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STATE CONTROL OF MUNICIPAL ELECTION PROCESS IN KATERYNOSLAV PROVINCE (1870 – 1907)

Abstract. *The purpose* of the research is to elucidate the effectiveness of state control over municipal election process in Katerynoslav province (1870 – 1907). **The research methodology** is based on the principles of historicism, scientificity, interdisciplinarity significance approach, the use of general scientific (analysis, synthesis and generalization) and special scientific (historical and genetic, comparative and historical, modelling) methods. **The scientific novelty** is determined by the use of unpublished archival and published source materials that have not yet been introduced into scientific circulation and have not been used by modern researchers for historical analysis, in order to clarify the details of state control over municipal election process in Katerynoslav province (1870 – 1907). **The Conclusion.** *The identified and analysed sources illustrate the fact that Katerynoslav Provincial Presence (Prystutsviye) in zemstvo and city affairs played the role of a central link of state control over municipal election process in the province. It was this body that determined the presence or absence of*

current legislation violations by municipal public administrations. This body took measures to restore legality. It has been determined that in the vast majority of urban communities of Katerynoslav province there were cases of elections results annulment to administrative or executive institutions of municipal self-government due to procedures violations of the municipal election process and the rights of voters. It has been proven that Presence (Prysutstviye), as a body of state control over public administrations, when adopting resolutions, misinterpreted the imperial legislation. There has been found out effectiveness weakening of state supervision of legality due to rare cases of delay in a legal formation of the municipal self-government institutions and a small number of city residents who received the right to vote. It has been determined that in the event of disputes regarding decisions of Presence (Prysutstviye – the imperial body), an excessive centralization led to transfer of even minor cases resolution to a higher level of state administration, their accumulation there and untimely resolution. Deprived of a rational organization, the movement of individual Senate decrees, which protected the decisions of self-governing institutions to interested parties, seems to be slow.

Key words: Katerynoslav province, city public administration, self-government, province Provincial Presence (Prysutstviye) in zemstvo and city affairs, Senate, municipal election process, city council.

ДЕРЖАВНИЙ КОНТРОЛЬ ЗА МІСЬКИМ ВИБОРЧИМ ПРОЦЕСОМ У КАТЕРИНОСЛАВСЬКІЙ ГУБЕРНІЇ (1870 – 1907)

Анотація. Мета дослідження – розкрити ефективність здійснення державного контролю за міським виборчим процесом у Катеринославській губернії (1870 – 1907). **Методологія дослідження** спирається на принципи історизму, науковості, міждисциплінарності та ціннісний підхід, використання загальнонаукових (аналізу, синтезу й узагальнення), і спеціально-наукових (історико-генетичний, порівняльно-історичний, моделювання) методів. **Наукова новизна** визначається застосуванням неопублікованих архівних та опублікованих джерельних матеріалів, які досі не введено до наукового обігу і не використано сучасними дослідниками для історичного аналізу, з метою з'ясування деталей державного контролю за міським виборчим процесом у Катеринославській губернії (1870 – 1907). **Висновки.** Виявлені й проаналізовані джерела засвідчують, що Катеринославське губернське в земських та міських справах присутствіє (Присутствіє) відіграло роль центральної ланки державного контролю за міським виборчим процесом у межах губернії. Саме цей орган встановлював наявність або відсутність порушення міськими громадськими управліннями чинного законодавства, вживав заходів щодо відновлення законності. Встановлено, що переважна більшість міських громад Катеринославщини мали у своєму пасиві випадки скасування результатів виборів до розпорядчих або виконавчих установ міського самоврядування через порушення процедур міського виборчого процесу та прав виборців. Доведено, що Присутствіє як орган державного контролю за громадськими управліннями, ухвалюючи постанови, припускалося й помилкового тлумачення імперського законодавства. З'ясовано наявність послаблення результативності державного нагляду за законністю через непоодинокі випадки зволікання у справі легального формування установ міського самоврядування та невелике за кількістю коло міських жителів, які отримали виборче право. Констатовано, що у разі виникнення суперечок стосовно ухвал Присутствія надмірна централізація призводила до переведення розв'язання навіть дріб'язкових справ на вищий рівень державного управління, накопичення їх там та несвоєчасного вирішення. Позбавленим раціональної організації видається повільний рух окремих сенатських указів, які захистили рішення установ самоврядування, до зацікавлених сторін.

Ключові слова: Катеринославська губернія, міське громадське управління, самоврядування, губернське в земських і міських справах присутствіє, Сенат, міський виборчий процес, міська дума.

The Problem Statement. Euro-Atlantic aspirations of Ukraine determine modern Ukrainian state formation, establishment of the rule of law, development of local self-government and decentralization of power, implementation of the principles of people's rule and subsidiarity. In this regard, it is useful to study the experience of urban public administration reforms implementation in the territories of Ukraine under the Russian rule

in the last third of the 19th and the beginning of the 20th centuries under conditions of increasing urbanization, when self-governing institutions began to play an important role in the development of cities.

At the same time, there is an urgent need to get rid of remnants of the colonial and totalitarian past, which are fueled by awareness of belonging to the Russian (Eastern Slavic) world and mythology of the imperial heritage, which gives rise to a significant part of the Ukrainian citizens, to say the least, moral resistance to the European vector of Ukraine's development. An important component of getting rid of imperial myths is deconstruction of ideas about greatness and "civilizing mission" of the Romanov empire. Taking into consideration the above mentioned, it is topical to highlight extreme inefficiency of the imperial body on the example of administrative supervision of city self-government. At the same time, finding out defense facts of a legal scope of competence by public administrations, as well as by citizens of their civil rights, can contribute to enrichment of local history treasury of a number of cities and towns in South-Eastern Ukraine.

The Analysis of Recent Research and Publications. General issues of state control over city public administration were analysed in Vasyl Horbachov's research on implementation of the city and town Reform of 1870 in Ukraine (Horbachov, 2008). Peculiarities of the state policy of the Russian Empire and Austria-Hungary in the sphere of regulating development of self-government were analysed in the monograph and article by Serhiy Dobrzhansky (Dobrzhansky, 2020; Dobrzhansky, 2021).

Oleh Marchenko's research focused on comparing the main provisions of the city election process, which were determined by City Regulations of 1870 and 1892 (Marchenko, 2005). The subject of Liubov Shara's research is the influence of province administration on the formation and activity of city public administration determined by Law of 1892 (Shara, 2015). Oleksandr Cheremisin's comprehensive study focuses on the analysis of certain aspects of the municipal election process and very generalized practices of state control over it (Cheremisin, 2017). The same author and Oleh Predmestnikov did the research on the role of a human factor in city self-government institutions in Southern Ukraine, especially during the period of validity of the municipal laws of 1870 and 1892 (Cheremisin & Predmestnikov, 2021).

The historiographic study of urban self-government issues in Ukraine as part of the Russian Empire was carried out by Oleksandr Bondarenko (Bondarenko, 2020). According to Valentyna Shandra and Bohdan Yanyshyn, currently history of city self-government bodies is one of the best-developed aspects of urbanism in Ukrainian historiography (Shandra & Yanyshyn, 2021).

Despite a number of works on city self-government in Ukraine during the imperial era, state control in terms of monitoring the legality observance of the election process has not become a subject of study either at the all-Ukrainian or at regional levels.

The purpose of the article is to elucidate effectiveness of state control over the city election process in Katerynoslav province (1870 – 1907).

The Results of the Research. During the period under analysis, a rapid industrial development and expansion of trade, transportation and services, which primarily affected the southern Ukrainian provinces, were accompanied by acceleration of a social mobility, destruction of existing social barriers, and activation of entrepreneurship (Shlyakhov & Donik, 2022, pp. 59–60). The South Ukrainian region actually acted as a locomotive of modernization transformations at that time (Shlyakhov, 2021, p. 45). Powerful social transformations that were observed in Ukraine during the Russian imperial era were accompanied by nomination

and implementation of useful initiatives in the field of charity, education and culture, as well as local self-government.

Elucidating the subject of research, we should start with defining important categories used in the article. In the imperial legislation, the term “city public administration” is used for the names of institutions in cities that were entrusted with “care and management” in matters of “city economy and improvement” (PSZRI-2, 1874, № 48498, p. 823). Based on this functional purpose of the above mentioned institution, as a synonym for its name, we use the terms “local self-government”, “city self-government”, “municipal”, i.e. the one related to city self-government. The interpretation of these terms by the researcher O. Cheremisin was taken as an example (Cheremisin, 2017, p. 13).

Before the reform of 1870, the powers of the city public administration institutions were maximally limited and absorbed by governors and district police. According to the law of 1870, public administration acted independently within the limits of powers granted to it. The city Regulations of 1870 initiated the establishment of a relatively lenient system of state control over public administration institutions.

In Article 1 of the municipal law, it was stated that supervision of legal performance of duties by municipal institutions belonged to the governor (PSZRI-2, 1874, № 48498, p. 823). The highest official of province made sure that the city’s public administration did not go beyond the limits set for it by law. The head of the governorate was provided with special means for supervision, such as: 1) notification by a mayor of the Duma convocation and issues to be discussed in it (Art. 56), 2) receiving copies of all resolutions of the Duma immediately (Art. 68, 106, 151). The Duma decisions came into force after a governor determined their compliance with legislation (Art. 68) (PSZRI-2, 1874, № 48498, pp. 829–830, 833, 839).

In case of disagreement between the governor and the City Duma regarding the legality of its decision, the former was not the judge of the case directly: he suspended the implementation of the Duma’s resolution for a period of no more than a month (Art. 155) and referred it to the Provincial Presence (Prysutstviye) in city affairs (Art. 150). The composition of this collegial institution included Governor (a chairman), a vice-governor, a manager of treasury chamber, a prosecutor of district court, a chairman of congress, a chairman of provincial zemstvo administration and a mayor of a provincial city (Art. 11). Provincial Presence (Prysutstviye) considered various complaints about violations of election procedure (Articles 45, 46, 158). Its decisions on any issues of city self-government were implemented immediately (Art. 152), but were not final (PSZRI-2, 1874, № 48498, pp. 824, 827–828, 839).

The law gave the city self-government the right to prove illegality of provincial Presence (Prysutstviye) decision. Its decisions could be challenged in the Governate Senate (Art. 153). In 1872, Article 153 of the City Regulation was supplemented with a note: complaints of the Senate against the resolutions of the Presence are submitted to Governor, who presents them, with proper information and explanations of the Presence, to Department 1 of the Senate within a month from the day of receiving a complaint (PSZRI-2, 1875, № 51469, p. 894).

In 1890, in line with implementation of the imperial policy of strengthening state control in all areas of internal life, a new Regulation on provincial and district zemstvo institutions was adopted, which, among other things, determined the provincial Presence (Prysutstviye) in zemstvo affairs. Following the example of the City Regulations of 1870, the provincial Presence was entrusted with legality supervision of Zemstvo institutions activity. At the same time, the drafters of the law found it necessary to entrust the Presence (Prysutstviye) with

the right to determine “correctness” of resolutions and zemstvos orders (PSZRI-3, 1893, № 6927, p. 496).

The City Reform of 1892 put an end to the formation of provincial body control over local self-government. By new city regulations, the provincial body in zemstvo affairs was renamed into Presence (Prysutstviye), the provincial body in zemstvo and city affairs, with the introduction of a provincial city mayor into permanent members of this institution (PSZRI-3, 1895, № 8708, p. 432).

The City Reform of 1892 strengthened guardianship of administrative power over city self-government, restricted and narrowed boundaries of its independence significantly. Compared to the City Regulation of 1870, control of the provincial administration over the city election process was strengthened (elections, compilation of voter lists, voting, as well as election of public administrations officials) (Korobka, 2010, p. 9).

The head of province approved the date of elections, on his initiative, in case of violation of the legal order, the provincial presidium passed a decision on incorrectness or invalidity of elections and on annulment of their results (Articles 23, 49, 51, 52). The innovation of the Law of 1892 was the norm on mandatory participation of representatives in the Duma sessions. For violation of this rule without valid reasons, the decision of the administrative body of public self-government was to impose a fine on an absentee (Articles 60, 61) (Korobka, 2011, p. 51). Finding out of gross violations of election procedures defined by law, as a rule, resulted in annulment of election results by the decision of the imperial body (Prysutstviye), with a simultaneous resolution on the appointment of a new voting, and the previous one was declared invalid (Article 51). In case election of individual representatives was recognized as incorrect, the imperial body (Prysutstviye) ordered to hold additional elections (Article 52). One of the first cases we found concerning cancellation of city elections in Katerynoslav province happened in Luhansk. The prologue to these events was the granting of Luhansk factory village and the nearby village of Kamiany Brid, under the Supremely approved Regulation of the Committee of Ministers, the status of city under the name of Luhansk on September 3, 1882. The law on a new city formation obliged the Minister of Internal Affairs to order the introduction of City Regulation of 1870 in Luhansk (PSZRI-3, 1886, № 1085, pp. 395–396).

A new step towards Law of 1870 introduction there was the official and solemn opening of Luhansk regional city on March 27, 1883, with the participation of the head of province and all representatives of local authorities (Yekaterinoslavskie gubernskie vedomosti, 1883). It seems that the preparations carried out after that made it possible to hold the elections to the City Duma on May 11, 1884. However, due to the inconsistency of the local election process with legislation, their results were cancelled by the provincial body Prysutstviye.

Re-elections were held shortly after that, on June 19, 1884. Formed as a result of correcting improper actions, after new elections the Luhansk City Duma began exercising its powers on October 24, 1884 (RSHA, f. 1287, d. 38, c. 1304, p. 1). As we can see, little time was spent on the restoration of legality and formation of the Luhansk City Duma, apparently a legislative act was introduced, which obliged the Minister of Internal Affairs to implement Luhansk city reform personally.

Later, the facts of annulment of regular elections results to administrative institutions of city self-government were mentioned in the reports of Katerynoslav governors to the Ministry for Internal Affairs at the beginning of the 20th century. In particular, Prysutstviye imperial body declared invalid the elections to the Pavlohrad City Duma for the four-year

term from 1902 to 1906. The re-election ensured the election of a full set of representatives and did not raise doubts about legality (RSHA, f. 1288, d. 25-1913, c. 18, p. 65v.).

In 1905, Katerynoslav Prysutstviye body annulled the elections results to the commissioners assembly of Slovianoserbsk town due to “incorrectness” (in small towns simplified administration functioned, which provided for the election of commissioners at town assembly instead of dumas). Compliance with the law was restored at reelections (RSHA, f. 1288, d. 25-1913, c. 18, p. 69).

Elections of representatives to the Bakhmut City Duma for four years since 1905 were held three times during the same year. For the first time, on June 30, a full set of representatives was not elected. Such case was foreseen by the legislation. If during primary elections, electoral assembly elected fewer than necessary for the legal number of representatives and candidates for them (reserves in case of elimination), then a mayor had the right to order convening of new elections, however, he had to inform the governor about them (Art. 53) (PSZRI-3, 1895, № 8708, p. 440). Therefore, on July 29, additional elections were held, which were recognized by Prysutstviye as invalid due to the election process violations. Finally, on December 2, 1905, at additional elections, the prescribed number of representatives of the Bakhmut Duma was elected – 32 people (RSHA, f. 1288, d. 25-1913, c. 18, pp. 57, 57v.).

By resolution of June 1, 1907, Prysutstviye body recognized the fact that on May 3 and 4 the elections of three representatives in the Oleksandrivsk City Duma were partially incorrect. In this regard, additional elections were held on June 16, at which the required number of representatives and their candidates were elected (RSHA, f. 1288, d. 25-1913, c. 18, pp. 56, 56v.).

With no less difficulties, the Luhansk City Duma was formed for four years since 1906. At the initial meeting, which lasted for three days from September 27 to 29, the legal number of representatives and candidates for them were not elected, and therefore additional elections were scheduled for January 8, 1907. They seemed to ensure the election of the required number of representatives, but both main and additional elections, following the complaint of some voters, were declared invalid by the Presence (Prysutstviye) imperial body. According to our reasoning, this time the supervisory institution came to the defense of voters whose rights were violated, but only on March 16, more than three months after their implementation. This defense of voters caused the need for new elections, which, due to the repeated insufficient legal number of voters, took place only on September 24, 1907 (RSHA, f. 1288, d. 25-1913, c. 18, pp. 61, 61v.).

Difficulties in administrative institutions formation of city self-government according to Law of 1892 were caused not only by violations of city election process rules. Attempts of controlling authorities to restore legality ran into difficulties caused by the municipal law. The application of the norms of City Regulation of 1892 reduced the number of city residents who could obtain the status of a voter, due to increase of property tax. The reduction of city’s electoral field also occurred due to deprivation of voting rights of the Jews. Under Law of 1892, in the towns of Katerynoslav province, the percentage of voters from the total number of city residents when elections were held for the first time ranged from 0.8 in Katerynoslav and to 2.7 in Mariupol. The negative impact on the quality of election process was also observed in such a characteristic feature as avoidance of participation by a large part of a town electorate (Korobka, 2015, pp. 43, 47). This avoidance led to election process that lasted for several days, as well as additional elections.

Violations of city election process also occurred during the executive institutions formation of city self-government. In particular, as a result of the representatives’ protest of the Katerynoslav City Duma, Pavlo Shyshkin, Oleksandr Ostroukhov, Ivan Zaitsev, Ivan

Yankovsky, and Konstantyn Hehello, the provincial Prysutstviye annulled the elections results of the mayor, members of the the city administration, and the city secretary, conducted by the newly elected representatives on January 10, 1875, for new quadrennial. Their statement of disagreement was based on two facts. Firstly, the procedure regulated by Article 52 of City Regulation was violated, namely: determination of the city council officials' maintenance amount took place under the chairmanship of the mayor Dei Minakov. Secondly, the procedure for electing members was violated. It was carried out simultaneously with voting for candidates for the specified positions, which was a deviation of the normative provision of Article 84 (RSHA, f. 1287, d. 38, c. 1639, p. 244).

The City Duma took note of the resolution of the Provincial Prysutstviye and, eliminating previous mistakes, on January 28, 1875, according to the correct procedure (under the chairmanship of Semen Klimov – senior in terms of the number of electoral balls), appointed future city officials a salary for their service, as well as conducted new elections of the city mayor, his deputy and members of the city administration and candidates (RSHA, f. 1287, d. 38, c. 1639, pp. 244, 345).

There were also errors in the provincial Prysutstviye decisions. Thus, in Mariupol there was to be a rotation of members of the local city administration. On the basis of Article 124 of City Regulation of 1892, every two years half of the members of the city administration had to be eliminated in turn. Moreover, according to the notes to the same article, in the first two years after new City Regulations were put into effect, the members of the local city administration had to leave their positions by lot. Since in January of 1896 the two-year term of service of Mariupol administration members, formed for the first time under Law of 1892, was ending, on December 15, 1895, the Mariupol City Duma considered the rotation issue of its executive body. At the same time, it was taken into account that at the time of the Duma assembly, one member died (S. Karamanov), and it consisted of only two members – S. Chentukov, elected by the Duma, and A. Frantov, appointed by the governor on the basis of Article 119 of City Regulations. The Duma passed a resolution, by which they offered both to draw lots. It was decided to hold the election of two members of the city council – one to replace the deceased S. Karamanov, and the other to replace the one who will be eliminated by lot – at the nearest Duma assembly (SADR, f. 113, d. 1, c. 190, pp. 4–5).

On January 20, 1896, the governor of Katerynoslav D. Martynov suggested the mayor of Mariupol I. Popov stopping the implementation of this resolution (SADR, f. 113, d. 1, c. 190, p. 6). On March 16, 1896, Katerynoslav Prysutstviye passed a decision to cancel the Mariupol Duma resolution regarding the participation of A. Frantov in the drawing of lots to determine the person who was to quit the powers of a member of the city administration. At the same time, this collegial body was guided by the reasoning that, allegedly, the rotation prescribed by law does not apply to members appointed by the government (SADR, f. 113, d. 1, c. 190, pp. 6–7).

In response to this decision, on April 13, 1896, the Mariupol City Duma, by an overwhelming majority of votes (27 in favour, 2 against) authorized Mayor I. Popov to appeal in the Senate the resolution of Prysutstviye imperial body on the cancellation of its decision regarding the possibility of rotating a member of the city council appointed by the Governor (SADR, f. 113, d. 1, c. 190, pp. 8–9). On June 28, 1896, the mayor of Mariupol, in strict accordance with the law, submitted a complaint to the Governor of Katerynoslav to the Ruling Senate against the Prysutstviye decision of March 16, 1896.

Disagreement with the city self-governance supervisory body regarding improper actions, as well as the appeal of its decision in the Senate did not remove the need to replenish the city

administration, which did not work in a full force. Thus, on May 31, 1896, at the assembly of the City Duma, Mayor I. Popov made a report, in which it was suggested holding regular elections of one member of the city council to substitute the deceased S. Karamanov (SADR, f. 113, d. 1, c. 190, p. 10). In general the Duma agreed with the reasoning of its leader. At the same meeting, Anton Sofronovych Karamanov was elected as a new member of the city administration, who was approved by the Governor of Katerynoslav on June 6 (SADR, f. 113, d. 1, c. 190, pp. 11, 24).

The decision of the Senate regarding the complaint of the mayor of Mariupol was made on November 25, 1896. While considering the case, the Senate found that Art. 124 of City Regulation of 1892 does not establish difference between the members of the city administration elected by the Duma and those appointed by the government authorities in terms of their elimination by lot after the first two years the law came into force. Because of this, recognizing the contested resolution of the mayor of Mariupol as illegal, the Senate decided to cancel it (Kantorovich, 1903, pp. 614–615).

On April 29, 1897, a copy of this Senate decree was sent to Mariupol city administration by Katerynoslav vice-governor (more than four months after the resolution). This information was announced to the Duma at its regular session only on May 30, 1897. At the Duma session it was decided: the members Frantov and Chentukov should not be subjected to a lottery, because the elimination of one of them would result in the necessity of electing a new member of the municipal executive body. Such course of affairs was considered inexpedient due to the fact that at the end of the current year planned elections to the Duma and, accordingly, additional new members elections of the municipal executive body were to be held (SADR, f. 113, d. 1, c. 190, pp. 27–28).

Thus, between the two resolutions of the Mariupol Duma from December 15, 1895 (about the intention to rotate its executive body) until May 30, 1897 (decision to postpone it) almost a year and a half passed. During this time, despite establishing the legitimacy of the first resolution, it lost its relevance. When observing the decisions dates of various instances regarding this resolution, especially the substantiated Senate decree, its movement to the places and taking notice in Katerynoslav and Mariupol, there is an impressive lack of haste, which reflected general inefficiency in the state apparatus functioning of the empire in general and the municipal institutions within it in particular.

The cancellation of the elections of January 29, 1904, held by the Pavlohrad Duma for the position of associate director of the local City Public Bank Erast Stetsenko, by Presence (Prysutstviye) imperial body is connected with improper interpretation of the law, on the grounds that the elected official did not have his own property tax. Dealing with the complaint of the person not admitted to the position, the Senate found out that in fact the elected official had a documentary proof of a real estate existence – notarized applications of two daughters about the assignment of their inheritance parts to their father. In this regard, on June 24, 1905, the Senate determined: to cancel the resolution of Presence (Prysutstviye) imperial body, instructing this institution to resume Erast Stetsenko to the post of associate director of the Pavlohrad City Public Bank, about which a decree was sent to the complainant and other interested parties. In this case there can be seen, among other things, a slow resolution of problems that arose as a result of erroneous decisions by institutions of state control over city self-government (RSHA, f. 12880, d. 5-1904, c. 14, pp. 6–7).

In the orbit of city self-government was city orphans' court, which was in charge of guardianship and orphan cases. During the rise of a public activity, under the conditions of the

first Russian revolution and legislative admission of the Jews to the elections to the State Duma, Katerynoslav Jewish merchant Pavlo Zun decided to run for position of a member of the local orphans' court. However, on the basis of the law, the deputy mayor of Katerynoslav ordered that Jewish merchants should not be allowed to participate in these elections. Two complaints by P. Zun to Prysutstviye imperial body, and later to the Senate, remained without consequences. As we can see, the discriminatory imperial legislation did not give grounds for different readings of the law provisions in different instances (Kantorovich, 1903, pp. 566–567).

Sometimes there are observed elements of detailed regulation of city self-government activity by Katerynoslav provincial administration. According to Law of 1892, the participation of representatives in the Duma sessions was mandatory. For violation of this rule without valid reasons, the administrative body of public administration imposed a fine on the offender: for the first case – a remark, for the second one – a fine (up to 70 rubles), for the third one – temporary exclusion from the Duma (Art. 60, 61) (PSZRI-3, 1895, № 8708, pp. 440–441). Of course, the cases of the absence at meetings were numerous and certainly became the subject of the Duma's consideration. In particular, the Luhansk City Duma, by Resolution of September 29 – October 2, 1900, recognized the reasons for the absence of five representatives at previous meetings as worthy of respect (Stryzhachenko and Maltseva – due to leaving the city, Dvornikov and Pershyn – due to family reasons, and the Jew Lvovych in connection with “Kushchi” Holiday). However, the head of the province questioned the legality of this decision and referred it to the provincial Presence (Prysutsviye) body, which in turn cancelled the above mentioned Resolution due to the inconsistency of Art. 60 of City Regulation, in which there were listed valid reasons for non-attendance (no transport service, disease of representatives, serious illness or death of a close relative, or special work in city service) (RSHA, f. 1341, d. 172, c. 849, p. 1). In our opinion, in Prysutstviye's decision, there is an attempt to belittle, against the background of compliance with the letter of the law, the already fragile independence of the self-governing institution.

On January 9, 1902, the appeal of this decision by the deputy mayor of Luhansk was considered by the Senate. The Senate's interpretation of the law in relation to this case was reduced to the fact that the right of city councils to recognize the reasons for absence of members as deserving respect, and in other cases not specified in the law, cannot be denied. Imposing a penalty on a member who did not attend the meeting is only a right, not an obligation of the City Duma. It is the City Duma that is given the right to make a conclusion regarding seriousness of reasons for absence of a member at the meeting. Therefore, the decision of the Provincial Presence (Prysutstviye) body, which cancelled the Resolution of the Luhansk City Duma regarding the specified case, was cancelled by the Senate due to unfoundedness (RSHA, f. 1341, d. 172, c. 849, pp. 11–12).

Katerynoslav Prysutstviye body considered the issue of legal quantitative composition of city administrative institutions and quorum. One of the reasons for this was the decision of the Luhansk City Duma of April 29, 1900, which was cancelled by the Presence (Prysutstviye) body, because there was an insufficient number of members present. The fact is that the initial number of members of the Luhansk Duma decreased from 29 (due to the elimination of four) to 25 people. From this actual presence, the city public administration proceeded, determining the necessary quorum – half of the total number of members. At the meeting on April 29, 1900, decisions were made by 14 members. And this quantity, according to the mayor's opinion, which was expressed in the complaint to the Senate, was more than half of available staff.

The case hearing in the Senate took place, not surprisingly, only six years and nine months later, on January 30, 1907. The Senate Resolution consisted in the following: with the end of elections for the next quadrennial, the number of members necessary for the legal composition of the City Duma is fixed by the governor's order and the final list is published in local press. It is the specified list that determines the total number of members, which should be used when determining the legal composition of the Duma. In this regard, the Senate found out the fact that Katerynoslav province Prysutstviye in zemstvo and city affairs on a legal basis cancelled the Resolution of the Luhansk City Duma. It was decided not to satisfy the complaint of Luhansk mayor (Mantsevich, 1911, pp. 149–150). As we can see, the presence of collegial institutions did not save from a long-term bureaucratic red tape.

In general, the Senate was flooded with a lot of complaints, which hindered its effective work. A large volume of its activity is evidenced by at least the collection of resolutions on city and zemstvo cases, compiled by a lawyer Yakov Kantorovych. It contains as many as 2,483 definitions, only chosen by the lawyer, from an even greater number of resolutions of Department 1 of the Senate for 10 years (1891 – 1900) (Kantorovich, 1903, p. II).

The Conclusion. The identified and analysed sources testify that Katerynoslav Prysutstviye body played the role of state control central link over the city election process within the province. It was this body that determined the presence or absence of violations by city public administrations of current legislation, took certain measures to restore legality. According to our observation, in the vast majority of urban communities of Katerynoslav province there were cases of annulment of elections results to administrative or executive institutions of city self-government due to violations election process and rights of voters. Katerynoslav Prysutstviye body, as a body of state control over public administrations, when passing resolutions, misinterpreted the imperial legislation. This is explained, in our opinion, by the lack of awareness of governorate heads and other members of collegial institution in the Senate practice of cancelling resolutions of governorates in city and zemstvo affairs.

At the same time, the systemic defects of the imperial state system were indicated. In particular, effectiveness of state supervision of legality was significantly weakened by the occasional cases of delay in the legal formation of city self-government institutions due to a small number of city residents who received the right to vote, and absenteeism of a large part of them.

At the same time, in the event of disputes regarding the decisions of the Presence (Prysutstviye) body, excessive centralization led to transfer of even trivial cases resolution to a higher level of state administration, their accumulation there and untimely resolution. Deprived of rational organization, movement of individual Senate decrees, which protected the decisions of self-governing institutions, to interested parties seems to be slow. The analysis of actual material provides new confirmation of inefficiency and imperfection of the imperial state body.

The obtained results and the available facts testify to the need for a more detailed study of administrative supervision of compliance by city public administrations with regulatory frameworks in the management of communal services, provision of private property interests of citizens, relations with officials and institutions outside city self-government, etc.

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