Separated from his home area and therefore we have adopted the unalterable intention of settling each regiment in a specified district and of denying the regiment exclusively to residents of that district.

Consistent with this aim, and designating for the settlement of the Count Arkachev Grenadier Regiment the Vysotskiaia volost', we command you immediately to set out for this volost' and, traveling through all its towns and villages, to read and display in the original text, our decree, to all the peasants, and then to declare that they all are appointed to military settlements [voenye postel'nosti] in order to form the Count Arkachev Grenadier Regiment on the following principles, especially advantageous for them: (1) they are freed and forever from all state requisitions and from all local obligations, of whatever designation they are; (2) they are freed from the general recruitment levy, and all those fit for military service will constitute the Count Arkachev Grenadier Regiment, on the model of the Cosack troops; (3) the government takes upon itself the maintenance of their children and their preparation for service, providing them with food and uniforms without any burden on the parents; (4) the Count Arkachev Grenadier Regiment will, in peacetime, always remain quartered in the Vysotskiaia volost'; consequently, those of its inhabitants entering service in this regiment will remain in their own homes with their families and kin with all their domestic occupations, not being subjected to those discontents of constant separation from their home area to which they have been subjected heretofore upon entering service in accordance with the general recruitment levies.

From a charter for the inhabitants of the Chuguev district, near Khar'kov, December 19, 1817:

We command...[that our agent], upon the assembling of all the inhabitants, read and display in the original text, our XIII: 33. N. N. Novosil'tsev's Project for a Constitutional Charter for the Russian Empire, 1820

Drawing heavily upon the example of Michael Speranski's plan for the organization of the Russian state (see above, Item 22), as well as the Polish charter of 1815, Nikolai Nikolaevich Novosil'tsev (1761-1836) undertook his project in 1818-19 at the request of Alexander I. The draft copies were found in Warsaw in 1830. Although the project was not carried out, it served to illustrate the influence of England, France, and the United States on contemporary political thinking in Russia.

Reference: An English translation edited by David Urquhart from the original French is in the English journal The Portfolio, 5 (1837): 511-22, 610-39; 6 (1837): 72-83. The excerpts included here are taken from that source, slightly modified. A few key words have been inserted from the Russian text, which is found in Shil'der, Imperator Alexander I. Pismos i pis'ma, 4:499-526. For a French text and analysis, see George Vemadsky, La Carte Constitutionnelle de l'Empire russe de l'an 1820 (Paris: Librairie du Recueil Sirey, 1933). For a partial translation from Russian to English see Raeff, Plans, pp. 110-20.

Title II

Section I. On the Sovereign and His Power.

Article 9. The crown of the Imperial Russian throne is based on the order of succession established by our late father, the emperor Paul...

Article 12. The Sovereign is the sole source of all the civil, political, legislative, and military power in the Empire.

He administers the executive branch with all of its ramifications.

All authority—executive, administrative, and judicial—can emanate only from him.

Article 13. Nevertheless, legislative power is exercised by the Sovereign in concurrence with the State Diet [Seim]... on the basis of the Constitutional Charter and special regulations...

Article 21. In order to define the legislative power of the Sovereign, the basic scheme of jurisprudence in the Empire is divided into three categories:

The first contains the laws.

The second contains the statutes and regulations.

The third contains the decrees, injunctions, rescripts, and resolutions...

Article 30. The laws are divided into general laws of the Empire and the particular laws of the provinces. The general laws constitute the common law of the State and are applicable in all cases in which the particular laws do not pronounce upon them.

Article 31. The general laws are issued by the consent of the Sovereign and of the General Diet...

Article 32. The particular laws of the provinces are issued by the consent of the Sovereign and the diets of the viceroyalties.

Article 33. The right of issuing ordinances, statutes, regulations, ukases, decrees, orders, and rescripts is exclusively vested in the Sovereign, who may delegate it in whole or in part...

Section II. The Council of State.

Article 35. The Council of State, at which the Sovereign presides, is composed of the Ministers, the State Councillors, the State Reporters or State Secretaries, and any other persons whom the Sovereign may please to summon to it.

Article 36. The Council of State is divided into a General Assembly and an Administrative Council, or Council of Ministers...

Article 42. The General Assembly of the Council of State...shall be composed of the members designated in Article 35.

The functions of the Council of State, independently of those which it at present exercises according to the Regulation of 1809, are:

1. To discuss and draw up all projects of laws and regulations concerning the general administration of the Empire...

2. To legislate in cases of conflicting jurisdiction...

3. To pronounce on [the basis of] the reports of the Council of Administration or the Council of Ministers, on the prosecution of the [highest] administrative functionaries appointed by the Sovereign or by the Council of Ministers [the Russian text omits the phrase "or...Minister"]...

4. To examine and verify, annually, the accounts delivered by each principal branch of the administration...

5. To make observations on all the abuses which exist or are introduced into the administration, as well as upon all attempts against, and all violations of, the fundamental principles of the State or of the Laws, and to make a general report on them to the Sovereign...

Title III. General Regulations Guaranteed by State Authority

Article 78. The Orthodox Greek-Russian religion shall always be the prevailing religion of the State...

[Text continues...]

[Page 505]

[Text continues...]

[Page 506]
Article 80. The Law protects equally all citizens, without any distinction.

Article 81. The Russian Fundamental Law that "no one shall be punished without having been judged," and the principle established by the Regulation on the Administration of Gubernias [1775], №401, which states that "no one shall be imprisoned or deprived of liberty without the crime of which he is accused being made known to him, and without his having been questioned within three days after his arrest," apply to all inhabitants.

Article 89. The liberty of the press is guaranteed; the Laws shall determine the means of repressing its abuses.

Article 90. Every Russian subject is free to establish himself in a foreign country and to carry there his personal fortune.

XIII: 34. A SPERANSKII STATUTE FOR THE ADMINISTRATIVE ORGANIZATION OF SIBERIA. JULY 22, 1822

Disgraced on the eve of Napoleon's invasion of 1812, Speranski was rehabilitated in 1816 and in 1819 was appointed governor general of Siberia. He sought to reorganize the administration of the area. In 1822 he got approval for the fundamental statutes, of which the present document is one. Of particular interest is his use of native non-Russian customs and organization. These laws remained in force until 1917. Note: The noun rendered here as "natives" is inordinat, meaning "aliens" or "people of another kind." In this document it refers to the native tribes of Siberia, although in other contexts it was also applied to many peoples who had long inhabited the northern, eastern, and southern parts of European Russia.


PART I. The rights of natives.

CHAPTER I. Division

1. All the native tribes inhabiting Siberia, heretofore referred to as isechnye [subject to the innok or tax], are to be divided into three main categories according to their different degrees of social development and their present manner of life. The first category shall include the settled tribes, i.e. those living in towns and settlements; the second, the nomads, occupying definite locations, within which they shift with the seasons; the third, migrants or trappers, who move from place to place, following rivers and other landmarks.

CHAPTER II. General rights of the settled natives...

13. All settled natives are on an equal footing, with regard to rights and obligations, with Russians, according to the legal class into which they are incorporated. They are to be governed in accordance with the general laws and regulations.

14. The nomadic natives constitute a special legal class on an equal footing with the peasant class but different from the latter in the way they are governed.

22. Nomadic natives retain all their former rights. They must be made to understand that, the [proposed] increase in agriculture notwithstanding, they are never to be forced against their will to be incorporated into the peasant class, and in general they will not be included in any other legal class, unless they so desire.

26. Nomadic natives are to have, for each generation, lands assigned to their ownership.

27. The particulars of the distribution of these lands into [individual] parts will depend on the nomads themselves, according to the drawing of lots or any other of their customs.

28. The nomads are to be reaffirmed in the ownership of those lands they now occupy, with the provision that the area owned by each tribe be defined in detail by order of the local authorities.

29. Each native tribe has complete freedom to engage in agriculture, breed cattle, or follow local trades on the lands and waters assigned to them.

30. Nomadic natives are to be protected from any mutual encroachments which might occur as one tribe enters, without mutual agreement, upon the lands belonging to another tribe, for the purpose of practicing a trade.

31. Russian natives are strictly forbidden to settle willfully on lands assigned to the ownership of natives.

32. Russians may lease land from natives, but always subject to agreement with [native] communities.

33. Hiring of natives for private labor may be done with the knowledge of tribal authorities, and in accordance with the special rulings concerning the duties and obligations of peasants and natives.

34. Nomadic natives are to be governed by their own tribal headmen and elders, who constitute their "Steppe Administration."

35. Nomadic natives are to be governed according to those laws, peculiar to each tribe, that exist in the steppes.

36. Only for criminal offenses are the nomads to be tried in the government offices and in accordance with the general laws of the empire.

37. In the case of natives, the following are to be regarded as criminal offenses: (1) insurrection, (2) premeditated murder, (3) robbery and violence, (4) the manufacture of counterfeit money, and, in general, any theft of government or public property. All other offenses, not excepting stealing, are to be considered as infractions of civil law, until such time as their moral standards become tempered by education.

38. For misdeeds [committed] in Russian towns and settlements, they are to be prosecuted by the local police in accordance with general regulations.

39. Nomadic natives are to pay a per capita tax regulated by special edict, the number of taxable individuals to be established by a general census.

40. Nomadic natives participate in the general duties and obligations of their gubernias, as established by special decrees.

41. The support of the Steppa Administrations is an internal responsibility of the nomads.

42. Nomadic natives are exempt from military obligation.

43. Russian natives have the right to dispose of their products and of their catch through sale or barter in towns and settlements and at established fairs.

44. Free trade with the nomads, of all produce and manufactures except intoxicating beverages, is permitted at all times.

45. The importation and sale of intoxicating beverages in the camps and at the fairs of the nomads is most strictly forbidden.

46. It is forbidden to the government officials serving in a given province to trade with its nomads in any form or under any pretext whatsoever.

51. Russian natives have the right to enroll their children in government-established schools for the purpose of education. They also have the right to establish their own schools, but only with the permission of their civilian governors or oblast' nachal'nik [chiefs].

PART II. Structure of the administration of nomadic natives...

Every native, even the most insignificant, will have a name, numbering not less than fifteen families is to have its own administration.

95. Encampments, or uliys, having less than fifteen families are to be attached to those others that are closest to them.

96. The administration is to consist of one elder and one or two assistants from among the best and most honored members of the clan.

97. The elder is either elected or inherits his rank, according to custom. Among his own clan he may bear the title of princedel, zaitan, and so forth, but in his relations with the government he must in all tribes be termed elder...

103. Several encampments, or uliys, of the same clan are subordinate to a native board.

104. Such a native board is to consist of a chief, two elected members, and, if it is possible to introduce written recording, a scribe.

105. The clan administrations are in all respects subordinate to the native board.

106. The chiefs of the boards receive their titles either by inheritance or upon election, in accordance with the local customs of each tribe.