

FEATURES OF THE DISTRICT BODIES OF THE MINISTRY OF INTERNAL AFFAIRS IN SIBERIA IN THE 19th CENTURY

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The subject. The reorganization of the district police in Siberia in the second half of the 19th century is comprehensively examined in the article on the basis of pre-revolutionary legislation. Special attention is paid to the organizational and legal issues of the activities and structure of the district police.

The purpose of the paper is to confirm or disprove hypothesis that the practice of implementing legislative innovations on the status of internal affairs bodies in Siberia in the 19th century was characterized by systematic seizures and violations.

The theoretical and methodological basis of the study includes the principles of historical knowledge – objectivity, historicism, alternative and social approach. These principles let use an unbiased approach to the analysis of the studied problems, as well as a critical attitude to the sources.

The main results and scope of their application. The author concludes that the powers of the police bodies in the region had their own specifics and were much broader than in the central provinces of the Russian Empire. Reorganization of the general police in Siberia in the second half of the 19th century changed the structure and method of staffing the Ministry of Internal Affairs. It was not principled, but rather external. Returning to the forgotten traditions of the organization and activities of the police, it is important to take full account of the historical experience that has been accumulated over the centuries. It is also necessary, taking into account modern realities, to take a fresh look at the already known facts and events in order to overcome old myths and misconceptions and prevent the birth of new ones.

Conclusions. The police reform of 1867 in Siberia left almost unchanged the limits of power, the distribution of duties, procedures, responsibility and accountability of the general police. A large range of prerogatives remained for the police. In addition, many police officers continued to work the old-fashioned way, trying to ignore changes in the current legislation. The legislator failed to put the Siberian internal Affairs bodies in the strict framework of the law, it was recognized by local leaders and visiting auditors.

1. Introduction

District (County) police – Zemstvo courts appeared in Siberia in 1781, after the spread of "Institutions for the management of the provinces of the Russian Empire" in 1775, Empress Catherine II. They immediately became the main link in the administrative and police power vertical of the region [1, p. 114]. The peculiarity of the organization of police bodies by "Institutions" in 1775 was that in the counties of the country two police structures operated independently of each other. In the district centers – the town councils of the deanery, in rural counties – local courts headed by the district police officer. Since the establishment in 1802 in the Russian Empire of the ministries of the mayor and the provincial courts have got affiliation to the Ministry of internal Affairs [2, p. 81].

In 1822, on the initiative of M. M. Speranskiy, who at that time held the post of Siberian Governor, for the first time in the history of Russia, regional legislation was codified in the form of "Institutions for the management of Siberian provinces". According to the "Institutions" of 1822 in two Siberian Governor-General was formed 36 districts, which replaced the former counties. M. M. Speranskiy introduced a new position of district chiefs who coordinated the activities of the mayor and the clerk of district in the districts and subordinate to the governors and provincial boards. Simultaneously, the compositions of the provincial courts have been appointed "private Zemsky assessors" whose powers resembled the duties of class officers, which appeared later in Russian Empire [3, p.410]. According to the law, for the performance of police service in the districts and district cities of Siberia began to apply the city Cossacks [4, p. 33].

2. Problem statement

In 1862, in Russia began a police reform, which was based on "Temporary rules on the structure of the police in cities and counties of the provinces on the General Institution managed." Five years later, in 1867, police reform in a reduced form began on the Siberian outskirts of the Empire. The reform was based on the Opinion of the State Council "On the transformation of the police in

Siberia" in 1867. In accordance with the law, district police departments headed by district police officers were created in the districts of the region, and the posts of district chiefs, Zemstvo courts and city police departments were abolished. The opinion of the State Council United rural and city police bodies in uniform district police, who were under the command of district police officers [5, p. 2]. Since 1873 on the basis of the decree "About establishment of a new order of recruitment of police officers and firemen" the police team in the Siberian Federal district were completed not from policemen Cossacks who carried the service on the basis of feudal obligations, and on the basis of recruitment of those willing to serve the Ministry of interior.

In 1887, as part of the district police in Siberia, the Institute of police officers was established in rural areas, as well as the positions of police wardens in district centers [6, p. 86]. However, the special officers, who would have carried out the service on a professional basis in the municipalities of the region, was created. Protection of public order and security in the districts of Siberia was still carried by elected peasant foremen on a voluntary basis. Only in Tomsk province in 1870, according to the estimates of Yu. N. Moskvitin, there were 2010 [7, p. 17]. In 1898 Siberian districts were renamed into counties. However, the organizational and legal structure of the Ministry of internal Affairs bodies remained unchanged until the February revolution of 1917 [8, p. 782].

One of the main normative legal acts, which along with the "Institutions for the management of the Siberian provinces" of 1822 regulated the activities of the district police, was the "Charter for the prevention and suppression of crimes" of 1832, a feature of which was that when it was created, the "Institutions for the management of the provinces of the Russian Empire" of 1775 and the "Charter of the deanery or police" of 1782 were taken as a basis, which were supplemented by acts containing the norms of administrative law. "The Charter of prevention and suppression of crimes" after the carried-out editions of 1842, 1857 and 1876 almost unchanged operated until the revolution of 1917.

Responsibilities of the County police were

adjusted in accordance with the socio-political realities of the second half of the nineteenth century and carried out police reform. "The General institution of the provincial" supplementing "Institutions for the administration of the Siberian provinces" of the Code of laws of the Russian Empire, determined that the duties of the district police consisted both in monitoring the execution and in the execution of laws and government regulations, as well as in taking measures to prevent and prevent unrest.

Articles 723 – 727 of the "General institution" established that the district police was obliged to monitor the subordination of the population to the authorities and the protection of public peace, preventing by all means "violations of the order established by law and civil duty". If these means were not effective, then the district police officer had to use "diligence to the termination of disorders and to a settlement of silence and improvement, demanding for this purpose, in case of need, assistance of troops".

The County police were obliged to ensure that never created illegal communities. Therefore, some Zemstvo assessors, having learned about the creation of such communities, had to immediately report to the district police Department and act in accordance with the rules of criminal procedure. The district police Department was obliged to report immediately on the establishment of such communities to the Governor .

Article 725 regulates the responsibilities of County police for the protection of the Church and the prevention of religious offenses. From the text of the law in accordance with the realities of the second half of the XIX century. were removed provisions on witchcraft and witchcraft. Special attention police subject to protection of the advantages and rights of the Russian Orthodox Church. When protecting her and other recognized religions, the district police Department had to observe: 1) that there were no obstacles for citizens to go to Church; 2) that during the ceremonies there were no obstacles to the service; 3) that at the time of the Liturgy, there was no sale of alcoholic beverages; 4) that near the churches during services, not arranged "noisy gatherings"; 5) that without permission not built new churches, chapels and prayer houses for the Gentiles; 6) that "not preaching the Orthodox faith did not dare to seduce the Orthodox" and other religions

recognized by law; 7) to manifest tolerance to professing other religions; (8) that persons who have fallen into secession shall not disseminate their teachings among the population and shall not allow "the dissemination of their religious delusions or their public proofs prohibited by law, or insolent acts against the Church and the clergy»; 9) to the appearance among the population of harmful superstitious beliefs: an imaginary magic or spells, aimed to deceive the gullible ignoramuses – have been taken properly defined by law, and citizens would be protected from deception by invitation of the clergy and distinguished individuals to facilitate the achievement of these objectives explanations and sensible suggestions .

Articles 728, 729, 732 ,733 ,745, 751 and 755 established duties of district (district) police on prevention, suppression and disclosure of crimes, and also defined an order of implementation quickly-search activity. District police officers, guarding the safety of thieves and robbers, had to find out who committed the crime; to do this, they had to have a "special note" for suspicious persons and had to detain those who in the markets and trades will sell stolen things or "pawn them in drinking houses or give them to save and drink." If "important thefts "were committed by unknown persons, the district police, in order to solve the crimes and present the perpetrators to the investigation, was obliged to notify the population about the theft of property, so that the persons" who will have stolen items, or other evidence, talking about the participation in the theft, were detained for the preliminary investigation." In case of detection of "gangs of thieves and robbers" in the district, the police had to immediately take precautions to protect the population from violence. Had established pickets and patrols of trustworthy subjects of the intended troops.

The district police officer and private, rural assessors had to learn with "truthfulness, where are the robbers", using for this purpose as inquiries through the police and trust worthy local inhabitants, and interrogations, "although unofficial, suspicious people," or had to install "inconspicuous surveillance", and in General all the tools that could be declared effective. For prosecution of suspects of robbers the district police officer except the help from local inhabitants could demand assistance of troops [9, p. 45].

The suspects detained by the district police had to be interrogated immediately in order to find out and pursue their accomplices. The district police Department was to report all such incidents to the Governor immediately. The district Secretary and the district judges in relation to a detainee had to comply with the rules established in the articles of the "Charter detention" .

The district police Department, having received information about illegal actions, had to take measures to suppress them in accordance with the requirements of the law. If were recognized "visible and undoubted" causes of death, the Zemsky assessor had to give permission for the surrender of the body to the ground. However, if you have any doubts or suspicions about external violent cause or the cause of death was "not entirely clear" that the provincial assessor had to act in accordance with the rules on the participation of the police in the implementation of the inquiries or the effect of [10, p.51].

The district police officers, pursuing those responsible for the prohibited trade, had to pay special attention to: 1) smugglers who brought from abroad "prohibited or non-prohibited by law, but non-customs goods"; 2) for selling alcohol without established patents or trading in unknown places; 3) for people selling spoiled products; 4) for selling poisonous substances; 5) for persons who agreed, for selfish reasons, especially during crop failure, buy bread and other food products to raise their prices in the markets; 6) for persons selling prohibited books, prints, paintings; 7) for people selling stolen goods, when there was a "strong suspicion or sufficient evidence."

The district police were obliged to observe the order used in the district, "weights and measures" was everywhere, "mentioned, and faithful." In order to perform the duties assigned to the district police, the police officers had to call witnesses. Witnesses were called in the following cases: 1) when surveying the territories; 2) for conducting surveys and indicating the boundaries of possessions; 3) to assist in the prosecution of suspects in crimes; 4) for escorting taken into custody; 5) extinguishing fires and floods; 6) for the examination and inspection of the deceased; 7) locust control. When making the appointment of witnesses, district police officers, under "strict personal responsibility", were required to ensure that they were appointed only when necessary and

when their presence was really necessary, and that they were not detained for more than a day unnecessarily, for example, in the "pursuit of gangs" or in fire-fighting measures. In these cases, the district police had to make sure that the witnesses were replaced by others from nearby settlements. The district police Department had to make sure that the witnesses were not drawn in vain to the fees, especially during the working summer. The Zemstvo assessor also had to make sure that the dead bodies were not buried without permission.

"General governorate" has established responsibilities to County health and implementation of guardianship. Employees of the County were obliged to observe, below in the area "not being poor". Zemstvo assessors had to strive to ensure that those who "for old age and injury, cannot earn their livelihood by work, were spared by the societies to which they belong, and were not allowed to endure hunger and cold, or, moving from place to place, to bother begging on the streets, squares or in houses."

The district police was to provide protection to every "offense against personal" and "violence of any kind". The district police Department could, without a formal complaint from the victim, proceed to investigate "insults or harassment", but only when there were sufficient grounds, and that "those subject to harassment, resentment or insult, and even more violence and cruelty in their importance and nature aroused the attention of the authorities". These investigations were made by the Zemsky assessor or the district police officer. Each investigation of this kind of police Department had to report directly to the governors [11, p. 20].

The district police was obliged to have special care about "preservation of national health" and about suppression of cases of cattle. Articles 735-736 obliged the district police to monitor the construction and fire safety in settlements. The district police had to make sure that the new buildings were built only in accordance with the established rules. The district police Department monitored the district assessors to ensure that, in the event of fires, appropriate measures were taken to stop and prevent them: first, that, wherever possible, fire pipes were purchased; secondly, all Housewives were obliged to send people or to come to extinguish fires with axes, hooks, buckets and other fire-extinguishing tools according to the preliminary schedule. It also ensured that the

district police, together with the city or village authorities, "tried to protect the property from being saved from fire" from damage and theft during the fire.

Article 749 and 750 define the functions of the County police authorities for the implementation of military mobilization events. The duties of the district police Department in moving military commands and meeting the needs of the troops were detailed in the "Charter of the Zemstvo duties". The district police Department was to see to it that the lower military ranks, who were on urgent leave, were sent to their units in the event of an illegal delay. If the delay was legal, the district police Department would notify the regiment or team to which the delay belonged. The notes to the above-mentioned articles stated that "military and civilian officials who were on leave and who had overstayed it should have been encouraged by the district police Department to return to their duty stations".

Articles 747, 748, 754, 756 and 757 established the duties of the district police in matters of public administration. The local police collected arrears on public and state fees according to the rules set out in the "Statutes of the Zemstvo duties", "City status", in the laws on States and on taxes. Fines district police Department produced itself, making sure that the penalty articles were not left without full repayment of the debt. When it is impossible to "recover" the police Department was supposed to inform the provincial leadership or notify the office, which received the claim. The district police Department carried out the inventory, assessment and sale of property through Zemstvo assessors or directly, it also had to assist in this to persons who were appointed by the provincial Board, or at the request of others who had such right institutions and persons on the basis of the order established by laws.

In the period of adoption of "Provisional Rules" of 1862 to the staff of the County (district) police relied the following monetary compensation: the warden – 400 rubles a year, the bailiff – 400 RUB, the police officer – 600 rubles., assistant Secretary – 1,000 rubles., Secretary – 400 RUB., chief clerk and Registrar – 200 RUB., police officer – 1500 RUB. per year. Thus, the district police officer received for the service almost 4 times more than the police supervisor. The position of the district police officer was equated to the

seventh class on the Table of ranks, and the assistant to the district police officer – to the eighth.^{Print)} Police officers, assistant district police officer and district police officer were able to enjoy the housing content that was made for the bailiff of 150 – 200 RUB., assistant Secretary of 200-300 rubles., and for a police officer 300 -500 rubles per year [12, p. 152].

3. Conclusion

The police reform of 1867 in Siberia left almost unchanged the limits of power, the objects of the Department, the distribution of duties, the procedure for action, responsibility and accountability of the district police, until the transformation of the administrative and economic management and the judicial system. Despite the narrowing of the powers of the district police departments, as a result of the reforms of the city public administration carried out in Siberia in 1870 and 1892, they were left with a rather large range of prerogatives. In addition, many police officers continued to work in the old way, trying to ignore changes in the current legislation [13, p. 36]. The legislator failed, as recognized by local leaders and visiting auditors, to put the County internal Affairs bodies within the strict framework of the law. The supervision of convicts and exiles corrupted the employees of the Ministry of internal Affairs, they often transferred the means and methods of management of exiles and convicts to good subjects [15, p. 27]. Stolen things, –as K. M. Stanyukovich wrote - are often in the possession of security guards and during the investigation they also help to give evidence. Vagabonds accumulating in cities are one of the income items, adding to the figure of a tiny salary received by the police in Siberia. The authorities ordered the raid and the tramp promptly alerted, and the police caught all the people with passports who, after spending the night in jail and paying a ruble, are produced].

REFERENCES

1. Konovalov I.A. Formation of the Siberian police bureaucracy in the XVIII century. *Vestnik Tomskogo gosudarstvennogo universiteta = Bulletin of the Tomsk State University*, 2018, no. 428, pp. 112–117. (In Russ.).
2. Mulukaev R.S., Borisov A.V., Malygin A.Ya. *Police of the Russian Empire*, Monograph. Moscow, Zakon i pravo Publ., 2013. 320 p. (In Russ.).
3. Konovalov I.A. Siberian police bureaucracy in the state apparatus of absolutism in the first half of the XIX century. *Vestnik Rossiiskogo universiteta druzhby narodov. Seriya: Istoriya Rossii = Bulletin of the RUDN University. Series: History of Russia*, 2017, vol. 16, no. 3, pp. 400–414. (In Russ.).
4. Konovalov I.A. Police activity of Siberian city Cossacks in the first half of the XIX century. *Istoriya gosudarstva i prava = History of state and law*, 2014, no. 18, pp. 33–38. (In Russ.).
5. Konovalov I.A. Police reform in Siberia in the second half of the XIX century. *Istoriya gosudarstva i prava = History of state and law*, 2014, no. 9, pp. 25–29. (In Russ.).
6. Moskvitin Yu.N. *Police of Tomsk province in 1867–1917 (structure, number and material support of employees)*, Cand. Diss. Thesis. Barnaul, 2004. 21 p. (In Russ.).
7. Konovalov I.A. Crisis of local government in Siberia on the eve of the fall of the autocracy. *Vestnik Sankt-Peterburgskogo gosudarstvennogo universiteta. Istoriya = Bulletin of St. Petersburg State University. History*, 2018, vol. 63, iss. 3, pp. 771–782. (In Russ.).
8. Matkhanova N.P. District police officer in the system of local government of the Russian Empire, in: *Problemy istorii mestnogo upravleniya Sibiri kontsa 16–20 vekov*, Materials of the third regional scientific conference. Novosibirsk, 1998, pp. 44–49. (In Russ.).
9. Ermolaev A.N. *Police of Kuzbass: our history – our destiny*. Kemerovo, 2018. 186 p. (In Russ.).
10. Shilovskii D.M. *Police of Tomsk province in the fight against crime in 1867–1917*, Cand. Diss. Thesis. Novosibirsk, 2002. 23 p. (In Russ.).
11. Konovalov I.A., Shimanis B.B. Structure of municipal bodies of West Siberia according to the City regulations of 1870. *Vestnik Omskogo universiteta. Seriya Pravo = Bulletin of Omsk University. Series "Law"*, 2009, no. 2 (19), pp. 23–29. (In Russ.).
12. Siegelbaum L.H. Paradise or Just a Little Bit Better? Siberian Settlement "Fever" in Late Imperial Russia. *The Russian Review*, 2017, vol. 76, iss. 1, pp. 22–37. DOI: 10.1111/russ.12117.
13. Sungurov P.A. *Police of Tobolsk province (in 1867–1917)*, Cand. Diss. Thesis. Tumen, 2014. 27 p. (In Russ.).

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