and legal scientific conception allows to study fully and determine the basic mechanism of the general process of ministerial system of governance in Russia in the 1-st third of the XIX century.

References:

1. Arkhipova T.G., Rumjantseva M.F., Senin A.S. *Istoria gosudarstvennoy sluzhby v Rossii XVIII-XX vekov*. Moscow, 1999.

2. Amburger E. *Geschichte der Behurdenorganisation Russlands von Peter dem Grossen bis 1917*. Leiden, 1966.

3. Dovnar-Zapolskiy M.V. *Zarozhdeniye ministerstv v Rossii*. Moscow, 1906.

4. Emelyanova I.A. *Vysshiyeh organov gosudarstvennoy vlasti i upravleniya v Rossii v doreformennyi period*. Kazan. 1962.

5. Eroshkin N.P. *Istoriya gosudarstvennykh uchrezhdeniy dorevolutsionnoy Rossii*. Moscow, 1968.

6. Eroshkin N.P. *Ministerstva Rossii pervoi poloviny XIX veka – fondoobrazovatelye tsentralnykh gosudarstvennykh arkhivov SSSR CCCP*. M., 1980.

7. Eroshkin N.P. *Krepostnicheskoye samodержavije i ego politicheskije instituty (pervaya polovina XIX veka)*. M., 1981.

8. Zakharov N.A. *Sistema russkoy gosudarstvennoy vlasti*. Novochebassk. 1912.

9. Kazantsev S.M. *Reformy vysshikh i tsentralnykh gosudarstvennykh organov Rossijskoy imperii v nachale XIX veka*. Thesis ... of PhD in Law. Leningrad, 1981.

10. Kovalevskiy M.M. *Ocherki po istorii politicheskikh uchrezhdeniy Rossii*. St.-Petersburg., No year.

11. Kodan S.V. *Juridicheskaya politika rossijskogo gosudarstva v 1800-1850 gg*. P. 2. Ekaterinburg. 2004. P. 84-85, 102.

12. Mikheeva I.V. *Rossijskiye ministerstva v XIX veke*. // *The Russian Law Magazine*. 2000. № 4. P. 155-162.

13. Parusov A.I. *Administrativnyye reformy s Rossii v pervoy chetverti XIX veka v svyazi s ekonomicheskoy i sotsialno-politicheskoy obstanovkoi*.

Thesis... of Doctor of History. Leningrad, 1967.

14. Pokrovskiy S.P. *Ministerskaya vlast v Rossii*. Yaroslavl, 1906.

15. *Complete set of laws of the Russian Empire*. 1-st Set. (Further: CSL-1). V. 27, 31, 32, 34, 37. St.-Petersburg, 1830.

16. *Complete set of laws of the Russian Empire*. 2-nd Set. (Further: CSL-2). V. 1-2. St.-Petersburg, 1830.

17. Romanovskiy V.E. *Gosudarstvennyye uchrezhdeniya drevney i novoy Rossii*. Tiflis. 1905.

18. Seton-Watson H. *The Russian empire 1801-1917*. Oxford. 1967.

19. *The Code of Laws of the Russian Empire*. 1-nd Edition. (Further: CL RE). V. 1. P. 1. St.-Petersburg, 1832.

20. Filippov A.N. *Istoricheskiy ocherk obrazovaniya ministerstv v Rossii*.//*The magazine of the Ministry of Justice*. 1902. № 9. P. 39-73, № 10. P. 1-54.

21. Yaney G. *Systematization of Russian Government Social Evolution in the Domestic Administration of Imperial Russia 1711-1905*. Illinois. 1973.

Notes

a Filippov A.N. *Istoricheskiy ocherk obrazovaniya ministerstv v Rossii*.//*The magazine of the Ministry of Justice*. 1902. № 9. P. 39-73, № 10. P. 1-54, Romanovskiy V.E. *Gosudarstvennyye uchrezhdeniya drevney i novoy Rossii*. Tiflis. 1905; Dovnar-Zapolskiy M.V. *Zarozhdeniye ministerstv v Rossii*. M., 1906; Pokrovskiy S.M. *Zarozhdeniye ministerstv v Rossii*. Yaroslavl, 1906; Kovalevskiy M.M. *Ocherki po istorii politicheskikh uchrezhdeniy Rossii*. Saint-Petersburg., No year; Zakharov N.A. *Sistema russkoy gosudarstvennoy vlasti*. Novochebassk. 1912.

b Emelyanova I.A. *Vysshiyeh organov gosudarstvennoy vlasti i upravleniya v Rossii v doreformennyi period*. Kazan. 1962; Parusov A.I. *Administrativnyye reformy v Rossii v pervoy chetverti XIX veka v svyazi s ekonomicheskoy i sotsialno-politicheskoy obstanovkoy*. Thesis ... of Doctor of History. L., 1967; Eroshkin N.I. *Istoriya gosudarstvennykh uchrezhdeniy dorevolutsionnoy Rossii*. M., 1968; 2) *Ministerstva Rossii pervoy*

poloviny XIX veka – fondoobrazovatelye tsentralnykh arkhivov SSSR. M., 1980; 3) *Krepostnicheskoye samodержavije i ego politicheskije instituty (pervaya polovina XIX veka)*. M., 1981; Kazantsev S.M. *Reformy vysshikh i tsentralnykh gosudarstvennykh organov Rossijskoy Imperii v nachale XIX veka*. Thesis ... of PhD in Law, L., 1981.

c Arkhipova T.G., Rumjantsev M.F., Senin A.S. *Istoriya gosudarstvennoy sluzhby v Rossii XVIII-XX vekov*. M., 1999; Mikheeva I.V. *Rossijskiye ministerstva v XIX vekes*.//*The Russian Law Magazine*. 2000. № 4. P. 155-162.

d Amburger E. *Geschichte der Behurdenorganisation Russlands von Peter dem Grossen bis 1917*. Leiden, 1966; Seton-Watson H. *The Russian empire 1801-1917*. Oxford. 1967; Yaney G. *Systematization of Russian Government Social Evolution in the Domestic Administration of Imperial Russia 1711-1905*. Illinois. 1973.

e Eroshkin N.P. *Fondoobrazovatelye ... P. 15, Istoriya gosudarstvennykh uchrezhdeniy ... (4. Auflage)*. M., 1997. P. 151, *Krepostnicheskoye samodержavije ... P. 216*.

f Kazantsev S.M. *The ment. Thesis*. P. 122-126.

g Kodan S.V. *Juridicheskaya politika rossijskogo gosudarstva v 1800-1850*. P. 1-2. Jekaterinburg. 2004. V. 2. P. 84-85, 102.

h *The Complete Set of Laws of the Russian Empire*. 1-st Set. (Further: CSL-1). V. 27. № 20406. P. 243-248; № 20409. P. 249-250.

i *Ibid*. V. 31. № 24307. P. 278-280; № 24326. P. 322-328; № 24686. P.686-719.

j *Ibid*. № 24687. P.719-788; № 24688. P.728-756.

k *Ibid*. V. 32. № 24971. P. 23-39.

l *Ibid*. V. 34. № 27106. P. 814-834

m *Ibid*. T. 37. № 28291. P. 245-247.

n *The Complete Set of Laws of the Russian Empire*. 2-nd Set. (Further: CSL-2). V. 1. № 541. P. 896-897.

o *Ibid*. V. 2. № 1325. P. 702-725.

p *Ibid*. № 5286. P. 196-197.

q *The Code of Laws of the Russian Empire*. 1-st Edition (Further: CL RE). V.1.P.1. Art. 923-1318; P. 221-328, Art. 1319-1395; P. 328-355; Art.1550-1615; P.404-420; Art.1616-1627. Art.421-426; Art.2026-2198. P.525-574.