

Personnel composition of the magistrates of Right-Bank Ukraine (1831–1864): a historical and legal dimension (case study of the Volhynian Governorate)

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Abstract.

The purpose of the article is to provide a comprehensive historical and legal analysis of the formation and functioning of the magistrate personnel in Right-Bank Ukraine, based on materials from the Volhynian Governorate in 1831–1864. Drawing upon legal acts and service records (formular lists) in the context of imperial policies aimed at the unification and centralization of judicial power, the study examines this cadre. **The methodological basis** of the study rests on the principles of historicism and scientific objectivity, alongside historical-legal, prosopographical, and comparative analyses of regulatory acts, service records, and administrative documentation of magistrates and district courts. The work employs systematic and comparative approaches, which enabled the reconstruction of a sociological portrait of elected and appointed magistrate officials and a comparative characterization of magistrate and district court staffing systems. **The scientific novelty** lies in a comprehensive historical and legal analysis of the legal status, staffing mechanisms, confessional balance, and social characteristics of the magistrate corps based on regulatory legal acts and service records. This approach allows for an understanding of magistrates as instruments of imperial integration of the urban population and confessional policy, while also elucidating the reasons for their abolition on the eve of the Judicial Reform of 1864. **Conclusions.** The study shows that magistrates functioned as hybrid institutions with formal self-government and real administrative control exercised through the confirmation of elected officials and the appointment of secretaries. Personnel policy was based on a confessional balance (between Christians and Jews) with the targeted involvement of Orthodox townspeople (meshchane) and a dualistic structure: elected, unpaid officials from among the townspeople and merchants, and appointed, paid secretaries and clerks (kantseliarysty) from the nobility. An analysis of service records revealed limited education, lack of property, practical experience, and low salaries of clerks. Systemic problems (limited personnel reserve, unprofessionalism, bureaucratic procedures, underfunding, corruption) and comparisons with district (uezd) courts demonstrated the inefficiency of the magistrate model.

Keywords: magistrates, Right-Bank Ukraine, Volhynian Governorate, personnel composition, confessional balance, townspeople (meshchane), Jews, estate-based justice, pre-reform justice.

Кадровий склад магістратів Правобережної України (1831–1864 рр.): історико-правовий вимір (на прикладі Волинської губернії)

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Анотація.

Метою статті є комплексний історико-правовий аналіз формування та функціонування кадрового складу магістратів Правобережної України на матеріалах Волинської губернії у 1831–1864 рр. на основі нормативно-правових актів і формулярних списків про службу у контексті імперської політики уніфікації та централізації судової влади. **Методологічною основою дослідження** є принципи історизму та наукової об'єктивності, а також історико-правовий, просопографічний і порівняльний аналіз нормативних актів, формулярних списків та діловодної документації магістратів і повітових судів. У роботі застосовано системний та компаративний підходи, що уможливило реконструкцію соціологічного портрета виборних і призначуваних службовців магістратів та порівняльну характеристику магістратської і уїздно-судової систем кадрового забезпечення. **Наукова новизна** полягає у комплексному історико-правовому аналізі правового статусу, механізмів комплектування, конфесійного балансу та соціальних характеристик кадрового корпусу магістратів на підставі нормативно-правових актів і формулярних списків, що дає змогу осмислити магістрати як інструмент імперської інтеграції міського населення та конфесійної політики, а також з'ясувати причини їх ліквідації напередодні Судової реформи 1864 р. **Висновки.** Дослідження засвідчує, що магістрати функціонували як гібридні інституції з формальним самоврядуванням і реальним адміністративним контролем через затвердження виборних посадовців та призначення секретарів. Кадрова політика базувалася на конфесійному балансі (християни-юдеї) з цілеспрямованим залученням православних міщан та дуалістичній структурі (виборні безоплатні посадовці з міщан і купців та призначувані оплачувані секретарі й канцеляристи з дворянства). Аналіз формулярних списків виявив обмежену освіту, відсутність майна, практичний досвід та низьке жалування канцеляристів. Системні проблеми (обмеженість кадрового резерву, непрофесіоналізм, бюрократичні процедури, недофінансування, корупція) та порівняння з уїздними судами засвідчили неефективність магістратської моделі.

Ключові слова: магістрати, Правобережна Україна, Волинська губернія, кадровий склад, конфесійний баланс, міщани, юдеї, станове судочинство, дореформене правосуддя.

Relevance of the research topic. The incorporation of the territories of the Polish-Lithuanian Commonwealth into the Russian Empire at the end of the 18th century, along with the acquisition of new lands and populations, presented significant challenges for imperial administration. Fulfilling the regime's primary objectives—ensuring loyalty, securing taxes, and levying recruits—required flexibility and prudence from the central authority. At the same time, the supreme administration faced a series of complex problems related to the social structure of these newly annexed territories: the numerous Polish *szlachta* (nobility), who claimed high status despite lacking landownership and rarely seeking military or civil service; the Jewish population of cities and towns (*shtetls*), who possessed their own system of internal self-government and religious organization; and the Ukrainian Uniates (Greek Catholics), who were subjected to policies aimed at converting them to Orthodoxy and securing their allegiance to the state.

A fundamental challenge for the imperial authorities was building an effective system of municipal administration, given that some towns were privately owned while others had transitioned to state property. The initial step toward regional integration was Catherine II's implementation of the

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"Institutions for the Administration of the Provinces of the Russian Empire" (*Uchrezhdeniia dlia upravleniia gubernii Vserossiiskoi imperii*, 1775) in the newly acquired Right-Bank territories. Subsequent policy shifts along the western border occurred during the reigns of Paul I and Alexander I. To establish control over a socio-ethnically complex region, certain elements of the former Commonwealth's judicial system were restored under the supervision of provincial administrations and main courts—a period often characterized as "legal autonomy." In cities where feasible, magistrates and municipal councils (*ratushas*) were established, incorporating elected representatives from both Christian and Jewish communities alongside chancery staff composed of nobles.

Following the November Uprising of 1830–1831, the central authorities, seeking to limit the influence of the local Polish elite due to a profound loss of trust, initiated a policy aimed at unifying regional institutions with their all-imperial counterparts. However, this shift raised key dilemmas: what was to be done with local *meshchane* (townspeople) who had demonstrated loyalty to the regime? How could the functioning of magistrates and municipal councils be ensured when the key officials and clerks were local nobles? We will attempt to answer these and related questions in our study.

Analysis of recent research and publications. The issue of staffing the magistrates and municipal councils of the right-bank provinces from the November Uprising of 1830–1831 to the Judicial Reform of 1864 has not been the subject of separate studies. The reasons for this include: the interdisciplinary nature of the topic, which lies at the intersection of history, jurisprudence, political science, sociology, and psychology; the laboriousness of working with archival materials and the poor state of preservation of the files (in the surviving documentation of magistrates and municipal councils of the Volyn Province in the archives, form lists (service records) did not accumulate as a corpus, unlike those of individual district courts of this period); the complexity of understanding imperial policy on the periphery; and the absence of mentions of magistrates and municipal councils in the imperial "Address-Calendars...", which contained information on the personnel composition of all provincial and district institutions for the following year. At the same time, it is worth focusing on individual studies that allow us to understand the policy of the supreme power and local administrators in Right-Bank Ukraine.

Among pre-revolutionary researchers who thoroughly studied the evolution of urban life in the Russian Empire, I. Dityatin (1847–1892) should be mentioned first and foremost. The researcher proved that after the reform of 1775, magistrates were transformed from judicial-administrative institutions primarily into judicial bodies of an estate-based nature, whose jurisdiction extended only to merchants and *meshchane*, and whose officials were perceived by the authorities not as representatives of the urban community, but as government officials. He also showed that Paul I, considering elected officials unfit, abolished the magistrates in 1800, creating city administrations in their place; however, Alexander I partially restored Catherine's system of urban administration (Dityatin, 1875, pp. 393–396, 398; Dityatin, 1877, pp. 116–118, 126–127, 132). At the same time, I. Dityatin argued that Jews of the Western region did not belong to the merchants and artisans and were not part of the "urban community" until 1835 (Dityatin, 1877, p. 146). This assertion, however, contradicts sources that record the election of Jews as aldermen (*ratmans*) to the magistrates. I. Kamanin analyzed the shortcomings of the administration of Kyiv under Magdeburg Law until its abolition in 1835, focusing on the abuses of elected magistrate officials, which led to their suspension from office in 1834 and placement under investigation (Kamanin, 1877, pp. 1–3). A number of researchers criticized the pre-reform judicial institutions, seeking to demonstrate the advantages of the Judicial Reform of 1864. In particular, G. Dzhanishiev emphasized the decline in the authority of judges in the previous period, when the administration dominated the courts unhindered. Calling the court "venal and thoroughly rotten," he characterized the employees as uneducated "petty clerks" (*podyachie*) and criticized the secretaries and judges for corruption (Dzhanishiev, 1891, pp. 6, 11, 14, 20).

Soviet researchers interpreted the judiciary through the prism of a "class approach," viewing it exclusively as an instrument for the domination of the exploiting classes and the suppression of the popular masses. I. Emelianova, from the standpoint of "class expediency," criticized the work of the Senate for the possibility of appealing its decisions and the complicated procedure for their annulment, as well as for the lack of legislative codification, which, together with bribery, fraud, and abuse, turned the judicial system into an instrument for the exploitation of the popular masses (Emelianova, 1962, p. 23). A. Dubrovina, characterizing the judicial system in the Ukrainian provinces of the Russian Empire, defined it as a tool of the "dictatorship of the nobility," evidenced by the "inquisitorial" nature of the process, the system of formal evidence, and the noble composition of the judges. The researcher also condemned the subordination of the courts to the governor and the provincial board, judicial delays, and corruption, which led to the consideration of cases depending on the clerical apparatus rather than the judges (Dubrovina, 1966, pp. 77, 82–86). N. Efremova, continuing the tradition of Soviet historiography, argued that the Ministry of Justice in 1802–1861 served as an instrument for strengthening the autocracy, and the judicial system before the 1864 reform, lacking unity and

represented mainly by estate-based courts, was effectively an appendage of the administration with cumbersome paperwork, the absence of advocacy, and the formal role of the prosecutor's office (Efremova, 1983).

The changes of the post-Soviet period made it possible to move away from the "class approach" and, with a striving for objectivity and impartiality, to study the judicial system in the context of modernization processes, institutional development, and the everyday practices of the functioning of magistrates in the second third of the 19th century.

The establishment of magistrates and municipal councils and the formation of their personnel structures in the right-bank provinces at the end of the 18th and in the first third of the 19th century are reflected in previous studies by one of the authors. Contrary to the Polish-Lithuanian Commonwealth tradition, the judicial reforms of Catherine II and Paul I in the Right-Bank region took into account its socio-ethnic structure, involving elected representatives from local communities, which was a response to the townspeople's demands for fair justice (Shevchuk, 2022, p. 158). Trying to reconcile its own interests with the aspirations of various population groups, the imperial authorities, while introducing the magistrate system and allowing Jews to hold elected offices, navigated between the local administration, the Polish elite, and the merchants and meshchane, seeking to minimize social tension (Shevchuk, 2021). In a study of the personnel composition of district courts, A. Shevchuk and O. Melnychuk showed that these institutions in Right-Bank Ukraine acted not only as judicial but also as administrative-integrative bodies with a personnel policy that combined elected representatives of the local elite with appointed crown officials. An analysis of the form lists revealed the dominance of individuals from the nobility with experience in civil service, indicating the gradual bureaucratization of the judicial system and the restriction of the autonomy of elected judicial institutions in favor of the imperial administration (Shevchuk & Melnychuk, 2026).

V. Shandra, investigating the problems of the organization of power in the cities of the South-Western region, focuses on the institutionalization of the work of magistrates and city dumas and positively assesses the involvement of Jews in elected offices. Characterizing the service, she notes its shortcomings: bureaucratization, the reluctance of influential townspeople to serve, and numerous corruption violations (Shandra, 2019, pp. 48–60). Examining the role and place of socio-historical forms of self-government in Ukrainian cities – guild, craft, and burgher councils – the researcher emphasizes their acquisition of new tasks from the state and the performance by elected institutions of tax collection and social protection functions for the townspeople, while also stressing that the lack of payment for elected positions was accompanied by corruption (Shandra, 2016, pp. 267–271).

O. Karlina, characterizing the conflict between the traditions of urban self-government and the introduced imperial norms at the end of the 18th and in the first decades of the 19th century, draws attention to the change in the status of Jews, who moved from the jurisdiction of the land (grod) courts (the noble judicial institutions of the Polish-Lithuanian Commonwealth) or kahal courts¹ to the magistrate, where they could be elected to official positions (Karlina, 2007, p. 281). F. Khadadova, focusing on the analysis of the activities of Volyn magistrates as judicial institutions, negatively assessed the parallel existence of Polish and Russian legislation and the use of the Polish language in judicial proceedings, which led to delays in cases. Using the example of the Zhytomyr Magistrate, the researcher showed the main directions of its work and the specifics of its interaction with the police, the imperial orphan's court, and the bodies of the provincial board. The researcher saw the main problems in the functioning of magistrates as the lack of qualified personnel, the inconsistency of legal norms, the language issue, and the inefficient system of distribution of competencies between judicial bodies (Khadadova, 2013; Khadadova, 2014).

Y. Petrovsky-Shtern believes that the legal status of Jews improved compared to the 18th century. The Russian Empire judged useful and loyal Jewish merchants and meshchane more objectively than "...Catholic Poles with their dreams of past glory or rebellious Ukrainian peasants." According to the researcher's observations, the empire gave Jewish offenders faith in the judicial system, which was absent both in the times of the Polish-Lithuanian Commonwealth and in the later xenophobic era (Petrovsky-Shtern, 2019, pp. 184, 187).

A separate category of research comprises works devoted to the comprehensive study of the judicial system in the second third of the 19th century, which analyze its institutional structure, staffing, interaction with administrative bodies, everyday judicial practices, and the place of judicial institutions in the modernization process of the Russian Empire. O. Moriakova, studying the judicial system under Nicholas I, analyzed the activities of the chambers of criminal and civil courts, district courts, and attempts to reform the judicial department, concluding its subordination to the administration, an excessive number of instances, low material support, unprofessionalism of personnel, and the inexpediency of elections in estate-based courts. Based on sources with vivid examples from everyday

¹ A kahal court was an intra-communal Jewish court that heard civil, property, and minor criminal cases between Jews in accordance with Jewish law and local customs, without the intervention of state justice.

life, the researcher proved that by the time of Alexander II's ascension to the throne, the judicial system was completely discredited and required a radical replacement (Moriakova, 1998, pp. 131–132).

V. Diatlov, studying the corps of officials in Penza and Saratov provinces, established a change in its estate composition: while at the beginning of the 19th century hereditary nobles constituted 39.4%, clergy – 19%, peasantry – 10.2%, by 1855 the share of nobles had increased to 43.6%, clergy – to 20.2%, children of chief officers (ober-officers) – to 19.9%, while the share of peasants decreased to 4.8%, and urban inhabitants – to 2.9% (Diatlov, 2012, p. 602). R. Sarazhina, analyzing the judicial system of Western Siberia, showed that to provide judicial bodies with qualified personnel, the authorities initially attracted officials from the central provinces through benefits (at the end of the 18th – beginning of the 19th century), and later established educational institutions (from the 1820s); however, the educational strategy did not yield quick results due to the precedence of practical experience over legal knowledge (Sarazhina, 2011, pp. 21–23).

R. Wortman concluded that in the first half of the 19th century, the judicial system of the Russian Empire was in a state of crisis due to insufficient funding and a lack of personnel (10 times less than in France), and judicial positions were distributed to nobles as rewards for military service, as a result of which the actual work was performed by clerical employees who protected the interests of the elite and landowners. Nicholas I, trying to remedy the situation, placed his hopes on attracting educated officials with moral qualities to the judicial system, who, under enhanced supervision from the center, were to ensure the lawful functioning of government institutions; however, this strategy did not change the essence of the system, which was oriented towards protecting administrative interests (Wortman, 2004, pp. 96, 121–122, 404–411).

Researchers of the incorporation of the Right-Bank region into the Russian Empire – M. Dolbilov (Dolbilov, 2010, p. 18), L. Gorizontov (Gorizontov, 1999, pp. 7–8), A. Kappeler (Kappeler, 2005, pp. 67–68, 70), T. Snyder (Snyder, 2012, p. 151) – although they did not specifically study the judiciary, emphasized its important role in a flexible imperial policy aimed at finding a *modus vivendi* with the local elite, which was unwilling to accept the loss of statehood.

Despite the significant contributions of researchers of the judicial system of the Russian Empire, the issue of the personnel composition of the magistrates of the Volyn province in the second third of the 19th century remains insufficiently studied and requires a special comprehensive investigation.

The purpose of the article is to study the staffing of magistrates in the Volyn province in 1831–1864 in the context of the imperial policy of unification and centralization of judicial power, which involves an analysis of the legal status, appointment mechanisms, social origin, and religious affiliation of elected and appointed officials, as well as elucidating the reasons for the failure of the magistrate model of estate-based justice.

Main material presentation. *Evolution of the magistrate system in the cities of Right-Bank Ukraine.* After the incorporation of the right-bank territories at the end of the 18th century, the imperial authorities were acutely confronted with the problem of administering the newly annexed region. Military presence ensured the obedience of the local *szlachta*, but the situation with the urban population required a more balanced approach. Unlike the serf peasantry, the *meshchane* of the Polish-Lithuanian Commonwealth were not disenfranchised: they possessed certain corporate privileges, although they did not enjoy the advantages of the *szlachta*'s noble democracy. Particularly complex was the issue of the legal status of the numerous Jewish population in cities and towns, which expected the new authorities to provide a clear definition of their rights and obligations.

During the times of the Polish-Lithuanian Commonwealth, in the royal cities of Right-Bank Ukraine, magistrates operated that heard civil cases and managed the municipal police, performing administrative and judicial functions. Criminal cases, particularly those involving death sentences, fell under the jurisdiction of the *voit's* courts (*vaitivski sudy*). The financing of magistrate members was provided from the revenues of various urban trades and collections. The jurisdiction of magistrates extended only to Christians, while the Jewish population, in serious matters, was subject to the *grod* (castle) courts and land courts, and in minor matters – to the *kahal* court. In privately owned cities, judicial institutions were completely dependent on magnates and the *szlachta* (Shevchuk, 2022, pp. 133–134).

Under the reign of Catherine II, in 1796, an estate-based judicial system was introduced in the right-bank provinces in accordance with the Institutions of 1775. The lowest judicial instance in cities became magistrates, and in towns – municipal councils. The composition of a magistrate included two burgomasters (Class XII) and four aldermen (Class XIII), while a municipal council consisted of a burgomaster (Class XIII) and two aldermen (Class XIV), whom the urban community elected for a three-year term with the possibility of re-election. The appellate instance for magistrates and municipal councils was the provincial magistrate (PSZRI-1, vol. 20 (1775–1780), No. 14392), and the revision and appellate instance for it was the provincial chambers of criminal and civil court. The highest instance remained the Senate (Shevchuk, 2022, p. 143).

The introduction of the magistrate system in Volyn took place in the autumn of 1796: on September 12, magistrates were opened in Novohrad-Volynskiy, Zhytomyr, Ovruch, Lutsk, Volodymyr-Volynskiy, Kovel, and Radomyshl (at that time – within the Volyn province) (Shevchuk, 2022, p. 145). This was an important step in the formation of a unified legal system of the region, although the complete integration of the right-bank cities into the imperial judicial hierarchy stretched over several decades.

Paul I pursued a multi-vector policy, one instrument of which was the formation of magistrates based on the model of Polish-Lithuanian Commonwealth traditions to gain the support of the urban population. The involvement of Jews in the activities of these institutions, despite the resistance of the local administration, contributed to the formation of their loyalty to the imperial authorities. At the same time, leadership positions in the magistrates were retained for Christian elected members, which was intended to prevent the dominance of the Jewish community in judicial matters. Navigating between the interests of the local administration, the regional elite, and the urban population, the imperial authorities gradually integrated various social groups into the Russian administrative space, while simultaneously building an effective system of financial, administrative, and judicial control at the local level (Shevchuk, 2021, p. 180).

In the Volyn province during the period of "legal autonomy" (1797–1831), the following functioned: the Volodymyr-Volynskiy, Zhytomyr, Kovel, Kremenets, Lutsk, and Ovruch magistrates, and the Olyka municipal council. In Novohrad-Volynskiy, the system according to the Institutions of 1775 was retained – here a city дума and a magistrate were established, which handled judicial matters and whose composition included two burgomasters and two aldermen each from Christians and Jews (Shevchuk, 2022, p. 149).

The composition of magistrates was formed according to a unified yet flexible model with a clear confessional balance. In Zhytomyr, a president from among Christians, seven Christian council members (radni), and four council members from among Jews were elected. In Ovruch, there functioned one Christian burgomaster, five Christian council members, and three council members from among Jews. In Kremenets, Lutsk, Volodymyr-Volynskiy, and Kovel, a president from among Christians, seven Christian council members, and four council members from among Jews were elected. In Olyka, the municipal council consisted of one burgomaster and three council members (Shevchuk, 2022, p. 149).

At the same time, a significant portion of the district centers of Volyn remained outside the operation of the magistrate system. Throughout the entire 19th century, until 1917, such cities as Rivne, Dubno, Zaslav, Ostroh, Starokostiantyniv, and Berdychiv were in the ownership of magnates, who retained the right to own land, collect taxes from trades and commerce, as well as the propination privilege – the monopoly on the production and sale of alcoholic beverages (Pryshchepa, 2002). As of 1857, after the liquidation of the Zhytomyr magistrate and the creation of the Dubno magistrate (possibly in 1806), the following functioned in Volyn: magistrates in Ovruch, Novohrad-Volynskiy, Dubno, Lutsk, Kremenets, Kovel, Volodymyr-Volynskiy, and the municipal council in the town of Olyka¹ (DAZhO, f. 9, op. 1 dod., d. 276, p. 143v.–144).

The territorial jurisdiction of certain magistrates is indicative. The jurisdiction of the Novohrad-Volynskiy magistrate additionally extended to the merchants and meshchane of Starokostiantyniv (distance from Novohrad-Volynskiy – 130–140 km), Zaslav (120–130 km), Ostroh (100–110 km), and Rivne (98 km) (Shevchuk, 2021, p. 175). This indicates a significant shortage of judicial institutions in the region and the difficulty of communications between the magistrate and the subordinate towns, which negatively affected the efficiency of judicial proceedings.

A key role in the activities of magistrates was played by secretaries, who ensured document flow and the legal substantiation of court decisions, supervised lower-ranking clerks (kantseliaristy), and, given the personnel shortage and the particular importance of this position, were effectively appointed by the provincial board rather than elected by the urban community. This made secretaries key figures in the system of magistrate justice and a channel through which the provincial administration influenced court decisions. The corps of rank-and-file officials and clerks was formed primarily from the local szlachta, who, through service, obtained class ranks and legitimized themselves within the imperial legal environment, while simultaneously providing the magistrates with personnel familiar with local customs and language (Shevchuk, 2022, pp. 282–283).

Institutionalization. Legal regulation of the activities of magistrates in the western provinces was based on a combination of general imperial norms and special regional acts, adopted after the annexation of the Right-Bank region and particularly intensified after 1831, which ensured the formal preservation of urban self-government under conditions of enhanced administrative control. The

¹ These magistrates were officially established according to the "Polish-Lithuanian Commonwealth" judicial tradition, but in fact, Governor-General A. Bekleshov built a system of controlled institutions through the provincial main courts and provincial boards.

November Uprising of 1830–1831 radically changed the policy of the supreme authorities towards strengthening control by administrative bodies and reducing the influence of the local szlachta, which had lost the confidence of St. Petersburg. At the same time, the urban population, having demonstrated loyalty during the uprising, managed to retain the favor of the supreme authorities, which opened opportunities for the continued functioning of the magistrate system.

The first attention to the personnel composition of magistrates and municipal councils occurred in January 1831. A Senate decree regulated the issue of tenure of secretaries in their positions¹. Whereas previously institutions independently selected candidates for this position and even meshchane were admitted, now it was ordered to form the corps of secretaries exclusively from representatives of those categories that were permitted to enter civil service (individuals from the nobility, clergy, chief officers (ober-officers), etc.) (PSZRI-2, vol. 6 (1830), pt. 1, No. 4263). In July 1831, the supreme authorities, introducing unified reports during the auditing by civil governors of subordinate offices (prisutstviia) and the state of affairs, paid special attention to the state of record-keeping and reporting in magistrates and municipal councils, the number of unresolved cases, especially those involving detainees and for the recovery of funds (PSZRI-2, vol. 6 (1830), pt. 1, No. 4689).

The mechanism for creating new magistrate institutions in the western provinces can be traced using the example of Podillia. In 1832, the meshchane of the town of Olhopil, F. Prokofiev and D. Dolhopolov, petitioned for the opening of a municipal council in their town and for exemption from payment for the use of urban land. The Kyiv governor-general, the Ministry of Internal Affairs, and the Committee of Ministers were involved in resolving the issue, and the final decision was made by the emperor, who permitted the establishment of a municipal council at the expense of local Christians and Jews and ordered the transfer of all cases to it from the Balta magistrate (distance — 36.7 km). However, the petition for the abolition of the land tax was denied (PSZRI-2, vol. 7 (1832), No. 5373). This case demonstrates the complexity of bureaucratic procedures for creating new judicial institutions and the limited financial capabilities of meshchane communities, which had to maintain municipal councils at their own expense – a situation typical for the entire South-Western region, including Volyn.

The policy of unifying the titles of magistrate officials in the western provinces continued: from 1837, the presidents of the Zhytomyr and Balta magistrates were renamed burgomasters (Shandra, 2019, pp. 55–56; PSZRI-2, vol. 12 (1837), No. 10574), and other elected members – the radni – were renamed ratmans (PSZRI-2, vol. 12 (1837), No. 10574). This corresponded to the general imperial terminology established by the Institutions of 1775 and completed the departure from the Polish-Lithuanian Commonwealth nomenclature of offices.

Simultaneously, official staff positions (shtaty) and monetary allowances for magistrates were determined. For Kamianets-Podilskyi and Zhytomyr, the following allowance was established: secretaries – 600 rubles each, clerical employees – a total of 800 rubles, and for office expenses and maintenance of a watchman – 500 rubles. For the district town of Balta, the amounts were somewhat lower: secretary and clerks – 500 rubles each, office expenses and maintenance of a watchman – 300 rubles (PSZRI-2, vol. 12 (1837), pt. 2: States and Tables, p. 219). The introduction of fixed staff positions was intended to prevent arbitrariness in determining salaries and to ensure stable funding for magistrates, although in practice these amounts remained insufficient for attracting qualified personnel.

In 1838, the State Council of the Russian Empire attempted to regulate the activities of urban institutions in the border provinces of Podillia and Volyn². This issue was initiated by the former Kyiv governor-general, Count A. Guriev. Cities were divided into four categories depending on their financial capabilities and administrative status.

The *first* category included cities with sufficient revenues for full-fledged self-government. In the cities of Vinnytsia and Mohyliv in Podillia province, and in Novohrad-Volynskyi in Volyn province, it was ordered to immediately open city dumas (municipal representative bodies) (although in Novohrad-Volynskyi a дума had existed since the end of the 18th century – Author's note), summary courts (slovesni sudy), and to introduce the positions of city elders (starosty) due to the availability of sufficient funds, as well as to transfer the relevant cases from the magistrates to the dumas. The *second* category encompassed cities with limited capabilities. For Proskuriv, Lityn, and the non-district (zashtatni) towns³ of Khmilnyk and Bar in Podillia province, as well as Lutsk, Kremenets, and

¹ It should be noted that as early as 1827, it was determined that secretaries for magistrates were appointed by provincial boards, but their salaries were to be paid by the merchants and meshchane (PSZRI-2, vol. 2 (1827), No. 1091).

² This regulation did not apply to the provincial centers – Kamianets-Podilskyi and Zhytomyr, nor to the district towns – Balta and Bratslav, for which separate staff positions (shtaty) were in effect.

³ Non-district (zashtatnye) cities were considered those that did not perform the functions of district centers and were outside the official staff roster (shtatnoe raspisanie) of district institutions, while retaining their status as

Volodymyr-Volynskyi in Volyn province, it was envisaged to create summary courts and introduce the positions of elders, postponing the opening of city dumas for two years until the necessary funds accumulated. The *third* category included cities where magistrates were retained due to lack of funds for full-fledged self-government. In the cities of Podillia province – Letychiv, Haisyn, Olhopil, and Nova Ushytsia, as well as in Volyn province – Ovruch, Kovel, Rivne, and Ostroh – it was decided to leave the magistrates and seek new sources of revenue for the future maintenance of other urban self-government bodies. The *fourth* category – the least prosperous cities of Podillia province: Yampil and Salnytsia, as well as of Volyn province: Starokostiantyniv, Zaslav, and Dubno – due to the lack of sufficient revenues, were left without magistrates altogether (PSZRI-2, vol. 13 (1838), No. 10892) (in Dubno, a magistrate had been established in 1806 – Author's note) and were subject to the jurisdiction of magistrates of other cities. This gradation demonstrates the pragmatic approach of the imperial administration to reforming urban governance, where the financial capabilities of urban communities determined the scope of their self-government.

The practice of forming the personnel composition of magistrates remained unchanged in subsequent years. When a municipal council was established in the district town of Uman in 1839, two-thirds of its positions were appointed for Christians and the remainder for Jews (PSZRI-2, vol. 14 (1839), pt. 1, No. 13038). However, in 1840, according to the staff roster of this municipal council, the elected burgomaster and one alderman each from Christians and Jews received no salary. The following remuneration rates were established (in silver rubles per year): secretary (345 rubles), protocolist-archivist (170 rubles), two chancellery department heads (stolonachalniki) (170 rubles each), and three clerks (75 rubles each). Separately, 100 rubles were allocated for office expenses and lighting, 20 rubles for heating, and 10 rubles each for two watchmen. For the maintenance of the municipal council chancelleries, a special tax on Jews was introduced, which was replaced by a general municipal tax only on November 19, 1851 (Shandra, 2019, p. 58; PSZRI-2, vol. 15 (1840), pt. 2: Shtaty i tabeli, p. 178; PSZRI-2, vol. 26 (1851), pt. 2, No. 25756). This demonstrates a situation typical for magistrates: elected members served without pay, while the main expenditures were directed toward maintaining the clerical apparatus, which actually ensured the functioning of the institution.

The maintenance of magistrates placed a burden on municipal budgets not only through current expenditures on salaries and offices but also through pension payments to former officials. Illustrative is the case of provincial secretary Hrinkovsky, a chancellery department head of the Kyiv magistrate, who was granted a pension of 57 rubles 15 kopeks in silver per year from the revenues of the city of Kyiv. The decision on the pension was made in 1856, with payment from June 6, 1851 (DAZhO, f. 9, op. 1 dod., d. 12, p. 1), which meant the necessity of paying arrears for five years. Such practice additionally burdened the already limited financial capabilities of urban communities.

The accumulated problems of the Zhytomyr Magistrate – violations of procedural norms by clerks without class ranks, judicial delays, corruption, and general inefficiency – led to a loss of confidence on the part of both the meshchane and the provincial administration and the supreme authorities. On September 16, 1849, the Zhytomyr Magistrate was abolished, and all criminal and civil cases were transferred to the Zhytomyr District Court (PSZRI-2, vol. 24 (1849), pt. 2, No. 23503). This decision demonstrated the failure of the attempt to combine estate-based self-government with effective judicial proceedings: the electivity of officials did not compensate for the lack of professional knowledge, and the lack of payment for service stimulated corrupt practices. The abolition of the magistrate in the provincial center signified the beginning of a gradual abandonment of the estate-based system of urban justice in favor of unified district courts.

Large volumes of reporting and correspondence provoked resistance from the secretaries of district courts and magistrates, who sought to reduce the bureaucratic burden. In 1856, an order from the Volyn Provincial Board was received by magistrates regarding the mandatory submission of data on the progress of cases to the district stryapchy (procuratorial official). The basis for this order was the refusal of the Lutsk judicial offices (prisutstviia) to submit such data, motivated by the fact that they already submitted it to the provincial board, and that according to § 86 of the Digest of Regulations of the Ministry of Internal Affairs, record-keeping and correspondence were to be reduced. However, the Volyn Provincial Board categorically ordered that this data be submitted to the district stryapchy, who were to submit it to the provincial prosecutor, and he, in turn, to the Ministry of Justice (DAZhO, f. 9, op. 1 dod., d. 276, p. 3). This conflict vividly demonstrates the contradiction between the authorities' desire to strengthen control through a multi-level reporting system and the actual capabilities of local institutions, burdened by a shortage of personnel and excessive paperwork.

Personnel Composition of the Zhytomyr Magistrate. For a deeper understanding of the staffing peculiarities of the magistrates of the Volyn province, it is advisable to analyze the personnel

urban settlements with a limited composition of self-government bodies. In addition to the mentioned Khmilnyk and Bar, the town of Salnytsia was also a non-district settlement.

composition of the Zhytomyr Magistrate – the largest judicial institution of this type in Volyn and the provincial center, which concentrated the most qualified personnel. The form lists of officials for 1842–1847, preserved in the fond of the institution, constitute the most complete corpus of such documents for the magistrates of the Right-Bank region and allow for the reconstruction of a collective portrait of the employees: their social origin, education, career trajectories, and the specific features of the formation of the personnel corps of estate-based judicial institutions in the western provinces.

Secretary, Titular Councillor Vikentii Sanotskyi (b. 1802), Roman Catholic, originated from the nobility (szlachta), owned no real estate. He graduated from the Liubar District School. He began his civil service in 1819 in the criminal department of the Volyn Main Court. In 1822, he received the rank of Collegiate Registrar and was appointed chancellery department head; in 1824 – Provincial Secretary; in 1828 – Collegiate Secretary; in 1832 – Titular Councillor. After the closure of the temporary criminal department, where he served as secretary, in 1835 he was transferred to the Ovruch Land Court to the same position. The same year, he was dismissed and transferred to the Volyn Provincial Board. From 1839, he served as secretary of the Zhytomyr Magistrate. He was married to a noblewoman (szlachcianka) and had three underage sons and two daughters, all Roman Catholic. In July 1842, he was dismissed from his position (DAZhO, f. 3, op. 1, d. 112, p. 33–33v., 48–48v.).

Collegiate Secretary Juzef Aleksandrovsky, who had been in civil service since 1811 and from 1836 to 1840 served in the Volyn State Chamber (Kazenna Palata), applied to fill the vacancy of secretary. However, in October 1842, the Volyn Provincial Board prohibited the candidate from occupying this position because in 1826 he had been under trial for the untimely transfer of 5,000 rubles in silver from the sale of state property. Although several months later he was released from responsibility by the temporary criminal department of the Volyn Main Court in accordance with the Manifesto of April 22, 1826, the pardon did not signify acquittal. Aleksandrovsky submitted a certificate with explanations that after 1826 he had continued his civil service in the Volyn Main Court and as secretary of the hospital directorate at the main headquarters of the 2nd Active Army, where he received the rank of Collegiate Secretary (Class X) and a half-year salary for participation in the Turkish War. This gave grounds for the provincial board to reconsider its decision and approve Aleksandrovsky's appointment as secretary of the Zhytomyr Magistrate, with subsequent administration of the oath of office. In 1845, Titular Councillor Aleksandrovsky was dismissed from his position due to negligence in service (unspecified) for appointment to other matters. In his place, Kozlovych, Provincial Secretary and chancellery department head of the Volyn Nobility Deputy Assembly, was appointed (DAZhO, f. 3, op. 1, d. 112, p. 50).

Secretary, Provincial Secretary Erasmus Kozlovych (b. 1813), Roman Catholic, originated from the nobility confirmed by the Heraldry (Geroldiia), owned no immovable property. He graduated from the Mezhyrich Gymnasium. He began his civil service in 1832 in the Volyn Provincial Board with the rank of clerk. A year later, he was transferred to the Volyn Provincial Construction Commission, where he repeatedly served as acting secretary. In 1834, he received the rank of Collegiate Registrar. In 1837, he was transferred to the Volyn Board of Public Welfare (Prikaz Obshchestvennogo Prizreniia); the following year, he was approved as chancellery department head (stolonachalnyk). In 1838, he received the rank of Provincial Secretary, and in 1840, he was appointed secretary of the Board, but six months later he was dismissed from the position. In 1841, he was appointed chancellery department head to the Volyn Nobility Deputy Assembly. On September 10, 1845, on the proposal of the Civil Governor, he was appointed secretary of the Zhytomyr Magistrate. Unmarried. In January 1846, he submitted his resignation due to "chest illness" (DAZhO, f. 3, op. 1, d. 112, pp. 51–53, 78).

For his position, clerk of the Zhytomyr District Court, Vikentii Milanskyi (b. 1826), Roman Catholic, originated from the nobility not yet confirmed by the Heraldry, owned no immovable property, applied. He graduated from the Makhnivka District School. However, as of November 1846, he was in the magistrate in the position of clerk (pysar) of the 3rd category (DAZhO, f. 3, op. 1, d. 112, pp. 86–86v., 128–129).

In the administrative records of the Zhytomyr Magistrate, a substantial body of form lists of elected members and clerks for 1847 has been preserved. The presiding burgomaster, O. Dontsov (b. 1815), Orthodox, originated from the meshchane and owned a wooden house inherited from his family. He was the son of a council member (radnyi) of the Zhytomyr Magistrate (1822). He was specifically prepared for a career in judicial institutions. After the closure of the Zhytomyr District School in 1831, he began private practice at the Zhytomyr Land Court, where he copied case files. Owing to his abilities, in 1840 he was appointed acting clerk in charge of paperwork for the district police officer (spravnyk). In 1844 he was elected burgomaster and on January 30, 1845 was approved in office by the Volyn Provincial Board. In 1847 he was elected presiding burgomaster. He was married and had no children. As of 1850, he served as an assessor of the Zhytomyr District Court (DAZhO, f. 3, op. 1, d. 160, pp. 3–4; Shevchuk, 2022, pp. 224–225). Burgomaster Martyn Dorozhynskyi (b. 1796), Roman Catholic, originated from merchants of the third guild and owned no

immovable property. His education, prior service, and year of election are not specified, although his approval in office by the Volyn Provincial Board is recorded. He was married and had four sons and two daughters, all Roman Catholics (DAZhO, f. 3, op. 1, d. 160, pp. 5–6; Shevchuk, 2022, p. 225).

The corps of aldermen was formed from two Christians and two Jews, elected in 1847 and approved in their positions by the Volyn Provincial Board. Notably, both Christians were Orthodox, not Roman Catholics, although the latter constituted the majority of the urban Christian population of Zhytomyr. This indicates a deliberate involvement of Orthodox meshchane in the composition of the magistrate. P. Bialkovskiy (b. 1808), Orthodox, originated from the meshchane, owned a purchased wooden house. He graduated from the Zhytomyr District School. He was married and had a daughter; the family was Orthodox (DAZhO, f. 3, op. 1, d. 160, pp. 7–8). A. Khromchenko (b. 1819), Orthodox, originated from the meshchane, owned a hereditary wooden house and a vacant plot of land, received jointly with his wife as a gift. Education is not indicated. He was married and had no children (DAZhO, f. 3, op. 1, d. 160, pp. 9–10). H. Raikh (b. 1802), Jew, originated from merchants of the third guild, owned a hereditary wooden house. Education is not indicated. He was married and had two sons and two daughters, all Jews (DAZhO, f. 3, op. 1, d. 160, pp. 11–12). N. Itseor (b. 1814), Jew, originated from the meshchane, owned a hereditary wooden house and a purchased wooden house in Berdychiv. Education is not indicated. He was married and had no children (DAZhO, f. 3, op. 1, d. 160, pp. 13–14).

Secretary S. Moshynskiy (b. 1820), Roman Catholic, originated from the nobility of Volyn province, owned no immovable property. He had no class rank. Salary – 168 silver rubles per year. He began his civil service in 1839 as a clerk of the lower category in the Volyn Provincial Board. After 4 months, he was transferred as a clerk of the middle category to the Starokostiantyniv Land Court; the following year, he was transferred to the affairs of the police officer (pristav) of the same district. In 1845, at his personal request, he was dismissed and placed in the reserve for a police position, and was seconded to the governor's chancellery. Three months later, he was appointed secretary of the Novohrad-Volynskiy Magistrate. On February 16, 1848, by order of the Provincial Board, he was transferred to the same position in the Zhytomyr Magistrate. He was married to a noblewoman and had no children (DAZhO, f. 3, op. 1, d. 160, pp. 15–16). Clerk of the 2nd category, F. Yanovskiy (b. 1822), Orthodox, originated from the nobility of Volyn province, owned no immovable property. He had no class rank. Salary – 70 silver rubles per year. He did not study in educational institutions and had no certificate. He began his civil service in 1845 in the Zhytomyr Magistrate (DAZhO, f. 3, op. 1, d. 160, pp. 17–18, 29–30).

Personnel Composition of the Novohrad-Volynskiy Magistrate. The personnel composition of the Novohrad-Volynskiy Magistrate, which functioned according to a model unique for the Volyn province, requires separate examination. Unlike other district towns, where magistrates were established according to the "Polish-Lithuanian Commonwealth" tradition, in Novohrad-Volynskiy a system operated from 1796 that provided for the parallel functioning of a city дума (administrative and economic functions) and a magistrate (judicial matters). As of 1847, the composition of the Novohrad-Volynskiy Magistrate included two burgomasters and six aldermen (four from Christians, two from Jews), approved by the Volyn Provincial Board, although according to the Institutions of 1775, four aldermen were envisaged (PSZRI-1, vol. 20 (1775–1780), No. 14392). The involvement of Jews was implemented by A. Bekleshov, who established a proportion of Christians to Jews of 2:1 (Shevchuk, 2022, p. 152).

Burgomaster Ye. Kucherevskiy (b. 1797), Orthodox, released from the meshchane estate, owned a purchased wooden house with an outbuilding (fligel) in Novohrad-Volynskiy. In 1816, he was appointed by the Volyn governor as superintendent of the Novohrad-Volynskiy City Hospital, which entailed exercising administrative and economic control over the institution's activities; he held the position for six years. In 1822, he was elected alderman of the Novohrad-Volynskiy Magistrate and approved by the Provincial Board. After three years in office, in 1826 he was elected and approved by the Provincial Board as chairman of the Novohrad-Volynskiy City Дума, which he headed for four years. From 1835, he again held this position for three years. In 1845, he was elected by the merchant and meshchane communities as burgomaster of the magistrate. Widower, had two daughters aged 16 and 18, Orthodox (DAZhO, f. 9, op. 1 dod., d. 135, pp. 1–2). Burgomaster K. Liesovoi (b. 1810), Orthodox, originated from the meshchane, owned his own house with land. In 1842, he was elected burgomaster. Married, had a son and two daughters, all Orthodox (DAZhO, f. 9, op. 1 dod., d. 135, pp. 2v.–3).

As in the Zhytomyr Magistrate, in Novohrad-Volynskiy all four Christian aldermen also belonged to the Orthodox confession, which confirms the tendency of deliberately involving Orthodox meshchane in the composition of magistrates, despite the presence of a Roman Catholic population. M. Filipovych (b. 1807), Orthodox, originated from the meshchane, owned two houses with land: one from his parents and one as a dowry. He was first elected alderman in 1835, and re-elected in 1842. He was married and had three sons and a daughter, all Orthodox (DAZhO, f. 9, op. 1 dod., d. 135, pp.

2v.–3). I. Hordieiev (b. 1808), Orthodox, originated from the meshchane, owned no property. He was elected alderman in 1842. He was married and had two daughters, all Orthodox (DAZhO, f. 9, op. 1 dod., d. 135, pp. 3v.–4). S. Harbarchuk (b. 1801), Orthodox, originated from the meshchane, owned no property. He was elected alderman in 1842. He was married and had a son and three daughters, all Orthodox (DAZhO, f. 9, op. 1 dod., d. 135, pp. 3v.–4). P. Chaichuk (b. 1811), Orthodox, originated from the meshchane, owned a purchased small house with land. He was elected alderman in 1844. He was married and had a son and a daughter, all Orthodox (DAZhO, f. 9, op. 1 dod., d. 135, pp. 4v.–5). Sh. Faerman (b. 1787), Jew, originated from the meshchane, owned a purchased small house with land. He was elected alderman in 1835, 1842, and 1845. He was married and had three adult sons and three daughters (DAZhO, f. 9, op. 1 dod., d. 135, pp. 4v.–5). Sh. Davidzon (b. 1814), Jew, merchant of the third guild, originated from the meshchane, owned a purchased small house with land. He was elected alderman in 1842 and 1845, and approved in office by the Provincial Board. He was married and had two sons and two daughters (DAZhO, f. 9, op. 1 dod., d. 135, pp. 5v.–6).

The clerical apparatus was staffed by individuals from the nobility and clergy estates, who had education and sought to pursue a bureaucratic career. Secretary S. Moshynskyi – as of 1847, he held the position of secretary of the Novohrad-Volynskyi Magistrate (for details, see the form list in the composition of the Zhytomyr Magistrate). In 1848, he was transferred to Zhytomyr to a similar position with the same salary of 168 silver rubles (DAZhO, f. 9, op. 1 dod., d. 135, p. 6v.), which led to an increase in workload compared to a district town. In 1850, the secretary was I. Milevskyi (b. 1822), Roman Catholic, originated from the nobility, owned no immovable property. He had no class rank. Salary – 168 silver rubles per year. He received a home education. He began his civil service in 1846 as a clerk (pysmovod) of the Uman Lower Land Court. The following year, he was transferred to the Volyn Provincial Board and appointed acting secretary of the Zhytomyr Magistrate. After being confirmed in the position in 1848, he was transferred to the same position in the Novohrad-Volynskyi Magistrate. Following the results of the 1849 revision of judicial institutions, he was awarded a one-time bonus of 100 silver rubles. He was married, his wife was Roman Catholic. As of 1851, he was under trial together with other members of the magistrate and the district court for abuse of authority, but by the verdict of the Volyn Chamber of Criminal Court of April 30, 1851, he was left at liberty (DAZhO, f. 9, op. 1 dod., d. 155, pp. 158–159, 219v.).

Clerk, court process server (povytychik) S. Yuhnytskyi (b. 1802), Roman Catholic, originated from the Polish szlachta that had not proven its nobility, owned no immovable property (as of 1850, he owned a purchased wooden house). Salary – initially he received none, as of 1850 – 84 silver rubles per year. He graduated from the Liubar District School in 1819. He began his civil service in 1834 as a clerk of the Novohrad-Volynskyi City Administration (at the age of 32). In 1835, he was transferred to the position of secretary of the Novohrad-Volynskyi Magistrate, but after four years he was dismissed at his own request. In 1843, he returned as a clerk (pysmovod) to the Novohrad-Volynskyi City Administration. In 1846, he was transferred as process server to the magistrate. He was married to a noblewoman and had three sons and a daughter, Maria. Notably, the sons were Roman Catholic, while the daughter and wife were Orthodox (DAZhO, f. 9, op. 1 dod., d. 135, pp. 7v.–8; DAZhO, f. 9, op. 1 dod., d. 155, pp. 160–161v.).

Collegiate Registrar F. Skobelskyi (b. 1817), Orthodox, originated from the clergy estate, owned his own wooden house in Novohrad-Volynskyi. Salary – 60 silver rubles per year. He graduated from the Ostroh District School in 1834. He began his civil service in 1838 as a clerk (pysar) of the Volyn Spiritual Consistory; by the end of the year, he received the ranks of copyist (kopiist) and sub-clerk (podkantseliaryst). In 1839, he received the rank of clerk (kantseliaryst) and was transferred to the Rivne Spiritual Board. In 1842, he resigned; the same year, he was appointed by the Volyn Provincial Board to the staff of the Novohrad-Volynskyi Magistrate. In 1845, he received the rank of Collegiate Registrar with seniority from 1842. In 1848, he received the rank of Provincial Secretary, and in 1849, he was dismissed at his own request. He was married, his wife was Orthodox, and they had no children (DAZhO, f. 9, op. 1 dod., d. 135, pp. 9v.–10; DAZhO, f. 9, op. 1 dod., d. 155, p. 9v.).

Clerk of the 2nd category, H. Petrovych (b. 1820), Orthodox, originated from the clergy estate, owned no property. Salary – 60 silver rubles per year. He studied at the Ostroh District School. He began his civil service in 1841 in the Novohrad-Volynskyi Spiritual Board as a supernumerary clerk, but by the end of the year he was dismissed for "distraction and absence from service." In 1844, he was again admitted to the same Board. In 1846, he was dismissed from the Board due to his transfer to civil service and was appointed by the Provincial Board to the magistrate. Unmarried (DAZhO, f. 9, op. 1 dod., d. 135, pp. 11v.–12). As of 1851, he was recorded as Collegiate Registrar and process server with a salary of 84 silver rubles per year (DAZhO, f. 9, op. 1 dod., d. 155, pp. 221–223v.). Clerk of the 2nd category, O. Zanozovskiy (b. 1823), Orthodox, originated from the clergy estate, owned no property. He received no salary. He began his civil service in 1847 in the Novohrad-Volynskyi Magistrate. Unmarried (DAZhO, f. 9, op. 1 dod., d. 135, pp. 12v.–13). Clerk of the 3rd category, V. Tychyna (b. 1825), Orthodox, originated from the nobility, owned no immovable property. Salary – 84

silver rubles per year. He began his civil service in 1842 in the Novohrad-Volynskyi Magistrate. Unmarried (DAZhO, f. 9, op. 1 dod., d. 135, pp. 8v.–9). Clerk of the 3rd category, V. Zayonchkovskiy (b. 1823), Roman Catholic, originated from the nobility of Volyn province not yet confirmed by the Heraldry, owned no property. Salary – 72 silver rubles per year. He began his civil service in 1846 in the Novohrad-Volynskyi Magistrate. Unmarried (DAZhO, f. 9, op. 1 dod., d. 135, pp. 10v.–11).

The difficulties in staffing elected positions of the Novohrad-Volynskyi Magistrate are vividly illustrated by the events that unfolded after the death of burgomaster Ye. Kucherevskiy in 1849. The magistrate addressed an inquiry to the city дума asking who had been approved as a candidate for the position of burgomaster in the last election, in order to admit them to office. However, it turned out that, according to the election results, the Provincial Board had approved only Ye. Kucherevskiy, while the second candidate, P. Noryn, was refused due to his affiliation with the Old Believers (staroobriady). Therefore, the second burgomaster remained K. Liesovoi, who, like the Christian aldermen, had been elected back in 1842. They continued to hold their positions because the Provincial Board had not approved the new aldermen (did not respond to the submitted lists). Likewise, the lists for the approval of Christian and Jewish aldermen, submitted on March 19, 1848, remained unanswered as of March 3, 1849. Consequently, the Christian aldermen had been in office since 1842, and the Jews since 1845. The magistrate decided to petition the Provincial Board to approve, in place of the deceased illiterate meshchanyn Ya. Koval, either to allow new elections (DAZhO, f. 9, op. 1 dod., d. 155, pp. 97–98v.). On March 18, 1849, the magistrate received a response from the Provincial Board approving M. Marushenko as burgomaster and P. Chaichuk and Ya. Yemchenko as aldermen. At the same time, the Provincial Board refused several candidates: K. Liesovoi – on the grounds that he had been accused by the Chamber of Criminal Court of abuse of authority and releasing the criminal Braunshtein from prison contrary to the chamber's decree; the Christian alderman P. Horoshynskiy – due to illiteracy; M. Filipovych – due to drunkenness and rudeness toward the town governor (gorodnichy), as well as being accused by the Chamber of Criminal Court (like K. Liesovoi); the Jews Sh. Faerman and Sh. Davidzon – for the same court accusation. It was ordered to hold by-elections. The approved candidates, on the basis of the Provincial Board's decree, were sworn in by the city mayor and the district stryapchy (DAZhO, f. 9, op. 1 dod., d. 155, pp. 99–100v.).

This story demonstrates several systemic problems in the formation of the personnel composition of magistrates. The lengthy bureaucratic procedure for approving elected officials by the Provincial Board resulted in aldermen holding office for seven (Christians) and four (Jews) years without official approval, which created legal uncertainty regarding their status. The Provincial Board effectively conducted a strict selection of candidates, rejecting them not only on formal grounds (illiteracy, affiliation with Old Believers) but also due to judicial prosecution for official misconduct, which indicates a low level of discipline among elected members. The mass rejection of candidates (five out of eight) points to the limited personnel reserve in the district town and the difficulty of finding meshchane and merchants who would meet the requirements of the provincial administration. Cases of drunkenness, rudeness, and abuse among elected members confirm the general trend of unprofessionalism in magistrates, which explains the subsequent abolition of the magistrate system during the Judicial Reform of 1864.

Magistrates and district courts: a comparative analysis of staffing. After the suppression of the November Uprising of 1830–1831, the period of "legal autonomy" gave way to a period of unification and centralization (1831–1864), characterized by the liquidation of the remnants of Polish-Lithuanian Commonwealth law, the restriction of the elective principle in judicial institutions, and the strengthening of administrative control over justice. The magistrates and district courts of Volyn province in 1831–1863 functioned as parallel but fundamentally different models of judicial organization. The key differences lay in jurisdiction (estate-based – only merchants and meshchane vs. cross-estate), staffing mechanisms (elected unpaid members from Christian and Jewish meshchane vs. appointed paid officials from the nobility), material support (urban revenues vs. land assembly (zemstvo) collections and state budget), and institutional efficiency (a dead-end institution without career prospects vs. a channel of bureaucratic mobility and imperial integration). At the same time, both institutions shared common structural features: a dualistic organization (elected members + appointed secretaries and clerks as agents of administrative control), a moderate educational level of personnel with a predominance of practical experience over formal education, subordination to the provincial administration through approval and revision procedures, as well as systemic flaws of pre-reform justice – corruption, red tape, unprofessionalism, and dependence on the clerical apparatus. The failure of the magistrate model due to the lack of payment for service, the limited personnel reserve, and estate-based restrictions (which led to their abolition in 1849–1860s) and the gradual bureaucratization of district courts with the displacement of the elective principle in favor of appointment demonstrated the inefficiency of estate-based justice and created the prerequisites for

the Judicial Reform of 1864, which introduced an independent judiciary with professional judges and abolished the estate principle of justice (Shevchuk, 2025; Shevchuk & Melnychuk, 2026).

Conclusions. The study of the personnel composition of magistrates in the Volhynian Governorate within the context of the imperial policy of unification and centralization in 1831–1864 demonstrates that these institutions functioned as formally autonomous elected bodies of estate-based justice under actual strict control by the provincial administration through procedures of official approval and the appointment of secretaries.

The institutional structure of magistrates was based on a dualistic model: elected unpaid members from the meshchane and merchants, such as burgomasters and ratmans, were combined with appointed paid secretaries and kantseliarysty from the nobility and clergy, which ensured administrative control over record-keeping. Personnel policy regarding elected meshchane was based on a confessional balance between Christians and Jews in a ratio of 2:2 or 4:2 with the deliberate involvement of Orthodox meshchane, despite the predominance of the Roman Catholic population.

Analysis of formuliarni spysky revealed typical characteristics of the personnel corps. Elected members were from the meshchane and merchant estates, with or without immovable property, with limited or no education, serving without pay. The clerical apparatus was from the nobility and clergy, both Roman Catholics and Orthodox, with moderate education at district schools or gymnasiums and low salaries from 60 to 168 silver rubles, which stimulated corruption.

Systemic problems of magistrates included limited personnel reserve due to the lack of payment for service, unprofessionalism and in some cases illiteracy of members, lengthy bureaucratic approval procedures lasting 4 to 7 years without official confirmation, mass rejection of candidates on formal and disciplinary grounds, underfunding, legal inconsistency, corruption and judicial delays. A comparative analysis with uезд courts demonstrated the inefficiency of the magistrate model due to estate-based restrictions, lack of career incentives, and limited jurisdiction, which led to the abolition of magistrates in the period between 1849 and the 1860s.

In conclusion, magistrates proved to be an ineffective instrument for the imperial integration of the urban population as the formal preservation of electivity and confessional balance did not compensate for structural flaws, such as the lack of payment for service, personnel shortage, and unprofessionalism. The failure of the magistrate model of estate-based self-government created the prerequisites for the Judicial Reform of 1864, which abolished the estate principle of justice and introduced an independent judiciary with professional judges.

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References:

- DAZhO** – Derzhavnyi arkhiv Zhytomyrskoi oblasti. [State Archives of Zhytomyr Region].
- Diatlov, V. A.** (2012). Peculiarities of the Social Status of the Officialdom of the Russian Empire in the First Half of the 19th Century (on the Example of Penza and Saratov Provinces). *Izvestiia Penzenskogo gosudarstvennogo pedagogicheskikh universiteta im. V.G. Belinskogo – Proceedings of the Penza State Pedagogical University named after V.G. Belinsky*, 27, 601–604. [in Russian].
- Dityatin, I. I.** (1875). *Organization and Administration of the Cities of Russia*. Vol. 1. Sankt-Peterburg, 508 s. [in Russian].
- Dityatin, I. I.** (1877). *Organization and Administration of the Cities of Russia*. Vol. 2. Yaroslavl, 565 s. [in Russian].
- Dolbilov, M.** (2010). *Russian Land, Alien Faith: Imperial Ethno-Confessional Policy in Lithuania and Belarus under Alexander II*. Moskva: Novoe literaturnoe obozrenie 1000 s. [in Russian].
- Dubrovina, A. B.** (1966). *Social Order, Governance Mechanisms and Law of Ukraine during the Decline of the Feudal-Serf System (First Half of the 19th Century)*. Kyiv: Kyiv State University, 111 s. [in Ukrainian].
- Dzhanshiev, G. A.** (1891). *Foundations of the Judicial Reform (On the 25th Anniversary of the New Court)*. Moskva: Tipografiia M. P. Shchepkina, 364 s. [in Russian].
- Efremova, N. N.** (1983). *Ministry of Justice of the Russian Empire. 1802–1917. (Historical and Legal Research)*. Moskva: Nauka, 152 s. [in Russian].
- Emelianova, I. A.** (1962). *Highest Bodies of State Authority and Administration of Russia in the Pre-Reform Period*. Kazan, 46 s. [in Russian].
- Gorizontov, L.** (1999). *Paradoxes of Imperial Policy: Poles in Russia and Russians in Poland (19th – Early 20th Centuries)*. Moskva: Izdatelstvo "Indrik", 272 s. [in Russian].
- Kamanin, I. M.** (1888). *The Last Years of Kyiv's Self-Government under Magdeburg Law*. Kiev: Tipografiia G. T. Korchak-Novitskogo, 93 s. [in Russian].

- Kappeler, A. (2005). *Russia as a Multi-Ethnic Empire: Emergence, History, Decline*. Lviv: Vyd-vo Katolytskoho Ukrainskoho universytetu, 360 s. [in Ukrainian].
- Karlina, O. (2007). Conflict between the traditions of urban self-government and the system of urban administration in Volyn at the end of the 18th - in the first decades of the 19th century. *Sotsium – Society*, 7, 280-289. [in Ukrainian].
- Khadadova, F. (2013). Main directions of activity of the Zhytomyr City Magistrate (late 18th – 40s of the 19th century). *Hurzhiivski istorychni chytannia: Zbirnyk naukovykh prats – Hurzhiiv Historical Readings: Collection of Scientific Works*, 6, 267-269. [in Ukrainian].
- Khadadova, F. (2014). Functioning of the Magistrates of Volyn as Judicial Bodies (Late 18th – First Half of the 19th Century). *Aktualni problemy vitchyznianoï ta vsesvitnoi istorii – Actual Problems of National and World History*, 17, 173-178. [in Ukrainian].
- Moriakova, O. V. (1998). *The System of Local Administration in Russia under Nicholas I*. Moskva: Izdatelstvo Moskovskogo universiteta, 272 s. [in Russian].
- Petrovsky-Shtern, Y. (2019). *Shtetl: The Golden Age of the Jewish Town*. Kyiv: Krytyka, 394 s. [in Ukrainian].
- Pryshchepa, O. P. (2002). Legal and economic aspects of the development of privately owned towns in Volyn in the second half of the 19th – early 20th centuries. *Problemy istorii Ukrainy XIX – pochatku XX st. – Problems of History of Ukraine of the 19th – Early 20th Centuries*, 5, 128–132. [in Ukrainian].
- PSZRI-1 – *Polnoe sobranie zakonov Rossiiskoi imperii [Complete Collection of Laws of the Russian Empire]*. Series I (1649–1825). Saint Petersburg. [in Russian].
- PSZRI-2 – *Polnoe sobranie zakonov Rossiiskoi imperii [Complete Collection of Laws of the Russian Empire]*. Series II (1825–1881). Saint Petersburg. [in Russian].
- Sarazhina, R. (2011). *The Judicial System in Western Siberia in Imperial Policy in the Late 18th – Mid-19th Centuries*. (Extended abstract of candidate's thesis). Omsk, 25 s. [in Russian].
- Shandra, V. (2016). *Burgher Bodies of Estate Self-Government in Ukraine (Late 18th – Early 20th Centuries)* (O. Reient, Ed.). NAN Ukrainy. Instytut istorii Ukrainy. Kyiv: Instytut istorii Ukrainy, 345 s. [in Ukrainian].
- Shandra, V. S. (2019). From the liquidation of the remnants of Magdeburg law to self-government according to the Russian model (the last quarter of the 18th - early 1860s). *Vid muriv do bulvariv: tvorennia modernoho mista v Ukraini (kinets XVIII - pochatok XX st.) – From Walls to Boulevards: The Creation of a Modern City in Ukraine (Late 18th - Early 20th Century)*, 28–77. Kyiv: Instytut istorii Ukrainy NAN Ukrainy. [in Ukrainian].
- Shevchuk, A. (2021). Imperial construction of the judicial system for townspeople of Right-Bank Ukraine (1797–1801). *Arkhivy Ukrainy – Archives of Ukraine*, 1 (326), 163-183. <https://doi.org/10.47315/archives2021.326.163> [in Ukrainian].
- Shevchuk, A. (2025). Officials and clerks of the Zhytomyr District Court (1831–1863): historical-legal dimension. *Society and Security*, 2(8), 103–113. [https://doi.org/10.26642/sas-2025-2\(8\)-103-113](https://doi.org/10.26642/sas-2025-2(8)-103-113) [in Ukrainian].
- Shevchuk, A. V. (2022). *Sudova vlada v zhytti suspilstva Pravoberezhnoi Ukrainy (kinets XVIII – persha tretyna XIX st.) [Judicial Authority in the Life of Society of Right-Bank Ukraine (Late 18th – First Third of the 19th Century)]*. Zhytomyr: Vydavets Yevenok O. O., 580 s. [in Ukrainian].
- Shevchuk, A., & Melnychuk, O. (2026). The head and assessors of the Zhytomyr district court (1831–1863): historical, legal, and social dimensions. *Scientific Papers of the Vinnytsia Mykhailo Kotsyiubynskyi State Pedagogical University Series History*, 55, 72-86. <https://doi.org/10.31652/2411-2143-2026-55-72-86> [in Ukrainian].
- Snyder, T. (2012). *The Reconstruction of Nations: Poland, Ukraine, Lithuania, Belarus, 1569–1999*. Kyiv: Dukh i Litera, 460 c. [in Ukrainian].
- Wortman, R. S. (2004). *The Development of Legal Consciousness in Imperial Russia*. Moskva: Novoe literaturnoe obozrenie, 520 s. [in Russian].