

THE MARIUPOL GREEK COURT: JURISDICTION AND ACTIVITIES

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SINCE the Greeks moved from Crimea to Pryazovia, the Mariupol Greek Court had played an important organisational role in the community's life. This institution was established in accordance with paragraph 5 of the "Letter of Grant about settling of Christian Greeks who Migrated from the Crimea to settle in the Azov Province" of 21 May 1779, which allowed Greek immigrants to have their court and internal police force of elected representatives of the people based on general state laws, but the court's jurisdiction was extended only to Greeks¹.

The issue under discussion is based on actual, clerical, forensic and investigative documents and on sources of personal origin. At present, the materials of the Greek Court are stored in the fund "Mariupol Greek Court" (f. 1576) of the Central State Historical Archive of Ukraine in Kyiv, the Russian State Historical Archive, and the fonds of the Mariupol Museum of Local Lore. The fragmented and scattered nature of the archives of the Mariupol Greek Court made it difficult to reconstruct the history of Greek self-government in the Northern Pryazovia region. In this regard, the archival mate-

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¹ Full Collection of Laws of the Russian Empire (PSZ-1.). Vol. 20. No. 14879. P. 824-825.

rials presented in the book *Mariupol Greek Court: History of Foundation and Activity* are of considerable scientific value².

The establishment of a self-governing organisation of Greek immigrants who had been expelled from the Crimean Peninsula by the Russian government was one of the main conditions that positively influenced the implementation of this action. The first elections took place in the summer of 1780 when the resettlement of Crimean Christians to the Northern Azov region was coming to an end³.

The opening of the Mariupol Greek Court, headed by Mikhail Khadzhi, took place on 28 June 1780⁴. Thus, the mechanism of self-organisation of the Greek community was rendered very efficient.

By its form of organisation, the Mariupol Greek Court was a local self-government body (similar to town halls), which governed the Mariupol Greek community through the self-organisation of local residents. The Greek community consisted of the clergy, merchants of the three guilds, shopkeepers, burghers and district settlers who enjoyed the rights of free settlers⁵.

The composition of the Mariupol Greek Court was represented only by ethnic Greeks. This had both positive and negative aspects. On the positive side, the Greek population, firstly, elected members of self-government bodies who were respected members of society; secondly, the Greeks could fully rely on their elected representatives to resolve controversial and problematic issues. On the other

² ГЕДЬО А.В. / ТЕРЕНТЬЄВА Н.О. / САЄНКО Р.І. *Маріупольський грецький суд: історія створення та діяльність*. Донецьк: ДонНУ, 2012. 480 с. [HEDO A.V. / TERENTIEVA N.O. / SAIENKO R.I. *Mariupol Greek Court: History of Foundation and Activity*. Donetsk: DonNU, 2012. 480 p.].

³ Russian State Archive of Ancient Acts. F. 16. Op. 1. D. 588. Ch. 255.

⁴ Full Collection of Laws of the Russian Empire (PSZ-1). Vol. 20. No. 14879. P. 824-825.

⁵ ПОДГАЙКО М.К. *Самоврядування грецьких громад в Україні (середина XVII ст. 70-ті рр. XIX ст.)*: дис. канд. іст. наук: 07.00.01. К.: Інститут історії України НАН України, 2006. 190 с. [PODGAJKO M.K. *Self-government of Greek Communities in Ukraine (mid-17th century-70s of the 19th century)*. K.: Institute of the History of Ukraine of the National Academy of Sciences of Ukraine, 2006. 190 p.].

hand, the members of the Mariupol Greek Court faced a real problem because they were not familiar with the Russian legal system, some of them were uneducated and did not even understand Russian⁶.

The court's jurisdiction extended only to Greeks. As for persons of other nationalities, only investigations were conducted, the results of which were reported to the Oleksandrivsk District Court⁷. The proceedings in this institution were accompanied by extensive bureaucratic red tape. Sometimes it took several years from the time a complaint was filed to the time the court made a decision. The Yekaterinoslav prosecutor reported to the Ministry of Justice that the impunity of the Greek Court affected primarily the population of other nationalities because the court favoured Greeks⁸.

The basic rights and obligations of the Mariupol Greek Court were regulated by a personal decree to the Governor-General of Novorossiysk, Azov and Astrakhan H. Potemkin "On the establishment of courts in the inhabited places of the Ekaterinoslav province by Greeks, Armenians and Catholics" of 30 March 1783. According to this document, 4674 rubles were to be paid annually from the treasury for the maintenance of the court, in addition to the amount due to the state⁹. That is, the Mariupol Greek Court was financed by the state. The money came from the Azov provincial office. However, in practice, only 658 rubles of the total amount were paid to the Greek Court¹⁰.

⁶ ГЕДЬО А.В. / ТЕРЕНТЬЄВА Н.О. / САЄНКО Р.І. *Мариупольський грецький суд: історія створення та діяльність*. Донецьк: ДонНУ, 2012. С. 28. [HEDO A.V. / TERENTIEVA N.O. / SAIENKO R.I. *Mariupol Greek Court: History of Foundation and Activity*].

⁷ *Мариуполь и его окрестности* / Изд. Д.А. ХАРАДЖАЕВА. Мариуполь, 1892. С. 110-111 [*Mariupol and its Suburbs* / Mariupol: D.A. KHARADJAEVA, 1892. P. 110-111].

⁸ БОК Х. Месяц в Мариуполе. *Московские ведомости*. 1847. No. 136. С. 1045 [БОК Н. A Month in Mariupol, *Moskovskie Vedomosti*. 1847. No. 136. P. 1045].

⁹ Full Collection of Laws of the Russian Empire (PSZ-1.) T. 21. No. 15700. P. 890.

¹⁰ Mariupol Museum of Local Lore. Ref. 3529–D. 4 Sheets.

In 1784, the salary of the court members was set at 120 rubles for the chairman, 100 rubles for the assessors, and 200 rubles for the secretary¹¹. The salaries of the members of the court were paid from the appropriations intended “for the Christians expelled from Crimea”¹². The funds were strictly accounted for. After a certain amount of money was withdrawn from the account, documents on the amount, the purpose of the amount taken and a receipt of the money were necessarily attached. The finances were transferred to the Taganrog Land Office. A representative of the Greek Court was sent there to receive salaries for all its members. Officials did not receive their salaries in full; a certain amount was withheld annually from each member of the Greek Court for “hospital and medicine”¹³, namely one or one and a half kopecks per ruble (they were transferred to the Medical Board).

Changes in the administrative-territorial structure of Russia in the late eighteenth and early nineteenth centuries, and the Mariupol district in particular, led to changes in the composition of the Mariupol Greek Court. The number of elected judges was reduced to three. Each of them was assigned certain duties, such as police, investigators, and treasurer¹⁴. In addition, each judge was assigned to one of the districts where he or she performed the duties of a bailiff¹⁵. The structure of the Greek Court office has also changed. Instead of clerks and sub-clerks, the positions of desk officers and their assistants were introduced. There were six divisions: criminal, civil, investigative, economic, orphanage and police. Court presidents were appointed by the administrative authority to which the Mariupol

¹¹ *Мариуполь и его окрестности* / Изд. Д.А. ХАРАДЖАЕВА. Мариуполь, 1892. С. 110. [*Mariupol and its Suburbs* / Mariupol: D.A. KHARAJAEVA. Mariupol, 1892. P. 110].

¹² Central State Historical Archive of Ukraine. F. 1576. Op. 1. Sr. 3. 26 Sheets.

¹³ Central State Historical Archive of Ukraine. F. 1576. Op. 1. Sr. 3. 30 Sheets.

¹⁴ *Мариуполь и его окрестности* / Изд. Д.А. ХАРАДЖАЕВА. Мариуполь, 1892. С. 109. [*Mariupol and its Suburbs* / Mariupol: D.A. KHARAJAEVA. Mariupol, 1892. P. 109].

¹⁵ *Ibid.* P. 109.

district was subordinated, first the Mariupol district, and later the Mariupol Greek district. The position of an accountant (at that time called “receipt and expenditure”) was created, as well as a clerk and office worker¹⁶. Over the years, the number of officials in the Mariupol Greek Court gradually increased.

A special place in the structure of the body was occupied by the secretary. First of all, he was a representative of the state administration and exercised control over the activities of the Greek Court, in compliance with Russian laws, decrees and orders of higher authorities. He was also responsible for judicial supervision. In addition, the secretary managed the office of the Greek Court. The administration of the province or governorate appointed an experienced official who was well-versed in imperial laws to this position. Through the secretaries, the Russian government had the opportunity to influence the Greek Court, especially given that part of the Greek population was uneducated.

The staff organisation of the Mariupol Greek Court was built over a considerable period of time and was finally formalised by a decree of 19 July 1784. The court leadership consisted of a chairman and three judges. They were elected for a 3-year term by the commissioners of Greek villages and the city of Mariupol. Under the customary law used by the members of the court, the assessors divided various aspects of the work among themselves. For example, one was responsible for investigative duties, the other for treasury duties, and the third for police duties¹⁷.

The direct functions of the Mariupol Greek Court included resolving administrative issues, conducting court cases and performing police functions. In particular, court proceedings were conducted in accordance with Russian legal norms. However, there is evidence

¹⁶ Russian State Historical Archive. F. 1349. Op. 4. 1844. D. 563. L. 51-61; 1845. D. 473. L. 129-133, 243-258, 347-350, 385-386; 1842. D. 404. L. 893-902, 958-959, 974-976, 980-981, 1030-1039; 1841. D. 354. L. 2.

¹⁷ ГЕДЬО А.В. / ТЕРЕНТЬЄВА Н.О. / САЄНКО Р.І. *Маріупольський грецький суд: історія створення та діяльність* [HEDO A.V. / TERENTIEVA N.O. / SAIENKO R.I. *Mariupol Greek Court: History of Foundation and Activity*. Donetsk: DonNU, 2012. P. 90].

that in resolving some cases, the court members were often guided, in parallel with Russian laws, by the customary law of the Crimean period. The Mariupol Greek Court was a court of first instance and had the right to consider only minor civil and criminal cases, to supervise the state of guardianship, to consider complaints against guardians, etc. It combined the powers of the district, verbal and orphan courts. The court's office consisted of desks (departments) - investigative, criminal, civil and orphan - that conducted preliminary investigations, correspondence with higher authorities, and prepared materials for court hearings. The investigation and preparation of materials often took years.

All court cases were decided collectively behind closed doors. The plaintiffs were allowed into the courtroom only for a personal verbal contest before the judges. As for the representatives of other nationalities living in Mariupol and the district, the Greek Court was only responsible for conducting investigations. The results obtained during the investigation had to be sent to the Oleksandrivsk District Court, where the final decision was made.

As noted by H. Tymoshevskiy, over the entire period of the existence of the Mariupol Greek Court, up to 180 cases were initiated, including 160 criminal and 20 civil cases¹⁸. Unfortunately, due to the loss of a significant amount of archival material, researchers are unable to verify this data.

The Ekaterinoslav Governor's office and later the provincial government kept the activities of the Mariupol Greek Court under constant control. Each of its decisions was approved by the chambers of the criminal or civil courts of the provincial city. The mayor of Taganrog supervised the administrative and economic activities of the Greek Court and controlled the actions of the police.

The Greeks of Mariupol did not break their ties with Crimea when they moved to Pryazovia. Residents of Mariupol and Greek villages were constantly travelling to the peninsula for trade. Merchants with various goods also came from Crimea to Pryazovia, regardless of

¹⁸ *Мариуполь и его окрестности* / Изд. Д.А. ХАРАДЖАЕВА. Мариуполь, 1892. С. 109. [*Mariupol and its Suburbs* / Mariupol: D.A. KHARAJAEVA. Mariupol, 1892. P. 110].

the time of the year. In this regard, the Greek Court was engaged in issuing and registering passports, charging a fee. Special journals were kept to record the issued passports and to register the certificates of persons passing through Mariupol, some of which are kept in the fund of the Mariupol Greek Court of the Central State Historical Archive of Ukraine¹⁹.

The duties of the Mariupol Greek Court included the collection of various duties from the population - *zemstvo*²⁰, community, and postal duties. The funds from these fees were used to maintain the Greek Court, police, post offices, a ferry across the Kalmius River, bridges, roads, smallpox vaccinations, etc.²¹. A special place in the activities of the Mariupol Greek Court was given to police work - secret surveillance, search and detention of criminals, as well as customs control. The police team searched for fugitive prisoners in the stocks, missing persons, suspected criminals, and passportless vagrants²². They also had to search for horses and cattle²³.

The Greek Court supervised the order of trade, the condition of roads, and the compliance with fire prevention and anti-epidemic measures. In 1830, during the cholera plague, it allocated people to quarantine posts. Under the court's supervision, attempts to escape to Crimea by residents of Mariupol and some Greek villages were stopped - ten years or more after the resettlement of Crimean Greek Christians to the Northern Azov Sea region²⁴.

The court materials show that the difficult situation and high mortality rate caused the Greeks to be dissatisfied with their new home-

¹⁹ Central State Historical Archive of Ukraine. F. 1576. Op. 1. Sr. 7. Ark. 1-36; Spr. 41. Arch. 1-28; Spr. 16, 22, 30, 36, 41, 50.

²⁰ *Zemstvo* – the most common type of the local authorities in the Russian Empire.

²¹ Mariupol Local Lore Museum. Sr. 3481–D, 3482–D, 3483–D, 3429–D, 3528–D.

²² Central State Historical Archive of Ukraine. F. 1576. Op. 1. Sr. 6, 9, 12, 31; Mariupol Local Lore Museum. Sr. 6224–D, 6225–D, 6226–D, 6263–D.

²³ Mariupol Local Lore Museum. Sr. 6266–D.

²⁴ Mariupol Local Lore Museum. Sr. 3473–D, 3474–D.

land. Some of them even tried to return to Crimea in 1780. The unrest became widespread, and the Russian government was forced to use troops to quell it. Catherine II ordered an investigation into the case and severely punished those responsible. These were the priests of the villages of Chemrek, Yalta, Sartana, and Constantinople. They were accused of not only failing to counteract the spread of rumours about resettlement to Crimea but also of intending to appeal to the Azov provincial chancellery on behalf of the Greeks to allow them to return to their old places of residence on the Crimean Peninsula. The priests were saved from severe punishment by the intercession of Metropolitan Ignatius²⁵.

The members of the court were obliged to prevent the importation of smuggled goods.

Military cases did not fall within the court's competence, they were dealt with by the state chamber. By order of the court, there was a police force in each village to keep order. Russians served in the police, appointed by village elders elected annually by the Greeks.

The Mariupol Greek Court was directly involved in solving many economic problems, reporting annually on the state of the economy in Mariupol and the villages of the district. Its members were engaged in routine accounting work, census of livestock for taxation, and other statistical documentation. The court annually compiled information on the presence of enterprises (mills, brick, tanneries, fish factories, farms where sheep were kept), grain crops, harvests, livestock, orchards and vineyards²⁶.

The activities of the court received both positive and negative assessments by Greek society. The positive aspect was that all positions were filled by members of the national community. On the other hand, the negative aspect was that mostly relatives or influential people in the society who had significant capital were elected, cases were decided behind closed doors, people were often elected even if they were uneducated, etc. The fact that the Greek police

²⁵ Russian State Archive of Ancient Acts. F. 16. Op. 1. D. 588. Ch. 10. F. 257-259.

²⁶ Mariupol Local Lore Museum. Sr. 3424-D, 3476-D, 3477-D, 3478-D, 3479-D, 3523-D, 6223-D.

lacked military force also hindered the effective performance of the court's functions. This made it difficult to organise large-scale events in Mariupol and the surrounding area.

Later, in addition to the Greeks, the territory of the Mariupol district was rapidly settled by representatives of other nationalities, as the Greeks were unable to fully inhabit the land they had been granted. Cossacks, Germans, Jews, and Ukrainian and Russian immigrants settled here. The Azov Cossacks were subject to their military command, the German and Jewish colonists to the Committee for the Care of Foreign Settlers, and the Russians to the Oleksandrivsk district administration. Such disorganisation had negative consequences, primarily with regard to the work of the authorities. For example, an official of one department was not allowed to pursue suspicious people without the approval of the neighbouring department, or even to take horses in a village of another subordinate department. The result was that entire gangs moved freely across the area.

The mid-nineteenth century went down in history as an era of reform. At that time, the question of transforming the Mariupol district was raised, and several projects were submitted by local officials on this issue. All of them unanimously emphasised the unsatisfactory work of the Greek Court and village administrations. These comments concerned both the organisation and the personnel. Upon the publication of the "Rules on the Abolition of Magistrates and Town Halls", the Mariupol Greek Court also came under the scope of this document.

The records of central institutions stored in the RGIA (fonds 1286, 1287, 1291, 1405) allow us to reconstruct the process of liquidation of the judicial body of the Greeks of the Northern Azov Sea region, the Mariupol Greek Court.

A significant impact on the activities of the Greek Court was made by the "Highly approved opinion of the State Council" of 30 March 1859, which allowed the establishment of communities of other nationalities in Mariupol, in addition to the Greek one. This document supplemented the Letter of Grant of 1779 with an explanation that the privileges applied only to those Greeks with ascendants who had settled in the area based on the first call from the gov-

ernment. Greeks who settled later were not entitled to these privileges²⁷. It was after this that representatives of other ethnic groups began to settle in Mariupol.

Of great importance for the fate of Greek self-government in the Pryazovia region were the remarks of the Governor-General of Novorossiysk and Bessarabia, Count A. Stroganov, who, in 1859, drew the government's attention to some negative aspects of governance that could lead to the decline of the Mariupol district. Stroganov's proposals were discussed in the Senate, and the Ministries of the Interior and Justice²⁸. He was dissatisfied with the system that had been in place for almost 80 years on the lands allocated for settlement to the Greeks expelled from the Crimean Peninsula. The administration of the Mariupol district was not only an exception to the general rules of the administrative structure of the state but also contradicted them, which caused numerous inconveniences. A. Stroganov noted that the Mariupol Greek Court concentrated the powers of the city and *zemstvo* police, the city magistrate, the district administration, the orphan court, and the district guardianship. The head of the Greek Court performed the duties of police officer, mayor, *zemstvo* clerk, district chief and district judge. Thus, the administrative, executive and judicial powers were concentrated in one body.

Analysing the activities of the police service in the Mariupol district, Count A. Stroganov concluded that it was impossible to further concentrate police power in the Greek Court. He explained this by the fact that the personnel of the *zemstvo* and municipal police were dominated by unqualified personnel without special education and service experience. Consequently, the work of the police did not meet the demands of the times. A. Stroganov also drew the government's attention to the fact that due to the separateness of the Greeks, the economy of the Northern Pryazovia region was developing at a very slow pace, unlike the neighbouring lands. The Greeks retained the same way of life that they had brought with them from

²⁷ Full Collection of Laws of the Russian Empire (PSZ-2.) T. 34. 1st Dept. No. 34308. P. 246-247.

²⁸ Russian State Historical Archive. F. 1405. Op. 57. D. 2008. F. 3.

Crimea, and no new technological developments of the time were introduced into agriculture²⁹.

Thus, in accordance with the general administrative structure of the Russian Empire, and taking into account the preservation of the benefits and privileges granted to the Mariupol Greeks during the resettlement from Crimea, A. Stroganov proposed: 1. to separate the judiciary from the police and leave it under the jurisdiction of the Mariupol Greek Court; 2. to create city and *zemstvo* police in Mariupol and the district on a general basis, "with the appointment of special police officers or town officials from the crown in the city"³⁰; 3. to subordinate the administration of Mariupol and the district to the authorities of the Ekaterinoslav province³¹.

In the autumn of 1859, during the emperor's visit to Odesa, A. Stroganov thoroughly explained to him the need for changes in the governance system of the Mariupol region. The count counted on the emperor's approval of his proposals and sought support from the Ministry of the Interior in resolving issues related to the police service in the Mariupol district, its personnel and funding sources³².

Alexander II supported the proposals of the Novorossiysk and Bessarabian Governors-General, and on 28 September 1859, he signed a Senate decree separating the judicial and police functions in the cities of Mariupol and Nakhchivan. From that time on, the administrations of the cities of Mariupol and Nakhchivan and their districts were subordinated to the authorities of the Yekaterinoslav province³³. The city and district police in these cities were created on a general basis, with police officers and city officials appointed by the Russian authorities, and were removed from the competence of the Greek Court. In fact, this meant the elimination of Greek territorial autonomy. After the Senate issued a personal decree of

²⁹ Russian State Historical Archive. F. 1405. Op. 57. D. 2008. F. 6 vol.

³⁰ Russian State Historical Archive. F. 1405. Op. 57. D. 2008. F. 7 vol. 8.

³¹ Russian State Historical Archive. F. 1405. Op. 57. D. 2008. F. 8.

³² Russian State Historical Archive. F. 1405. Op. 57. D. 2008. F. 10.

³³ Full Collection of Laws of the Russian Empire (PSZ-2.) Vol. 34. 2nd Dept. No. 34915. P. 84-85.

28 September 1859, Count A. Stroganov sent his proposals on this issue to the Ministries of the Interior and Justice for consideration.

The proposals of the Novorossiysk and Bessarabian Governors to optimise governance in Mariupol and Greek villages were aimed at a complete reorganisation of the Mariupol Greek Court. This is evidenced by the fact that they were based not only on the separation of the police but also included clauses on the organisation of a general judicial system in the district. By the way, Count A. Stroganov reported the need to give the Mariupol Greek Court a new name: the Mariupol District Court. This body was to consist of four judges elected by the city community. Two of them were elected by the city's population, and the other two by rural communities. An office was created according to the existing staff, and the secretary was given the duties of an attorney³⁴. A. Stroganov noted: "The scope of the said courts should be limited to the decision, on the rights of district courts and magistrates, of criminal and civil cases relating to both native urban and rural inhabitants and persons of other classes residing in Mariupol and Nakhichevan with their districts. Orphan cases should also be subordinated to these courts"³⁵. To conduct investigations, it was proposed to introduce the positions of two court investigators who, in their free time, had the right to sit in district courts as members³⁶. For economic affairs, it was planned to create the Mariupol *Duma*, consisting of a chairman and six public speakers, who would be elected by community members on a general basis. An office was created at the *Duma*, and the secretary was responsible for record keeping.

It is clear that such significant transformations of the governance system of the Mariupol district involved significant financial costs, which the Governor-General proposed to be partially borne by the local population³⁷. This proposal contradicted the privileged posi-

³⁴ Attorney (in the imperial Russia's system of legal representation since the 17th century) – the name as well as the rank of a public servant with significant civil responsibilities.

³⁵ Russian State Historical Archive. F. 1405. Op. 57. D. 2008. F. 28 vol.

³⁶ Russian State Historical Archive. F. 1405. Op. 57. D. 2008. F. 43.

³⁷ Russian State Historical Archive. F. 1405. Op. 57. D. 2008.

tion of the Greeks, approved by Catherine II's Letter of Grant of 21 May 1779. In an attempt to maintain a certain balance between the need to streamline local government and maintain privileges, neither the Ministry of Justice nor the Ministry of the Interior supported the Governor-General's proposals. The discussion of the system of governance in Mariupol in government circles lasted almost until 1862. However, everyone understood the need to transform the Greek Court.

The implementation of the Basic Provisions of 19 February 1861 required changes in governance, which included the establishment of a provincial presence for peasant affairs, the appointment of peace mediators, and the formation of a system of local government and courts. *Volosts* were created locally, uniting several villages with a total population of 300 to 2,000 people. Social and economic affairs were resolved at the assembly. They also elected the village *starosta*³⁸ and the *volost* elder. The largest village became a *volost*, and a *volost* court was established there³⁹.

Gradually, the provisions of the peasant reform were extended to the colonists of the Mariupol district. Thus, on 18 March 1875, the "opinion" of the State Council "On the arrangement of Greek and Armenian settlers in the Mariupol and Rostov districts of the Ekaterinoslav province" was approved by the highest authority. The Greeks were classified as peasant owners and subordinated to general institutions for peasant affairs. It was proposed that, within three months of the document's publication, village and *volost* governments and courts in accordance with the Regulations of 19 February 1861 should be established. In terms of land tenure, Greeks

³⁸ *Starosta* (village headman) – the head of the lowest administrative unit in the Russian Empire (the lower tier, *i.e.*, community) elected by the village assembly for a three-year term.

³⁹ *Мариуполь и его окрестности: взгляд из XXI века*. Мариуполь: Рената, 2006. 100 с. [*Mariupol and its Suburbs: A Glimpse from the 21st Century*. Mariupol: Renata, 2006. 100 p.].

were equated with former state peasants. They retained all the land in their use, for which they paid the state 5 kopecks per tithe⁴⁰.

Records from the RIAI⁴¹ funds show that an important step towards the liquidation of the Mariupol Greek Court was the adoption and entry into force of the judicial statute of 20 November 1864 in the Ekaterinoslav province. The judicial reform legitimised new principles of the judiciary and judicial proceedings in Russia - formal irremovability of judges and independence of the court from the administration, publicity and publicity of the process, the institutions of the bar, jurors, elected magistrates, and notaries.

The new judicial system was characterised by a certain harmony. The institution of elected justices of the peace was created to handle minor criminal and civil cases. A justice of the peace was responsible for hearing cases on charges of crimes for which the following penalties could be imposed: a warning, a reprimand, a fine of up to 300 rubles, arrest for up to 3 months, and imprisonment for up to 1 year. A candidate for a justice of the peace could be a resident of the area who met a certain property qualification. The required size of land holdings was set separately for each county, but nowhere was it lower than 250 desi^{42, 43}.

Justices of the peace were elected for 3 years at meetings of the *zemstvo* and city public officials. In addition to them, honorary justices of the peace were elected according to the same procedure and for the same term. Persons who agreed to be justices of the peace did not receive a salary and performed judicial duties periodically,

⁴⁰ Full Collection of Laws of the Russian Empire (PSZ-2.) T. 50. 1st part. No. 54506. P. 262-264.

⁴¹ Russian State Historical Archive. F. 1286. Op. 24. D. 7; Op. 2. D. 228; Op. 9. D. 143; Op. 20. D. 1579; Op. 21. D. 1035; F. 1287. Op. 37. D. 1611; Op. 38. D. 661; F. 1291. Op. 36. D. 8; F. 1405. Op. 57. D. 2008.

⁴² 250 dessiatins – a dessiatin – unit of land approximately equivalent to 1,09 hectare.

⁴³ Кони А.Ф. *Собрание сочинений* / Под ред. В.Г. БАЗАНОВА / Л.Н. СМІРНОВА / К.И. ЧУКОВСКОГО. Т. 1. М.: Юрид. лит., 1966. С. 500 [KONY A.F. *Collected Works* / Ed. V.G. BAZANOVA / L.N. SMIRNOVA / K.I. CHUKOVSKY T. 1. M.: Yuryd. Lit., 1966. P. 500].

without leaving their daily occupations. Honorary justices of the peace had all the rights of a district (magistrate) judge. Only cassation protests and cassation appeals were allowed against the final judgement, which was filed when the parties believed that the procedural rules of the court procedure had been violated.

The second instance was the Congress of Justices of the Peace, which included all district and honorary justices of the peace of a given district or county. It was in the county Congress of Justices of the Peace that decisions of justices of the peace could be appealed, so depending on the nature of the cases considered, the Congress of Justices of the Peace was an appeal or cassation instance. The district courts (one per province) were responsible for criminal cases in several counties, which were tried with or without a jury. The most complex cases were heard in court chambers in the cities of Kyiv, Kharkiv and Odesa. The Senate was the highest court of cassation.

Thus, the judicial reform in the Russian Empire provided for the organisation of a unified judicial state system on the ground, without regard to any national privileges. From then on, the Mariupol Greek Court was responsible only for orphan cases, treasury cases, and the detention of prisoners⁴⁴. According to the *zemstvo* reform, the bulk of the Greek Court's administrative and economic functions were transferred to the *zemstvo* institutions. As a result of these transformations, the court turned into a secondary institution, and the need for its further existence was increasingly questioned. The process of abolishing Greek self-government in Northern Pryazovia went through several stages. It was almost finally put to an end by the "Rules on the Abolition of Magistrates and Town Halls" approved on 13 April 1866, the introduction of which in the Ekaterinoslav province provided for the liquidation of the Mariupol Greek Court as a body of national self-organisation of local Greeks. The management of the city's economy was entrusted to the city councils, and the duties previously performed by members of magistrates and town halls were transferred to them⁴⁵. The Governor of

⁴⁴ Russian State Historical Archive. F. 1287. Op. 38. D. 661. F. 35.

⁴⁵ Russian State Historical Archive. F. 1287. Op. 38. D. 661. F. 35 vol.

Yekaterinoslav considered it necessary to transfer all cases that remained in the sphere of influence of the Mariupol Greek Court until 1866 to the local city council (except for cases of detention of prisoners and police officers, which were to be transferred to the local police department)⁴⁶.

The ethnic independence of the Greeks of Mariupol was finally abolished by the Highly Approved Opinion of the State Council "On the Arrangement of Greek and Armenian Settlers" of 18 March 1875, according to which Greeks and Armenians of the Mariupol and Rostov districts of the Ekaterinoslav province were included in the general population with subordination to provincial, district and local institutions⁴⁷. In paying taxes, the Greeks of Mariupol were equated with the rest of the Russian population.

Thus, having analysed the records of the central authorities and the Mariupol Greek Court, it should be noted that this local self-government body, which embodied the autonomous position of the Greeks in the administrative system of Russia, was unable to exercise the privileges granted to Greek immigrants by Catherine II's Letter of Grant due to the specific conditions of its existence.

The legal status of the Greek population of Northern Pryazovia was characterised by the fact that the issues of autonomous government and judicial proceedings did not undergo a long evolution in legislative practice, but were introduced by the Letter of Grant of Catherine II in 1779: It granted the Greeks territorial autonomy, for the management of which the Mariupol Greek Court was established, subordinated to the Taganrog city administration; the Greeks were exempt from paying state taxes for 10 years; they were allowed to have their court and internal police force of elected representatives based on national laws. The insistence of the Greeks on living autonomously from the local population and their fierce struggle for self-governing institutions led to the creation of the Mariupol Greek District, which included the city of Mariupol and surrounding Greek villages. The existence of this district, a national admin-

⁴⁶ Russian State Historical Archive. F. 1287. Op. 38. D. 661. F. 36 vol.

⁴⁷ Full Collection of Laws of the Russian Empire (PSZ-2.). T. 50. 1st part. No. 54506. P. 262-264.

istrative-territorial unit, was a certain socio-political phenomenon in the history of the Greek diaspora.

The rural nature of the Pryazovia Greek community and the territorial autonomy within the Greek district determined the priority of the judicial, administrative and police functions of the Mariupol Greek Court. However, their concentration in the hands of one institution gave rise to abuse and rejection of progressive innovations in both the governance system and economic life.

The liquidation of the Mariupol Greek Court was a direct consequence of the reforms of the public administration system carried out during the '60s and '70s of the nineteenth century. A significant decrease in the efficiency of administrative functions provided additional arguments for the abolition of Greek self-government in the Russian Empire.

Extrapolating the modern terminology to the political and legal realities of the eighteenth and nineteenth centuries, we can recognise the Mariupol model of Greek self-government as a certain prototype of national and territorial autonomy.

ABSTRACT

This article considers the structure of the Mariupol Greek Court and the changes that have taken place during its operation. The study defines the fundamental spheres of the institution's activity as well as identifies its areas of responsibility. The Mariupol Greek Court has long been recognised as the local self-government body which embodied the autonomous position of the Greeks in the administrative system of Russia. However, due to the specific conditions of its existence, it was unable to exercise the privileges granted to Greek immigrants by Catherine II's Letter of Grant. The liquidation of the Mariupol Greek Court was a direct consequence of the public administration system reforms carried out in the '60s and '70s of the 19th century. A significant decrease in the efficiency of administrative functions provided additional arguments for the elimination of Greek self-government in the Russian Empire. Extrapolating the modern terminology to the political and legal realities of the 18th and 19th centuries, the authors identify the Mariupol model of Greek self-government as a certain prototype of national and territorial autonomy.

Keywords: Mariupol Greek Court; Greeks; Pryazovia