

## Reforming the System of the Russian Empire State Structure to Increase the Management Efficiency in the Context of Parliamentarism

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**Abstract:** The article describes the reform of the system of the Russian Empire state structure. The authors analyze the nature of changes in the public administration system of the Russian Empire after the appearance of the first parliament in Russia and identify the criteria for the effectiveness of state institutions. The authors also note the similarity of the Russian and European revolutions, as well as the similarity of the Russian constitution with the West European ones, considering its character as an octroyed constitution. Further, the limited nature of the rights of the Russian parliament is emphasized. The authors conclude with stating that the Russian Empire after the convocation of the Parliament in 1906 was a dualistic monarchy.

### 1. Introduction

In modern Russia, there is an interest in the history of the empire's management system; a lot of work is being done to introduce the corresponding array of sources into the scientific use; an intensive process of accumulating of a various factual material is underway [1].

The effectiveness of a public institution mainly depends on the quality of its basic elements and their combination. A change in the effectiveness of an institution is always directly related to a change in the quality of its elements or their relationships with each other. Obviously, the elements of a management institution can be defined in different ways [7].

A clear definition of the study object allows to logically formulate the minimum necessary set of tasks that should be solved to determine the effectiveness of the Russian Empire's public administration system or its particular element in a given period.

To do this, it is necessary to build a conceptual scheme of relevant research, in particular, to study the legal basis for the functioning of the public administration system. To achieve this goal, it is necessary to solve several tasks:

- To identify the structure of an institution, enshrined in legislation; then, to study interrelations of its elements, both formal and implied, which, nevertheless, may be reflected in the laws; finally, to estimate the place of the institution in the public administration system;
- To identify the level of legislative sufficiency of the studied authorities functioning. This basis allows to evaluate "legal potential" of this system and even the degree of its modernization;
- To consider the balance of authoritative powers within the studied system, including a traditional conflict between executive and legislative powers. In aggregate, this allows to assess how favorable, i.e. conducive to high efficiency, were legal conditions for the functioning of the Russian Empire's local management.

### 2. Methods

During the research the authors used the following methods and techniques: system analysis; comparative assessments based on categories of identity and difference, to identify similar, identical or different characteristics of comparative political institutions or processes; "steps of the case consideration" as a tool to identify patterns and obtain the necessary generalization; historical

analysis: synchronous, involving the study of the phenomenon in the context of historical conditions; chronological analysis, aimed at a consistent review of historical events; diachronic analysis, focused on periodization and historical parallels, historical modelling in relation to political processes, technologies, institutions. In addition, the authors used: system-functional measurement; content analysis of documents; descriptive and correlation characteristics; political and forecasting tools. The empirical basis of this research comprised the complete collection of laws of the Russian Empire; collections of documents and materials; materials from open sources on the Internet; media publications.

### 3. Results and Discussion

The content and form of the Russian state were not something unchangeable. The Russian state evolved and changed. By the beginning of the 20th century, there were several important stages in the modification of the empire's state system to increase management efficiency; there were attempts to respond to the challenges of the time. The first milestone was certainly the "Great reforms" of 1860–70, which changed the judicial system and the system of local self-government. Zemstvo institutions arose in Russia in 1860s, and by the beginning of the 20th century they had accumulated extensive experience that was useful in the drafting of electoral legislation based on zemstvo legislation [2].

The second stage was the revolution of 1905–1907, when the Russian authorities were forced to make concessions; there were similarities to the European revolutions, which can be traced, first of all, in the fact that these revolutions served as important milestones on the path of countries' modernization. They became an important stage in the transition from an agrarian to an industrial society. The revolution in Russia was similar to the European revolutions of the mid-19th century, which were led by liberals and supported by the urban population. However, by the share of urbanization, the literacy rate, the power of the absolutist state opposing the revolution, the importance of peasantry, the revolution of 1905–1907 resembled the great French Revolution [5].

The revolution led to the creation of the Parliament, legal political parties, and free press. What remains unchanged was the bureaucracy: as before, it implemented all decisions. In fact, the authorities tried to integrate the new institutions into the old system. This did not solve the old problems and contradictions, but created many new ones.

The first steps towards parliamentarism in Russia were made in the beginning of the 19th century. In the first years of the reign of Alexander I, a liberal atmosphere developed in Russia that contributed to the activation of constitutional sentiments of the progressive bureaucracy. M. Speransky, a prominent statesman and thinker of the first quarter of the 19th century, was the most influential representative of this group. In his political views, M. Speransky was a staunch supporter of the Russian state's reform, taking into account the experience of European parliamentarism. He considered establishing the Constitution as an indispensable element of state modernization [10]. Constitutional ideas of M. Speransky became the outstanding achievement of Russian political thought in the first half of the 19th century. In his projects of the state structure, he was 50–100 years in advance of his time.

The concept of a parliamentary and constitutional system in Russia was significantly developed in the works of the famous Russian jurist B. Chicherin. In general, by the beginning of the 20th century, Russian researchers had developed several projects for the Russia's reorganization.

But until the revolution of 1905, changes in the Russian Empire's state system were not observed. Only revolutionary events forced the government to hurry with the reforms; and by the Tsar's Decree of February 18, 1905, in response to the demands of constitutional rule, the Tsar confined himself to promising to convene a consultative assembly of people's representatives while preserving the unlimited autocracy. But the revolution was developing, and such a concession no longer satisfied the population, that is why, the emperor was forced on October 17, 1905, to give the population not a quasi-legislative, but a real parliament.

There is a discussion in Russian political and historical science about the issue whether the "Basic Laws" in the 1906 edition can be considered as a constitution or was it an attempt to calm

the population during the revolution of 1905–1907. The idea of the Constitution, which became the main requirement during the revolution of 1905–1907, was embodied in the form of basic laws that included the requirements of the highest constitutional manifestos. The basic laws were revised in accordance with the plan developed at the Tsarskoye Selo meeting in April 1906 under the emperor's chairmanship. The main argument was the irreversibility of state transformations that limited the monarch's powers in favor of popular representation. Thus, the autocratic monarchy in Russia was to become a constitutional monarchy. The Basic Laws as amended in 1906 were not too revolutionary; they did not expand the Russian population's rights to the level of Western European states. But we should note that this version of the Basic Laws was adopted under the conditions of a revolution and expressed a compromise between the revolutionary masses, longing for radical transformations, and the conservative bureaucracy that did not want to voluntarily make any concessions.

In our opinion, the Basic Laws of the Russian Empire as amended in 1906 can be considered the Constitution. Although historical and legal literature often expresses some doubt whether the Basic Laws of April 23, 1906, should be considered a constitution, since they, like other acts of 1905–1906 reform, did not contain the words “constitution”, “constitutional order” or “constitutional monarchy”. However, not the word “constitution” itself, but the content of a legal act and the range of public relations regulated by it determine the appearance of a constitution in the country [8].

The Russian Constitution of 1906 was the so-called octroyed, that is, constitutions granted by the monarch. It was not the result of popular will, but it was an act of “highest” mercy; in some ways, it was a manifestation of monarch's love for its people. The transition from an absolute to a limited monarchy in Europe and in the world was often accompanied by bestowing the basic law. For example, during the revolutions that took place in Europe in 1848–1849. The Russian Empire was no exception. It can be assumed that parliament is the main condition for the emergence of a constitutional system; and a constitution cannot be adopted before the creation of a representative body is proclaimed. Any act of the supreme power, establishing a popular representation, becomes, by necessity, constitutional. Thus, the first Russian constitution did not become an act of popular will, but it was the expression of the monarch's will, who, under pressure from the revolutionary masses, ceded part of his rights to the popular assembly [8].

The Basic Laws of the Russian Empire as amended in 1906 are often unfairly accused of conservatism. Most often, the electoral legislation and elective qualifications, which restrict entire population categories from participating in elections, were subjected to a criticism. Indeed, the Russian “Constitution” was most affected by the constitutions of Japan, Prussia, Austria-Hungary, which are considered quite conservative. Nevertheless, it corresponded to the spirit of the time – the beginning of the 20th century. In a country with extremely weak traditions of popular representation at the national level, in conditions of widespread illiteracy and people's exasperation during the revolution, it would be wrong to immediately grant voting rights to the majority of the population. Even in most European countries, universal suffrage (originally it was meant only for men) appeared only after the First World War. The Russian Empire would have followed the path of most European countries with a slow, gradual expansion of the population's voting rights and the voters' groups. The created Russian parliament limited both formally and in fact the monarch's power. This was especially evident in legislative and financial issues.

In émigré and modern Russian literature, the “Duma monarchy” is seen, as if is close to the “Duma period” [6]. However, it seems unfortunate, since the “Duma monarchy”, apparently, is a synonym for “parliamentary monarchy”. If we consider the Russian Empire during the Duma period in the context of the established distinction between the concepts of “absolute monarchy” (including the Russian autocracy) and “constitutional monarchy” (including dualistic and parliamentary), Russia in that period was apparently closer to constitutional than to absolute monarchy.

A limited (constitutional) monarchy is a form of government where the rights and ambitions of a monarch as head of state are limited by a representative body and, often, by a constitution. This form of government can have two varieties: dualistic and parliamentary monarchies. The dualistic

monarchy is characterized by strict observance of the principle of separation of powers, in which the legislative branch is the parliament's prerogative, and the executive and judicial branches are the monarch's prerogatives. In this case, the government is also completely controlled by the monarch. The features of a parliamentary monarchy are: the monarch's power is legally restricted in all areas; legislative power belongs only to the parliament, but the monarch promulgates the laws (i. e. head of state orders that the law must be published and observed); the executive power is exercised by the government, which in accordance with the constitution is accountable to parliament, not the monarch; the government is formed of representatives of the party that won the election and dominates the parliament; the government has the right to countersign the monarch's acts by the head of the cabinet or responsible ministers.

#### 4. Conclusion

Russia in the Duma period was not a parliamentary monarchy. The Russian legal scholar Hessen, distinguishing between dualistic and parliamentary constitutional monarchies, defined the state system of Russia as a "dualistic type of constitutional state" [9].

We assume that after 1906 the Russian Empire was transformed into a dualistic monarchy, in which the legislative power belonged to the tsar and parliament, and the highest executive power belonged to the tsar and the ministers appointed by him. The Governing Senate became the highest judicial power and, at the same time, the controlling body. These changes were noticeable in a comparative analysis of the Basic Laws of the Russian Empire with the constitutions of Japan, the Austro-Hungarian Empire, and European constitutions of the first half of the 19th century. The organization of the highest authorities' and their powers under all these laws were similar [3]. A contemporary of Hessen and an eyewitness to the events in Russia at the beginning of the 20th century, German political scientist Weber called the system established in the Russian Empire as "pseudo-constitutionalism", opposing it to normal constitutionalism. He acknowledged that Russia had received the constitution, but the government and the emperor were not in a hurry to follow it [4].

#### References

- [1] R. R. Vildanov. The specificity of the political system of the Russian Rmpire in the beginning of the 20th century [J]. Eurasian Law Journal, 2014 3 (70): 201–203.
- [2] R. R. Vildanov. Trends in the development of parliamentarism in pre-revolutionary and post-Soviet Russia: a comparative analysis [J]. Public Administration E-Journal, 2009 18.
- [3] V. A. Demin. The State Duma of Russia: a mechanism of functioning. Moscow: Russian political encyclopedia, 1996.
- [4] A. S. Kustarev. Max Weber about the modernization of the Russian autocracy [J]. Policy, 2006 2: 61–67.
- [5] S. V. Leonov. The party system of Russia (end of the XIX century – 1917) [J]. Voprosy istorii [Issues of History], 1999 11–12.
- [6] V. V. Luzin. On the question of the form of government in Russia at the beginning of the XX century [J]. Bulletin of Moscow State University. Series 11. Law, 1994 1: 75.
- [7] S. V. Lyubichankovsky. Studying the effectiveness of local governance of the Russian Empire as a scientific direction: main tasks and prospects for implementation on regional material [J]. Herald of Omsk University, 2009 1: 45–47.
- [8] Parliamentarism in Bashkortostan. History and modernity. Book 1. Ufa, 2005.
- [9] N. B. Pakholenko. Excerpts on the history of constitutional projects in Russia: Textbook. Moscow, 2000.
- [10] M. M. Speransky. Projects and notes. Moscow, 1961.