

## Direct Democracy at Local Government Level: Historical Examples from the Don Cossacks

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The Cossacks (or "Don Cossacks") is a nation that lives in the territory of modern Rostov, Volgograd and Voronezh regions of Russia and the Donetsk/Luhansk regions of modern Ukraine. Ethnically, the Don Cossacks are descended from the Scythians and Sarmatians who lived in these areas in ancient times, along with some mixing with South Slavic tribes, and the culture of these peoples have greatly influenced the national customs and clothing of the Cossacks.

The first recorded information that we have about the Cossacks can be found in documents from the year 1444.<sup>1</sup> One of the first who wrote about the Don Cossacks in the XVIII century was the Prussian General Christoph von Manstein, who held high positions in the Russian service in the years 1736-1744. In his *Memoirs*, published in 1730s, he called the Don a "republic which voluntarily became part of Russia which protects her . . . the Zar treats them with great gentleness and forbearance". He called the Don Cossacks a "nation", where "officers . . . elect the head of the republic, approved by Zar".<sup>2</sup> During the era of the Napoleonic Wars information "explodes" in European literature about the Don Cossacks. There were many and various publications, although the Russian and Cossack historians were mostly ignored. In one of these publications, the author, von Ploto, said that Cossacks had their partially autonomous state within the Russian Empire, which was called "Don Cossacks". This state allowed them to maintain their cultural and political traditions, at least up to a certain point; von Ploto refers to the "free constitution" of the Don Cossacks,

although some corrections to its earlier form had been made after its incorporation into Russia.<sup>3</sup> The Cossack population was close to 2 million.

After the October revolution in Russia, however, the Cossack nationality was suppressed. Their language "hutar", regarded by some experts as a dialect of Russian rather than a separate language, was considered an "incorrect" form of Russian and so it was "put right". Nowadays hutar` can be heard only in ancient Cossack songs or in literature. After the collapse of the USSR, therefore, it is not surprising that the total prohibition of the Cossack language and nationality (if you said that you were Cossack during the Soviet period, you could be deported to Siberia) created a radical branch of the Cossacks which now wants to recreate the Cossack Republic within the Russian Federation and bring the Cossack traditions and language back to life: "The Don Cossack Republic – an ethno-political community of Cossacks as a nation, whose goal is to recreate their Order within the Russian Federation. It is an association based on a national principle to preserve their culture and traditions".<sup>4</sup> The traditions to which are referred here are those of direct democracy, along with the powerful influence of a military style of life which has always characterized Cossack customs.

The "Cossack Circle" (in the original "Kazachyi Kruh") – was the local government of the Don Cossacks. It consisted of all of the Cossacks of a "hutor" or "staniza" (these are types of Cossack village).

As Yevgraf Saveliev – one of the researchers of the 19th century – wrote, “as in the days of Lycurgus, Solon, Pericles and Demosthenes, each of the speakers and public figures would be available in the public town square to talk about all important public matters, and in the first centuries of the Cossacks each of the Cossacks, whether in Zaporizhzhska Sich (Ukrainian Cossacks), or the ancient towns of the Don (as, for example, Azov, Cherkasy and others) could act in the Cossack Circle as a speaker and offer a solution to any questions that had arisen in the Military Circle (a kind of the Cossack Circle which was created, if necessary, during military campaigns), such as: a raid on an infidel possession, protection and assistance to brothers in the faith, on the conclusion of peace etc”.<sup>5</sup> All decisions in the Circle were made by direct vote (by a show of hands or a shout – in the second case, the position that had the loudest shout was considered the decision of the Circle). Any adult Cossack (i.e. those who had already served at least once in the army), and who did not have any record of breaking the laws of the time, could participate in a session of the Circle. Only a decision of the Circle itself could prohibit a Cossack from voting or take him back into the Circle after a period of exclusion for some reason. A guilty Cossack was beaten and could be banished from the village. It should also be noted that in large cities or Cossack villages, where it was impossible to apply direct democracy, a system of delegated democracy was used, though not as often as in the direct form in smaller communities.

A young Cossack would be involved in the sessions of the Cossack Circle from the age of 12, allowing him to see how all public questions were decided and teaching him how he should speak and protect his position in the Circle. This was also a form of education, since here young Cossacks could study the laws and traditions of their own people.<sup>6</sup>

The Cossack Circle was first mentioned in historical documents in 1554.<sup>7</sup> Each town or staniza was ruled by its Circle, which was in turn headed by two figures selected from among their number for one year, the “Otaman” and the “Yesaul” (captain). Both of these figures played no role in the internal management of this community and were only just designated to carry out the decisions of the Circle. The Otaman also acted as a speaker – organizing the agenda of the meetings and so forth. Still, the main figures at the meetings of the Circle were the old men – old Cossacks enjoyed great prestige and, by Cossack tradition, always participated in local government. They could recognize that some question on the agenda was irrelevant, and, without their permission, the Otaman could not even make a report on an issue. Hence the saying went “the Otaman is not independent even in the report”, which means that even the supreme power, which was the Otaman, could not act without the agreement of the people.

In general, the Cossack Circle decided all local questions – invitations to return or exclusions of Cossacks from the village; concession of land to Cossacks; decisions on cases of divorce and marriage, or decisions on problems such as who would join the army in a particular year, and so on. The Cossack Circle had the functions of a court too. In the Stanizas Circles all cases of litigation between Cossacks were resolved, such as personal insults, seizure of the property of others, noncompliance with community rules, disobedience, etc. The Circle would confer an appropriate punishment on the guilty party, so that perpetrators of a crime were punished appropriately by the Circle. Cases regarding personal insults were usually resolved peacefully. Usually the elders obliged the offender to go to the offended and apologize to him. If the offended person refused to forgive, often the Otaman and Elders themselves would go to him and beg him to resolve the case peacefully, asking him not to bring shame upon himself and not to go to the Military Circle

court in Cherkask – the Cossack`s Central Government – or, in this case, the Superior Court. In the Military Circle cases were resolved not by written laws, but on the basis of ancient Cossack custom and traditions and, characteristically, behind the decisions there were one or other of the evangelical commandments.

We should note that the Cossack Circle only had power over the Cossacks in the staniza or hutor. The other nations who lived there were to obey the Russian Government, not that of the Cossacks.

The function of guarding the Cossack Circle and of oversight over its procedure was performed by the Yesaul of the Cossacks ("yasaul" in the modern army corresponds to the rank of captain) and ushers – those who were to maintain order. At the time of the Circles, authoritative yesauls (officers) were appointed to oversee discipline and order, and gradually other functions were added to their responsibility. The etymology of the word "yesaul" is derived from the Cossack word "yasy" which means "order".<sup>8</sup>

Today the Cossack Circle, like Cossack nationality itself, is in a state of renaissance and rethinking. In some projects to restart the Cossack Circles are already operation in some stаницas, and special attention is often paid to the role of the Church - priests have the right to speak out on certain issues, and in some cases without their consent the decision of Circle is invalid.<sup>9</sup> However, many questions regarding Cossack activities and the activities of their organizations, and of their local governments in particular, are not resolved at the state (legal) level, and very often the activity of these organizations runs contrary to the current laws of the State. In Ukraine, whose Donetsk and Luhansk region covers the areas of the Don Cossack Host (Cossack state) an official "Cossack" nationality does not exist. In Russia this nationality officially exists and its number is 67 573 persons according to the Russian

Census of 2010, but their language is almost forgotten and now is in process of renaissance.<sup>10</sup> The territories inhabited by Cossacks (Rostov, Voronezh and part of the Volgograd regions) do not have an autonomous status and, therefore, do not have real power. All the Cossack Circles nowadays act as civil society organizations, although in the Gosudarstvennaia Duma (Russian Parliament) and Verkhovna Rada (Ukrainian Parliament) dozens of bills have been registered to regulate the status of the Cossacks. For some years now there has been an active discussion in Russia regarding the status of Cossack lands and whether to give them the status of an independent subject within the Russian Federation, with the right to elect their President and to have government by their own laws.

In conclusion, we can say that the Cossack traditions contain a good example of practical direct democracy that are currently contributing to the development of a strong civil society, both of which are very useful and actual for Ukraine and Russia, and especially for the modern Ukrainian state as it tries to find new forms for the organizational processes of local government. As A. Sen has said, development is a process of the expansion of human freedom. In this way, the example of the Cossack Circle provides practical ways and mechanisms of development, since it guarantees political freedom, meaning the possibility of making and voting for public decisions for the good of everyone in a particular community.

## NOTES

<sup>1</sup> Шахматов А. А., Обзорение рус. летописных сводов XIV-XVI вв., М.-Л., 1938. – с. 201 (Shahmatov A. A. Survey of Russian Chronicles of the XIV-XVI Centuries, Moscow. – 1938. – p. 201).

<sup>2</sup> Ral de Manstein. Memoires historiques, politiques et militaires sur la Russie. – Bruyset, 1772 – 460 p.

<sup>3</sup> Carl von Plotho. Die Kosaken oder Geschichte derselben von ihrem Ursprunge bis auf die Gegenwart mit einer Schilderung ihrer Verfassung und ihrer Wohnplätze. – Berlin, 1811. – 87 p.

<sup>4</sup> Донская Казачья Республика (Don Cossack Republic), available at: <https://sites.google.com/site/donrepublika/> (last accessed: 06.05.2014)

<sup>5</sup> Е. П. Савельев. Войсковый Круг на Дону как народовладие (Y. P. Saveliev. The Military Circle in Don as Democracy), available at: <http://kazachiy-krug.ru/stati/istorija/vojskovo-krug-na-donu-kak> (last accessed: 06.05.2014)

<sup>6</sup> А. Боярченков. Воспитание казака (A. Boiarchenkov. Cossack education), available at: <http://veshki-bazar.narod.ru/vospit.htm> (last accessed: 12.04.2014)

<sup>7</sup> See the text referenced in note 5

<sup>8</sup> А. Т. Ветров. Традиции Казачьего Круга: какими они были и как их трактуют современные идеологи : Национальная Газета (A. T. Vietrov. The Traditions of the Cossack Circle, as they were and how they are understood by modern thinkers), available at: <http://www.nationalka.ru/2006-11-101-2007-2-104-/traditsii-kazachjego-kruga-kakimi-oni-byli-i-kak-ih-traktuyut-sovremennye-ideologi.html> (last accessed: 21.03.2014)

<sup>9</sup> Информация о подготовке Круга (Information on the organization of the Circle), available at: <http://iks2010.org/?p=28463> (last accessed: 21.03.2014)

<sup>10</sup> The Russian Census of 2010, available at: <http://voprosik.net/kazaki-priznany-nacionalnostyu/> (last accessed: 06.05.2014)