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Moscow Autocracy of XVI - XVII Centuries: Eastern ‘Despotism’ or an Early Modern European Monarchy?

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Abstract

The article considers the problems related to the peculiarities of the Russian state political and legal development during the early New Time (XVI-XVII centuries) in a comparative-historical aspect against the background of similar processes taking place in neighboring European states. The authors come to the conclusion that, despite certain, dictated by objective reasons (first of all, the conditions for the emergence and subsequent development), there are more common features than the differences between the processes of the political and legal sphere development in Russia and Western Europe. The fact that this community escaped from the view of researchers is related, in the authors' opinion, to the fact that foreign observers, describing the political system of an early Russian state, dealt only with an outer shell, while its internal contents remained if not a secret, then, in any case, a mystery for them. They were not admitted to the Russian political cuisine, and therefore the details of Russian political and legal institution functioning remained unavailable to them.

Keywords: Early New time, Early-modern state, Political institutions, Political regime, Legal system, Absolutism, Western Europe, Russian state, Autocracy.

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Introduction

The British historian N. Henshall in his work "The Myth of Absolutism: Change and Continuity in Early Modern European Monarchy", having touched the problem of "absolutism" as a specific political regime characteristic for a number of European states of modern times, identified four main signs of "absolutism", which, in his opinion, are inherent to the "classical model of absolutism". These signs consisted in the following: "absolutism" is despotic by nature and tramples the rights and privileges of its subjects for its own interests; "absolutism" is characterized by a highly autocratic nature of the supreme authority, when the latter makes decisions based on its motives, without consulting anyone - Henshall noted that according to the "classical" theory of "absolutism" power is monopolized by a monarch and his confidants; "absolutism" relies on the bureaucracy and thereby opposes itself to society and, relying on officials, does not allow it to sabotage the orders of power. And, finally, "absolutism" is something that was not inherent in Great Britain, where monarchy was significantly limited in its powers after the "Glorious Revolution" of 1689 (Henshall, 1992: 1-2).

Having singled out these signs of "absolutism" N. Henshall further noted that a number of modern historical studies demonstrated (read a more detailed survey of the issue historiography, for example, in (Kollmann, 2012: 2-4, 19-22; Rustemeyer, 2010: 563-579) that the "classical" "theory" of "absolutism" is far from reality, alas, and describes incorrectly what the European monarchs of the early modern era did or tried to do. And the scholar emphasized that the thing that causes the greatest fear is that "terminology has a power of its own and its associations can generate heat, though not necessarily light." The game of terms and a label is by not so harmless as it might seem at first glance, for "What is in a name? Quite a lot if it distorts realities" (Henshall, 1992: 2) (this was the object of criticism by Ch. Halperin who protected the thesis about the "despotism" of Russian early monarchy from M. Poe (Halperin, 2002: 502-507).

Methodology

So, following stereotypes, sticking of labels on historical events and phenomena that are convenient and seemingly clear and understandable due to the labors of the predecessors can (and it happens so usually) lead the science into a dead end, creating an originally perverted view of the past and forcing the facts to be adjusted under the current theory. Certainly, for their time, theories and concepts like absolutist one represented a certain step forward and allowed us to broaden our understanding of the past. But science does not stand still, and at

some point they turn into a brake that prevents further development. This is exactly what happened in our case, with the concept of "absolutism", and not only with regard to the early modern western European monarchies, but especially the Eastern European monarchies, Russia in the first place.

It is no secret that the historiography of both Western Europe and Russia established firmly the opinion of the despotic, unlimited power of the Moscow grand dukes and kings - Rurikovich and Romanov dynasty - even during the second half of the 19th century. This was promoted significantly by the impressions of foreign observers who visited Russia in the 16th-17th centuries (and the information of which was uncritically received by later historians and jurists) and 4 signs of the "classic" "absolutism" pointed out by H. Henshall in his study are easily distinguished from the historical narrative (the West European Rossica provided and continues to provide an ample soil for this).

The reasons for this confidence are obvious generally. In the absence of (or inability) to access act materials, legislative acts, archives (especially since their security differs from Western European one for the worse) and associated with serious cultural and mental differences (the Western European world and culture evolved in general on Greek-Roman soil, having absorbed the intellectual and legal experience of the ancient civilization, while it is still impossible to repeat this with regard to Russian culture) the personal observations of Western European diplomats, merchants and just adventurers were particularly valuable. The value is even greater, if we take into account that they were eyewitnesses who testified.

At the same time, the imperfection of primary source analysis methods, especially of personal origin, did not allow to single out the truth from fakes, the reality as it is, from those already prepared stamps and stereotypes with which foreigners came to Muscovy. In this respect, a comparative analysis of those bright estimates and expectations regarding Muscovy and its inhabitants will be quite a remarkable one. These are the estimates which contained in the writings of Western European authors at the beginning of the 16th century, when there were still some illusions about the inclusion of Russia in the West (primarily in Rome and Vienna), into the system of imperial-Catholic values and anti-Ottoman coalition. The disappointment followed and, accordingly, the change of estimates and sentiment, when the desire of Moscow to develop its foreign policy based on own interests became apparent. It can be safely assumed that at that time, in the middle of the 16th century, a kind of "black legend" was emerging about the barbarian, despotic, semi-Asiatic Russia, the country of slaves and lawlessness, where the Grand Duke of Moscow reigned using inordinate and unlimited power in comparison with his contemporaries. Although curious nuances remained behind the scenes - for example, the fact that even at the peak of his power Ivan the Terrible who was

considered as a classic example of a despot on the Moscow throne, did not dare to put himself at the head of Russian church, but the English King Henry VIII did it. Thus, he and his successors, as noted by Henshall, "were one of the most absolute monarchies in Europe which installed in parish churches royal coats of arms instead of rood crosses" (1992: 82). And when the historian writes that the French Valois or the English Tudors put an end to the feudal dispersion of power and deprived the local "barons" of prerogative rights, the Moscow Grand Dukes did the same with their boyars, didn't they? (Henshall, 1992: 82). And this let alone that the power of the last Rurikovichs and the first Romanovs rested not on the developed bureaucracy (in the classical, Weberian sense of the word), but, as shown by N. Kollmann's (2012: 416) analysis of an extensive documentary base, rather on a compromise between power and society, a center and a province.

Thus, there is every reason to reconsider the characterization of the Muscovite sovereign power and the political regime established by them (was it established by them only? –This will be discussed later—) an oppressive and tyrannical one, sovereignty-based and the absence of rights among subjects, from the highest to the lowest ones.

Discussion and results

Let us return once again to the features of the "classic absolutism", singled out by N. Henshall, which, from the point of view of traditionalists, for example, M. Poe (2002: 473-486), were more characteristic of Moscow rulers rather than the West-European absolutist monarchs - the contemporaries of Ivan III, Ivan IV or Alexei Mikhailovich. Formally, even if we do not take into account Ivan the Terrible, a bright and remarkable monarch due to his eccentricity, then all of them, despotism, autocracy and bureaucracy, are typical for Russia, especially after the middle of the 16th century when Ivan the Terrible and the Boyar Duma conducted a series of large-scale political, administrative and legal reforms, thus summarizing the results of transformations begun by Ivan III, the creator of the early-modern Russian state. One can argue how thoughtful these reforms were and whether they were the result of some thoughtful political line, and not some kind of desire for the "common good", as the Russian historian M.M. Krom (2005: 283-303) believed, but the result is on the surface. The Moscow kingdom was different from the Grand Duchy of Moscow.

But how much were these changes radical and did they lead to the establishment of a "despotic" political regime in Russia in where a ruler's power was so great and the powers so unlimited that they astonished visiting foreign guests?

This question can be answered positively and negatively at the same time. There is a positive answer because Moscow rulers have been steadily pursuing a line to expand the scope of their powers and jurisdiction for two centuries at least. And, speaking frankly, the reforms of Peter I and the political regime that he modernized deserve to be defined as "despotic" to a much greater extent, rather than the political regime of Ivan the Terrible. There is a negative answer, that in order to be a really classic oriental "despot" (which writers, memoirists, and historians used to describe), a Muscovite sovereign should have an appropriate administrative and police body in the first place. And this is not to mention a developed fiscal system and an army, wholly dependent on a sovereign and provided by him fully. Accordingly, the proper political and legal theory shall be developed, which has a theoretical foundation under the sovereignty of a sovereign, and, of course, a corresponding legal base in the form of a developed legislation (preferably with a clear division of public law and private law).

How did the early modern Russian state meet these requirements? The Moscow bureaucracy has never been developed and numerous, and even at the end of the 17th century it was inferior to the French bureaucracy by an order (Liseyev et al., 2015: 19-22). What can we say then about the 16th century? Despite the fact that the Moscow bureaucracy was still far from the Weberian bureaucracy, it certainly had high professionalism and administrative and managerial skills. A sharp growth of bureaucracy is peculiar for Peter the Great era, and since the necessary financial resources were not developed for this, the bureaucratic apparatus was too large and not effective enough for Peter and it was repeatedly reorganized and improved subsequently. The same applies to the police.

One extremely important circumstance that casts doubt on the whole concept of Moscow "despotism" is worth noting. N. Kollmann noted, that Moscow without real opportunities to establish its control over local elites and provinces of its vast state, was forced to make compromises with local communities (more precisely, with its most influential strata). Without a prior permission the early modern Russian monarchy became the state that the British historian G. Königsberger (1978: 191-217), and George Elliott (1992: 48-71) after him called the "composite state", a state in which the supreme power was forced to interact with local communities, providing them with a part of power, especially in the fiscal sphere and in the issues of law and order and administering justice maintaining. Thus, the Russian state develops the practice when the supreme authority takes upon itself the implementation of issues related to foreign policy, war and diplomacy ("tsar's business"), leaving the issues of local governance and arrangement ("Zemsky business") to the will of local communities.

The normal functioning of such a mixed state mechanism, based on interaction and a permanent relationship, direct and reverse one, between power and society, would be

impossible if a monarch has encroached on the right of local communities to solve the problems related to their daily life independently. The Moscow sovereigns did not have a corresponding administrative resource or a legal justification to make the latter perform a monarch's will (a significant part of the Moscow army was represented by the local horse militia, united in territorial corporation "cities" with clearly perceived interests, and the archer army, which was the second most important part of the sovereign army, also represented a lot of "corporations". Thus, both those and others, were not entirely dependent on a state will - on the contrary, the government had to take into account their opinion, listen to it and appeal to their honor and "status" in crisis situations. As N. Kollmann showed, Moscow's early-modern law, unlike, say, French or British one, was mostly procedural, establishing more or less unified judicial procedures on the Russian state territory (2012: 23-24). The solution of particular issues, especially those ones which related to the private law sphere, was left by supreme power to the will of local communities and the local legal customs and traditions they applied. Although, Moscow reserved the possibility and the right to intervene, if necessary, in legal conflicts that could arise locally, as a supreme arbiter. But it did not try to abuse this right as practice showed.

And if we are talking about Moscow "autocracy", then the Russian "autocracy", in essence, from a legal point of view, represented primarily the "calque" from the Greek term "αὐτοκράτεια", i.e. the thing is about an independent monarch, not being someone's vassal or, more than that, a subject. Besides, to the Moscow sovereigns, especially the kings (And Ivan the Terrible leads this list, directly postulating this thesis in his letters) can be described by the characteristic given by N. Henshall to Louis XIV - the classic "absolutist" monarch: "Whether Louis formulated policy himself or left his ministers to get on with it, it was royal authority which was invoked and could not be legitimately resisted. In that sense the king's power was absolute" (Henshall, 1992: 37). But, before a tsar announced his unyielding will, this was preceded by a long period of various sorts of coordination and discussions - both in the Boyar Duma and in a narrow circle of proxies and confidants [See, for example: Krom, M.M. (2010: 37)]. But in this situation, almost any Western European monarch of the early modern era (especially if he controlled a great power), let alone later periods, can be considered as an "autocrat" and a "despot".

Let's note one more important circumstance. Muscovy, unlike Western Europe, did not know such a developed and actively discussed political power theory at different levels and a monarch's powers. Accordingly, the sphere of a monarch authority, his jurisdiction, was not clearly delineated in legislation. Certainly, the Orthodox Church and its ideologues pondered over the limits of tsar power, but their philosophizing had an abstract character, and the

degree of their influence on the legislative policy of the Moscow sovereigns is more than controversial one. The fact that a certain influence of religious authority development influenced the actions of Russian monarchs (in particular Ivan the Terrible, a man very well read and "bookish") is undoubted in principle. But how far did this influence go, how much did the grand dukes and kings consider the wishes of hierarchs? It seems that if they were taken into account, then only within the framework of official religious and public discourse, the essence of which was expressed, for example, in the famous epistle of the elder Philotheus to Basil III, in which the monk called the Grand Duke to conform to the image of a true Orthodox sovereign, the protector of Faith, weak and miserable and the guardian of tradition. In any case, these limits were not officially registered anywhere and had a purely informal, traditional nature, but they were not less stable than the written laws. And it was dangerous to violate them - False Dmitry I, whose behavior and the way of life did not meet the expectations of society, had a sad opportunity to see this.

Conclusion

Informality, unwritten nature, adherence to traditions and customs, rather so-called rigid political and legal conservatism - all this put serious obstacles on the way of turning Moscow princes into "despots" (in the negative sense that was put into this term during the Middle Ages and the New Times, not to mention later times). Moscow society, which remained the medieval society basically, was an opponent to political and legal innovations that threatened to change a familiar image of the world and traditional life, including the political and legal sphere. And it expected that a sovereign would adhere to this same point of view. Thus, the power of a Muscovite sovereign acquired the necessary lacking legitimacy - otherwise it would be impossible to do "state affairs" without having the support from "below". Vasily Shuisky, a "boyar" tsar, unrecognized on a large part of the territory of the Russian state, learned about this from his own experience. The same can be said, for example, about Boris Godunov and his son Fedor, who were denied legitimacy. Their power, which hung in the air, collapsed, and a new dynasty fell along with it.

In principle, with an unbiased analysis of the sources at our disposal, there are no grounds, for example, to consider Muscovy as "despotic state" as M. Poe did (2002: 482]. For this, Moscow rulers lacked the notorious administrative resource, or, simply put, for objective reasons, for example, according to M. Poe (2002: 485-486). Moscow state was not strong enough to rule its own subjects, relying only on violence and their desires. The system of

connections between the ruling elite and the subordinates, suggested a certain interaction, not only from the top to the bottom, but from the bottom to the top. Of course, in this system the supreme power was the leading one, and the local communities were led partners, however, partnerships based on common interdependence, developed Moscow political regime of the "classical" era (late 15th – early 17th centuries). Alas, the details of these relations eluded foreign observers for the simple reason that the Moscow society, being very traditionalist and conservative one, was distrustful of foreigners, did not allow them to see the sacred thing - political cuisine, especially downstairs. Foreign observers could observe the things quite deceptive in nature which distorted the real state of affairs.

Thus, if one compares the state of affairs in early modern Russia and, for example, in early modern France or England, then, naturally, in the presence of difference features conditioned by different conditions of emergence and the subsequent genesis of political and legal institutions, many similarities can be found between them. And it's far from the fact that these traits will be less than differences. All this allows us to conclude that the Russian state of the early modern age, despite its all originality, can be placed on a par with similar early monarchies of Europe.

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