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**SPECIFICS OF THE LEGAL STATUS OF THE MORDVINIAN
PEOPLE IN THE HISTORY OF THE RUSSIAN STATE**

Dr. Iuliia N. Sushkova

N. P. Ogarev Mordovia State University, Russian Federation
ORCID 0000-0003-4388-0610
yulenkam@mail.ru

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Abstract

The rationale of the study is the uniqueness of the system of the multi-national and multi-confessional Russian state. Peoples' inclusion into a single state legal framework determined the need to develop a relevant ethnic legal policy. In this regard, this paper is aimed at articulating the historical and legal status of the Mordvinian people within the Russian state. The paper discusses the key aspects of the Mordva status under the Russian law. It looks into 16th–18th centuries regulations regarding non-Russians that determined the specifics of their adaptation within Russia. The study mainly employed the historical method, which made it possible to historically and legally assess laws and regulations that reflect specifics of Mordva legal status in the 16th–18th centuries. The paper has a practical value for improving the legislation for inter-ethnic relations and strengthening the foundations of federalism as the key characteristic of the Russian state.

Keywords

Mordvinian people – Non-Russians – Ethnic legal policy – Customary law

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Introduction

The key condition for strengthening the Russian Federation's state sovereignty and territorial integrity as the pillar of its national security is to ensure inter-ethnic understanding. With its centuries-old inter-ethnic ties, Russia has evolved as a large multi-national state and a home to 193 peoples, according to the All-Russian Population Census (2010)¹. Among the major goals of the contemporary Russian state are to preserve the ethnic and confessional diversity and peoples' traditional economic and cultural life support systems, develop national languages, support Russian citizens living abroad, promote their contacts with Russia². At the same time, many problems, including those originating from "missteps in the state ethnic policy", related to countering xenophobia, inter-ethnic intolerance, ethnic and religious extremism, and terrorism, are still to be solved³.

Understanding the legal status of an ethnic group in historical and legal retrospective review is instrumental not only to interpret the past and present of Russian peoples but also to implement real projects in the area of the state legal policy of managing ethnic relations. One of such projects was the celebration of the 1000th anniversary of the unification of the Mordvinian people with the peoples of the Russian state in 2012⁴, which was established by the decree of the President of the Russian Federation Dmitry Medvedev on January 13, 2009, and involved a set of measures to improve the infrastructure in the Republic of Mordovia and strengthen the spiritual and moral elements of the inter-ethnic understanding.

Research Methods

A major method to analyze the social, political, and legal processes during the evolving of the Russian state as a multi-national state, was the historical method, which was used to analyze the conditions and circumstances of a better adaptation of the Mordvinian people within the uniform state legal framework. The historical method made it possible to identify and compare Russian laws, regulations, and paperwork on the problem under study. This method was a means to better understand the assessment of the model of legal regulation in the conditions of multi-ethnic and multi-confessional society. Of course, the historical assessments of the processes of peoples becoming part of Russia differ from those of contemporaries of that time. The new historical and legal environment gives additional value of previously developed unique legal mechanisms and ways to manage inter-ethnic relations.

The processes of state and nation building have a significant historical and contemporary perspective. The difficulties of making every nation a state and every state a nation, and the fact that people live intermingled within the borders of states and have

¹ "That's What We Are: Russian Nationals. On the Results of the All-Russian Population Census of 2010". Rossiyskaya Gazeta, (Dec 16, 2011) (the federal issue).

² Decree of the President of the Russian Federation No. 1666 of December 19, 2012, Strategy for State Ethnic Policy of the Russian Federation for the Period up to 2025 (accessed through the GARANT Legal Information Resource Complex).

³ Decree of the President of the Russian Federation No. 1666 of December 19, 2012, Strategy for State Ethnic Policy of the Russian Federation for the Period up to 2025 (accessed through the GARANT Legal Information Resource Complex).

⁴ Decree of the President of the Russian Federation No. 998 of July 16, 2012, Amendments to the Decree of the President of the Russian Federation No. 46 of January 11, 2009, Celebration of the 1000th Anniversary of the Unification of the Mordvinian People with the Peoples of the Russian State (accessed through the GARANT Legal Information Resource Complex)

different and often dual identity leads to arguments for multi-national states, states which abandon the dream of becoming nation states and 'nations' willing to live in a multi-national democratic liberal state.⁵

There is an opinion that history is recorded by “victors”, “conquerors”, “oppressors” and “executioners” rather than their “victims”. “When the victims are ethnically distinct their records remain unwritten or vanish”. The position is not objectively substantiated that “legal” acquisition was all too often based on “one-sided declarations of ownership by the aggressive side or on a “treaty” with some indigenous person who did not own the land, or who could not read or understand the text, or who yielded under threat of death”⁶.

Being an archaeogenetical ethnic group of Eastern Europe, the Mordvinian people played a significant role in the formation and development of the Russian state. The reunification of the Mordvinian and Russian territories was a lengthy process. It lasted centuries and had three main periods: the Kievan (10–12 centuries), Vladimir-Nizhny Novgorod-Ryazan-Moscow (13–15 centuries) and Moscow periods (16 century). During the Tatar Mongol invasion, Mordvins resisted the conquerors together with Russians. The connection between the Mordvinian and Russian lands became inseparable, and consequentially, the Mordvinian Volga region appeared in the last will of Ivan III (1504) as a geographic region that had long been functioning as part of the Russian state. In summer 1551 in Sviyazhsk, the peoples of the right Volga bank swore an oath of allegiance to the Russian Tsar, which was the legal confirmation of the Mordvinian people becoming part of the Russian centralized state. Mordva not only contributed to the building Russian statehood (which initially was multi-ethnic) but also became an integral part of the Russian ethnic group itself⁷. Mordva is currently Russia's largest Finno-Ugric people (about 745,000 people)⁸.

The legal system of the Russian state is a very important source of understanding the processes of non-Russian peoples becoming part of it. It reflected a set of complex, and oftentimes contradictory, ways of adapting the traditional lifestyles to the official political management system for the ethnic and social relations. The state policy of managing the non-Russian people, its rapprochement with Russians, and strengthening the taxation system was partly ethnically differentiated, which was enshrined in the law. The relations involving non-Russian were usually managed by historical and cultural areas (North, Caucasus, Volga region, etc.) with specifying the peoples for which individual sets of laws and regulations were adopted considering the specifics of their settlement, traditional mentality, and legal customs.

Mordva, alongside the Tatar, Mari (in pre-revolutionary legal acts referred to as Cheremis — *lu. Sushkova*), Chuvash, Udmurt (in pre-revolutionary legal acts referred to as Votyaks — *lu. Sushkova*), and Bashkir peoples, was a part of the Volga region or Ponizov'ye [Volga Lower Reaches] peoples.

Accession to the Russian state in the early 16th century marked a new stage in the people's ethnic history, which radically changed the course of social, economic, political, and state legal processes. After Mordva, the Mari, Udmurt, Chuvash, Tatar, and Bashkir

⁵ J. Linz “State building and nation building”. *European Review*, num 1(4) (1993): 355-369.

⁶ R. Taagepera, *The Finno-Ugric Republics and the Russian State* (Taylor & Francis, 2000).

⁷ N. F. Mokshin, “Mordva in the history of Russia”. *Russkaya istoriya*, num 2 (21) (2012).

⁸ V. Zotikova, “Rosstat: Mordva is the Largest Finno-Ugric Ethnic Group in Russia”. *Rossiyskaya Gazeta* (March 29, 2012).

peoples joined Russia. The multi-ethnic nature of the Russian state predetermined the need to develop a new legal model of the country in order to strengthen the ties between non-Russian and Russian peoples and including them in a single legal framework.

One of the first legal acts concerning non-Russians of the Middle Volga region was the last will of Grand Prince Ivan Vasilyevich (1504), who granted his son Vasily lands, including those inhabited by Mordvins. It said: "...I grant my son Vasily... Nizhny Novgorod with the volosts and roads and villages and all the duties, and with Mordvins and Cheremis taxable to Novgorod... And to him I grant the city of Murom with the volosts and roads and villages and with all the duties, and with Mordvins and Cheremis taxable to Murom; and Meshchera with the volosts and the villages and everything taxable to it... and all the Mordvinian Princes with their ancestral lands I also give to my son Vasily..."⁹ Bringing the Mordvins to the "shert" (the oath of allegiance — *lu. Sushkova*) to the Russian Tsar in 1523 is also mentioned in a little-known chronicle documented by M. N. Tikhomirov¹⁰. The Mordva being under the rule of the Moscow Prince was also reported by the Austrian ambassador S. Herberstein in his book 'Notes on Muscovite Affairs' that was published in 1549¹¹.

In view of the specifics of the legal everyday life of non-Russian people, the authorities, from the time of its accession to Russia, in a number of cases began to recognize and take into account the validity of individual legal customs, in particular, in ascertaining the truth of testimonies in court trials. For example, in solving disputes, state officials often relied on long-term residents to give testimony or other explanations on the case, adhering to the traditional principles of their honor and authority and their special social and legal status in the community as people's judges.

For instance, in census, investigation, and survey books dated May 20, 1599, a boundary dispute is described between the landlords Olenin and Lyutikov and Vaska Kechemasov and Zamorka Semenov, Mordvins of Pokstyanovy village. To resolve the dispute, investigators Ofonasy Shchukin and Yumshan Lobanov, on arrival at the estate, took participants for each side from "long-term residents and multiple outsiders". "... Both Ofonasy and Yumshan, according to their own census and investigation and the long-term residents' delimitation, made a boundary line for the Pokstyanovy Mordva and Smirnov and Lyutikov from Kryachka and from Olenin according to the border made by the long-term residents, on the basis of the scribe books, and put stakes on the border and marked them. And going along the marks, from the aspen bush, from Misiurya's Commodity land, straight up to the oak stake, to the right of the marks and borders are the land and meadows and all the lands of Pokstyanovy Mordvins and beekeepers, and to the left are the land of Klyachka and Olenin," the judgement ruled¹².

Historically and legally interesting are numerous documents in which Mordvins swear an oath "by their Mordvinian faith," "by their faith and shert". Such documents include the court list of April 4, 1508 on the case of the monks of Pechersky Ascension Polyansky Monastery and the Mordvin Ivanta Ramsteev about the possession of forest lands beyond the Pyanaya river. In this document, in order to clarify the circumstances of the case of the

⁹ A Collection of State Certificates and Contracts Stored in the State Collegium of Foreign Affairs: In 5 volumes. Moscow. 1813–1894.

¹⁰ N. F. Mokshin, Ethnic history of Mordva (Saransk, 1977).

¹¹ N. F. Mokshin, Ethnic history of Mordva...

¹² Documents and materials on the history of the Mordvinian ASSR, in 4 volumes (Saransk, 1939, 1940).

land ownership, the judges asked the Ivanta's doctors, Mordvins Uchevat, Ivan, and Uzvet, and monastery doctors Emos and Mares to answer "in God's truth, by their Mordvinian faith". Swearing an oath "by their Mordvinian faith," "by their faith and shert" in court was recognized as an equivalent to cross-kissing of the great sovereign¹³.

State authorities welcomed foreign princes' to fight on the Moscow side and encouraged them with guarantees of inviolability of their lands and new estates. In March 1534, Ivan IV allowed the Tatar Prince Tyuvey to cultivate the land in Verkshey, and also determined some rights in the legal proceedings in respect of the Mordvins living on these lands: "... and the Meshchersky sovereign's vicegerent and Mordvinian princes shall not judge those their people, shall not claim anything from them, but they shall own and judge the people of Tyuvey and his children themselves in everything, or order others to do so, and if someone needs to inquire about Tyuvey or his children, estate manager or the judgement, they shall refer to me, the Grand Prince or my butler¹⁴." The encouragement practice reflects in a number of Tsar's legal acts, for example, Charters of March 8, 1564, to a Mordvin Ivashka Keldyaev, the last wills of 1572 on the preservation by the Mordvinian Princes of their ancestral lands in the vicinity of Kadom, Shatsk, Temnikov, Kurmysh, and Alaty¹⁵.

An important legal act that officially marked the final accession of the peoples of the Middle Volga region was the oath of allegiance to the Russian Tsar Ivan IV of 1551 that established their service and monetary obligations¹⁶. The beginning of the relations in fulfillment of the obligations is recorded in the description of the Ivan IV's campaign against Kazan in August 1552: "...Cheremis and Mordvins and others that used to be hostile before then surrendered and came to the pious Tsar, the Grand Prince, resigned themselves to his Tsar's will, and brought everything appropriate, bread, honey and beef..."¹⁷ Taxation represented a significant share of the legal relations between the foreign population and authorities. After the defeat of the Kazan Khanate, Mordvins were mostly qualified as yasak people who, apart from yasak tax itself, were obliged to perform a number of duties in kind or cash: to pay the horse transport tax, marten tax, musketeers tax, honey tax, to build and guard outpost lines, since 1718 — to harvest ship timber. Yasak people paid tax in kind of fish, fur of foxes, martens, squirrels, ermine, polar foxes, hares, and wolves. In the 17th century, Mordva began to pay a monetary yasak for fishing, beaver runs, and wild beehives¹⁸. Over time, the taxable base expanded, and mandatory payments for bread, hay harvesting, mills, etc. were introduced. The household was used as the basic taxation unit, therefore in order to ease their tax burden, the Mordvinians at that time almost never separated and lived mostly in extended families. The plight forced people to flee and settle elsewhere and to go into hiding from the authorities¹⁹.

¹³ Documents and materials on the history of the Mordvinian ASSR, in 4 volumes (Saransk, 1939, 1940).

¹⁴ M. G. Safargaliev, To the History of the Tatars of the Mordvinian ASSR (about the Mishars). Proceedings of the Mordovian Scientific-Research Institute of Language, Literature and History. Historical series, issue 24 (Saransk, 1963).

¹⁵ N. F. Mokshin, Ethnic history of Mordva (Saransk, 1977)

¹⁶ Documents and materials on the history of the Mordvinian ASSR...

¹⁷ Documents and materials on the history of the Mordvinian ASSR...

¹⁸ Documents and materials on the history of the Mordvinian ASSR...

¹⁹ N. F. Mokshin, Ethnic history of Mordva (Saransk, 1977) y I. Ya. Khristoforov, "On Ancient Manuscripts in the Simbirsk Karamzin Library", Proceedings of the IV Archaeological Congress in Russia, Vol: 2 (Kazan, 1986).

The legal status of the peasantry was undergoing significant change. Even since the late 15th century, Mordvinian peasants, who were mostly state-owned, began to be gradually transferred to the category of palace peasants. In the 16th century, palace estates were located in Temnikovsky Uyezd (along the Moksha River from Temnikov to Narovchat), in the early 17th century — in Alatyrsky Uyezd (with Ardatov as the center). Not only the yasak people were re-categorized as palace peasants, but also the descendants of Mordvinian Princes and Murzas. The Mordvinian peasants of Saransk, Kadom, Insara and Penza Uezds remained state-owned²⁰.

In the early XVIII century, Peter I revised the tax legislation. By the Edict of 1719, Mordva was now a part of the state peasantry and levied a poll tax, i. e. non-Russians were equated with the Russian tax bearing peasantry. The state peasants owned individual land plots and managed them under the commune's control. In 1722, an edict was issued to collect draftes from the Mordvins and Cheremis on a par with Russians²¹.

The most crucial aspect of the legal status of non-Russian peoples was land relations. In an effort to consolidate its power in the accessed territories, the tsar's government produced legislation that evinced individual interests of non-Russian peoples. An array of regulations can be observed that are aimed at protecting the non-Russian world with their established practices from interference of the local authorities. Since the late 16th century, the basis for consolidating the ownership of land and its division between the authorities and the local people was the actual possession and use. The Mordva retained the right to land plots in their possession, while the uncultivated fields, steppes and needle grass lands passed to the state ownership. For each Mordvinian village, the obod [boundaries] was defined and traditionally designated by natural boundaries, marked trees, and pillars.

For example, in the Novgorod Office's order of September 18, 1619, to F. I. Sychov and I. Parfenyev on the census of the wild-honey farming and Mordvinian villages of the Arzamas Uyezd, it was ordered by the name of the Tsar and Grand Prince Mikhail Fedorovich, "to take census of wild-honey farming and Mordvinian villages and hamlets, new hamlets, wastelands, flood plains, and homesteads in them, and people in the homesteads by name, and take census of the plowed and resting land." To reveal the actual state of the land, "good people" were selected from long-term residents that were to help determine the number of Mordvinian and wild-honey farming homesteads, take a census of the people living in these homesteads "by name and nickname, their children, and brothers and nephews, and neighbours, and boarders". Living in villages and hamlets five together in one vyť (the taxable unit of land), or living in a homestead together with children, brothers, nephews and boarders, cultivating arable land, having a trade characterized families as prosperous. In the event of refusal to pay state taxes, the order instructed that the families should be re-settled on empty vyť's for a uni-personal settlement as a zakhrebetnik [boarder]²².

To encourage the Mordvins who escaped the heavy tax burden to return to their ancestral lands, the authorities established privileges for settling and "homestead works and constructions" for one or two years. The order also established privileges for those who had

²⁰ History of Mordovia: From Ancient Times to the Mid-20th century (Saransk, 2001).

²¹ N. F. Mokshin, Ethnic history of Mordva (Saransk, 1977).

²² Documents and materials on the history of the Mordvinian ASSR, in 4 volumes (Saransk, 1939, 1940). Volume 1.

to live in other people's homesteads because of poverty and dilapidation of their houses. The vacant land that was left from dead or missing people, who did not have wives, children, or other relatives, were to be qualified as state property. The land was inventoried taking into account the traditional marks, signs of property, which retained the traditional significance for foreigners as legal property markers²³. The document emphasizes, as the instruction to the officials Fedor and Isak, the need to act justly with Mordvins. Apart from the above matters, they were forbidden to interfere in the people's life and abuse their power²⁴.

The most important legal act of the 17th century was the Law Code that was promulgated by the Zemsky Sobor in 1649 and remained valid for almost 200 years until 1832. Reflecting the specific features of the legal thinking in Russia of the time, the Code included the regulations the drafters formulated based on the requirements in petitions submitted by various groups, including non-Russians²⁵. It regulated the most important branches of government: attaching peasants to the land, the status of patrimonial and pomest'e [service estates]. Chapter 16 (On Service Estate Lands) establishes the right of Mordvins and other peoples to lands previously granted for their service. "Concerning lands which from of old were the pomest'e lands of Russians, and for many years lay waste; and in past years Tatars and Mordvins settled on those deserted lands according to grants in charters issued by the sovereign, and others on the basis of charters issued by the boyars, charters which were granted at the time when there was no sovereign, when the boyars were camped near Moscow, and others without any grants at all and they have been living on those lands for many years, and they are rendering the sovereign's service from those lands: do not take away those lands from them..."²⁶ The Code specifically stipulates the preservation of lands for non-Russian peoples in case they adopt the Orthodox faith. "Concerning princes, and mirzas, and Tatars, and Mordovians, and Chuvash, and Cheremis, and Votiaks who have converted to the Orthodox Christian faith: do not take such pomest'e lands away from those converts and do not give them to the Tatars."²⁷

Subsequently, cadastral survey was in more detail described in the edict by Tsars and Grand Princes Ioann and Petr Alekseevich of March 9, 1685, On the delimitation of the Mordvin, Cheremis and Chuvash lands. Scribes were to draw up a reliable location plan of the Mordvinian, Cheremis, Chuvash and Votyak villages with an indication of all inhabitants in the vicinity of the Kazan Palace Prikaz by name. By the edict, they were to describe, measure and survey cultivated arable lands, hay meadows, forests and other lands. A separate paragraph was the instruction to study vacant lands (to find former owners and their location, to determine the reasons for abandoning the land and moving to other areas).

Lawmakers focused on studying the areas to which non-Russian were forced to re-settle, in order to determine the number of occupied lands and whether fees had been fully paid to the government treasury. To ensure the accuracy of the collected data, it was recommended to closely cooperate with local residents, long-term residents, and "outsiders of all kinds". The document points out the importance of the methods of persuading non-Russian population and gaining their trust to ensure obtaining only true information.

²³ Documents and materials on the history of the Mordvinian ASSR...

²⁴ Documents and materials on the history of the Mordvinian ASSR...

²⁵ V. A. Tomsinov, "The Law Code of 1649 as a Monument of Russian Law". *Pravovedenie*, num 1 (2007).

²⁶ M. N. Tikhomirov & P. P. Epifanov, *The Law Code of 1649* (Moscow, 1961).

²⁷ M. N. Tikhomirov & P. P. Epifanov, *The Law Code of 1649*...

For the deception of officials who represented the government, a severe punishment was established, regardless of the amount of caused damage²⁸.

Traditionally, the boundaries of the lands were defined "by signs of property and marks separately", the number and locations of wild beehives were indicated in detail, the number of beehive trees with and without bees, rivers and lakes and fisheries and beaver runs and "various possessions", the sign of property was put on beehive trees. The edict prescribed non-Russian to fully pay their debts: "honey and marten taxes, and [taxes] for beaver runs, and fish weirs, and various possessions" according to the payment books²⁹.

Land rights of Mordvinian peasants were often violated. The most common reason for widespread disputes over land was that the boundaries of plots were only approximate in survey, census, scribe and boundary books. Numerous appeals of the non-Russian peasants, mostly about the compulsory alienation of lands, overcrowded the state authorities, urging higher officials to remind local authorities that it was desirable to encourage newcomers. Land expropriation from Mordvinian peasants by landowners reached a particularly large scale during the General Survey that took place in late 18th and early 19th century. An order to Fedor Sarayev, a Mordovian deputy of Saransk, Penza and Petrovsk provinces to the state legislative committee, which he turned over to Empress Catherine II in 1767³⁰, is also an evidence of the widespread violations of land rights.

Christianization played a special role in the relationship between the government and the non-Russian population and continued from the early 16th through the 18th century. The conversion to Christianity was one of the important measures of the tsar's autocracy aimed at consolidating power among the Volga region peoples. The complex and contradictory process reflected in the legislative sources of that time. The government quickly realized the need for a comprehensive approach to the non-Christian people: it was impossible to bring peoples to the Orthodox faith only with regulations and their enforcement. A need arose to develop a system of benefits (privileges) for people willing to be baptized.

On May 16, 1681, Tsar Fedor Alexeyevich signed an edict on granting Mordvinians privileges in case of baptism. "And tell Mordvins," the edict read, "that after searching for the pious Christian faiths of the Greek law, all of them to be baptized. And once they are baptized, they will be granted privileges in all taxes for six years³¹." In 1686, the Tsar's government issued an edict that the eparchs and monastic authorities pay special attention to the newly baptized Mordvinians, which "are not proven in the Christian faith, do not come to the churches of God and do not have spiritual fathers³²." As ordered by the edict, lists were drafted of newly baptized, whose wives and children remained in paganism, and all of

²⁸ The steps for cadastral survey of the lands of non-Russians, in addition to the instructions, were specified in more detail in the edict by Tsars and Grand Princes Ioann and Petr Alekseevich. On the Delimitation of the Mordvin, Cheremis and Chuvash Lands. 1st Full Collection of Laws of the Russian Empire, Vol: 2 num 1111 (March 9, 1685): 654–656.

²⁹ The steps for cadastral survey of the lands of non-Russians, in addition to the instructions, were specified in more detail in the edict by Tsars and Grand Princes Ioann and Petr Alekseevich. On the Delimitation of the Mordvin, Cheremis and Chuvash Lands. 1st Full Collection of Laws of the Russian Empire, Vol: 2 num 1111 (March 9, 1685): 654–656.

³⁰ Documents and materials on the history of the Mordvinian ASSR, in 4 volumes (Saransk, 1939, 1940). Volume 3.

³¹ Documents and materials on the history of the Mordvinian ASSR, in 4 volumes (Saransk, 1939, 1940). Volume 3.

³² S. K. Kuznetsov, *Mordva* (Moscow, 1912).

them were to be taken to the eparchies' houses or monasteries for homilies and establishment in Christianity. But the largest driver of the conversion of Mordva to Christianity was a governmental measure adopted in the late 17th century, according to which Russians began to be settled in Mordvinian hamlets, and Mordvinians were re-settled to Russian hamlets³³.

According to the edict of 1685, non-Russians were granted additional privileges for baptism: i. e. deserted lands and wild beehive tree lands: "...concerning the lands of Mordvinians and Cheremis and Chuvash and Votyaks and beehive tree lands and various lands that, after investigation, from of old lay waste; and those empty lands should be given to keen people of Mordva and wild-hive beekeepers that have privileges, and to give them privileges for one year and two years with a surety bond, and after privilege years, order them to pay taxes from that lands for the Great Sovereign's treasury..."³⁴

The edict of June 25, 1723, On Baptizing Cheremis Instead of Punishment for the Concealment of Serfs at Their Wish in the Orthodox Faith of the Greek Confession established privileges for criminal cases in the event of conversion to Christianity. For example, the Governing Senate, upon the petition of the foreman Famendin of the Kazan Uezd of the Alatsk road of Vyzmurin and Cheremis rural districts, the village headman and elders and yasak Cheremis, who asked "not to punish them for concealment of serfs, but to baptize them into the Orthodox faith of the Greek confession," ordered to baptize "the village headman and elders and Cheremis with wives and children, 545 people, in the Orthodox faith of the Greek confession", and henceforth inflict no punishment on non-Orthodox who confessed the concealment of serfs and wished to be baptized³⁵.

We cannot agree with the position that by the 18th century the majority of Mordvins joined the Orthodox Church only as "result of the aggressive Christianizing campaigns, which involved the destruction of the holy woods", and Mordvin people were not regarded as "culturally different from Russians" (Janurik 2015: 202). Mordvins were entitled to the same special offers as other indigenous peoples were.

One of the first legal acts to officially promote Russian-Mordvinian family relations and consolidate the existence of special customary legal relations was the Edict of the Empress Anna Ioannovna of September 11, 1740, On Sending the Archimandrite with a Certain Number of Clergymen to Different Provinces to Teach Christian Law and the Privileges Granted to the New Converts. This edict, in addition to listing multiple privileges granted to the baptized non-Orthodox, also pointed out the need of marrying of the non-Orthodox with Russians. "...Not less than that, it is needed that the new converts marry Russians and through that resume in-law relationships and friendship between themselves..." the edict read³⁶.

³³ P. I. Melnikov, *Essays on the Mordva* (Saransk, 1981).

³⁴ The steps for cadastral survey of the lands of non-Russians, in addition to the instructions, were specified in more detail in the edict by Tsars and Grand Princes Ioann and Petr Alekseevich. On the Delimitation of the Mordvin, Cheremis and Chuvash Lands. 1st Full Collection of Laws of the Russian Empire, Vol: 2. num 1111 (March 9, 1685): 654–656.

³⁵ The Senate edict On Baptizing Cheremis Instead of Punishment for the Concealment of Serfs at Their Wish in the Orthodox Faith of the Greek Confession. 1st Full Collection of Laws of the Russian Empire, Vol: 7 num 4254 (June 25, 1723)

³⁶ Tsar's edict given to the Senate On Sending the Archimandrite with a Certain Number of Clergymen to Different Provinces to Teach Christian Law and the Privileges Granted to the New Converts. 1st Full Collection of Laws of the Russian Empire, Vol: 11 num 8236 (September 11, 1740)

In 1740, the Office for the Affairs of New Converts opened with the headquarters in Kazan in order to accelerate the Christianization of peoples living in Kazan, Nizhny Novgorod, Voronezh and Astrakhan provinces. The edict on sending the Archimandrite D. Sechenov, who had been appointed the head of the office for those provinces, said that new converts should be granted three years of tax exemption, exemption from military duty and work at state enterprises, a certain monetary reward, clothes and a number of other benefits. At the same time, the legal status of the unbaptized was deteriorating, because it was determined that all the duties and taxes of the baptized during the "privileged" time "should be levied on the unbaptized non-Orthodox people left in those territories."³⁷

Among other basic instructions, the Archimandrite and his assistants were also instructed to "report and describe all the indecent deeds that were contrary to the law of Christianity, and according to those reports to teach such new converts the path of truth; and if testimony reveals a serious offence, then fine them with church penance or other fines upon consideration; however, in the cases concerning faith and non-fulfillment of the Christian law by new converts, do not continue more than three days and do not put any obligations on them according to the custom of the Prikaz; but render every possible indulgence in order to encourage willingness in other non-Orthodox to conversion to the law of Christianity through such kindness towards them and homilies to the pious and immaculate life." Judge the newly baptized "by word of mouth", and "if the petitioner or defendant are unsatisfied with their judgment, they shall petition on each other in writing to military governors in nearby towns, or in the Chancery of the Kazan Province, where they shall be judged and all justice shall be done without flattering or excessive delays, for there will be no such cases of doubt and complicated cases as between the Russian landlords and merchants, but only cases about disputes between them, debts and in other similar offences."³⁸

The edict of September 18, 1740 On Non-Infliction on Mirzas, Tatar, Mordvins, Chuvash and Cheremis Maintenance Expenses and Compensations for Delay on Legal Matters, established a fine for maintenance expenses and excessive delays in the amount of one grivna per day, so that "in all the state, the trial would be fair and just."³⁹

On March 11, 1741, the highest resolution passed on the report of the Cabinet "On the Exemption from the Death Penalty of Non-Orthodox for Murder or Other Serious Offence for Conversion to the Greek Confession", which read: "... if non-Orthodox are found guilty in murder or other serious offences, and then they convert in the faith of the Greek confession, then they, for that conversion to the faith, shall not be executed or exiled, but a resolution shall be demanded from the Cabinet"⁴⁰. This provision was revised by the Senate's edict of December 15, 1741 On the Abolition of the edict of March 11 of the same year of 1741 On the Exemption from the Death Penalty of Non-Orthodox for Murder or Other Serious Offence

³⁷ Documents and materials on the history of the Mordvinian ASSR, in 4 volumes (Saransk, 1939, 1940). Volume 2.

³⁸ Tsar's edict given to the Senate On Sending the Archimandrite with a Certain Number of Clergymen to Different Provinces to Teach Christian Law and the Privileges Granted to the New Converts. 1st Full Collection of Laws of the Russian Empire, Vol: 11, num 8236 (September 11, 1740)

³⁹ The Senate edict On Non-Infliction on Mirzas, Tatar, Mordvin, Chuvash and Cheremis Maintenance Expenses and Compensations for Delay on Legal Matters. 1st Full Collection of Laws of the Russian Empire, Vol: 11 num 8245 (September 18, 1740): 263–265.

⁴⁰ The highest resolution on the report of the Cabinet On the Exemption from the Death Penalty of Non-Orthodox for Murder or Other Serious Offence for Conversion to the Greek Confession. 1st Full Collection of Laws of the Russian Empire, Vol: 11 num 8349 (March 11, 1741): 369–370.

for Conversion to the Greek Confession. It said: "...and the aforesaid decree, adopted during the reign of Princess Anna of Braunschweig-Lüneburg on the exemption from the death penalty of Non-Orthodox for murder, shall be repealed, and henceforth, when such are found, they shall be dealt with according to the Law Code and the edicts."⁴¹ The edict of September 28, 1743, ordered to exempt and release the non-Orthodox from custody for committing minor offences (small theft, quarrels, fights) if they are baptized.⁴²

On April 6, 1742, the Synod's Military Collegium issued an edict that "the regimental priests who stay with the regiments, shall diligently seek through the holy baptism to bring unenlightened Kalmyks, Tatars, Mordvins, Chuvash, Cheremis and other heterodoxes to the holy church, and shall have eagerness and zeal about that... and watch closely that they keep their faith firm."⁴³ The Tsar's government, in the edict of February 4, 1744, addressed to the Office for the Affairs of New Converts, ordered: "...for building wooden churches in the hamlets of new converts to avoid excessive treasury's expenditures, to export the timber from where it is available, and build those churches and parishes there for the inhabitants, and equally for those unwilling to be baptized."⁴⁴

The Governing Senate, in order to protect the new converts and fulfil a number of edict (of September 11, 1740, September 28, 1745, April 15, 1744), ordered that "no one should be inflicted injuries or constraints, but show mercy and benevolence, and in every case act according to those edicts, and on matters concerning to new converts and non-Orthodox, summon those new converts to the Court from the Commander appointed to defend them, and by no means take them to custody yourself, and in those cases about them, in the Court trials, by the edicts to resolve according to the true justice in presence of officers appointed for the affairs of new converts and the innocent of the cases of new converts..."⁴⁵ The state policy involved the infiltration of the indigenous peoples's lands. Mordvins often lost areas because they could not speak Russian, the administrative language of the region, and signed documents in favor of the new settlers (Taagepera 2000: 154). People fled the original territories, which resulted to the certain extent assimilation. The 19th century brought about positive changes during the period of industrialization and agricultural progress, the demographical development of the Erzya and Moksha population was characterized by a notable increase. Parallel to this population growth, there was an enrichment of the Erzya and Moksha varieties, and the standard varieties started to develop as more and more books were published in the minority languages⁴⁶.

⁴¹ Senate edict On the Abolition of the edict of March 11 of the same year of 1741 On the Exemption from the Death Penalty of Non-Orthodox for Murder or Other Serious Offence for Conversion to the Greek Confession. 1st Full Collection of Laws of the Russian Empire, Vol: 11 num 8482 (December 15, 1741): 549.

⁴² Senate edict On Punishment and Exile of Six Latvian Women to Siberia for the Murder of Their Children. 1st Full Collection of Laws of the Russian Empire, Vol: 15 num 11.122. (October 16, 1760): 532–533.

⁴³ Documents and materials on the history of the Mordvinian ASSR, in 4 volumes (Saransk, 1939, 1940). Volume 3.

⁴⁴ History of Tatyari in Documents and Materials (Moscow, 1937).

⁴⁵ Senate's edict "On Not Inflicting Injuries or Constraints on the New Converts in Kazan and Other Provinces; on Not Summoning them to Courts on Matters Concerning Them without Intercourse with their Appointed Defending Official; On Settlement of their Grievances about Russians and Unbaptized People with all the Justice; and on Trial of Cases Regarding the Mutual Claims of the New Converts, by Elected People from Their own Class Who Speak the Russian Language". 1st Full Collection of Laws of the Russian Empire, Vol: 15 num 11.064 (May 31, 1760): 476–477.

⁴⁶ R. Taagepera, *The Finno-Ugric Republics and the Russian State* (Taylor & Francis, 2000).

Conclusion

Mordva becoming part of Russia determined that the Russian legislation applied to it. The formation and development of the multi-national Russian statehood were characterized by a complex of adaptation processes: on the one hand, the government was adapting to the traditional way of living of non-Russian peoples; on the other — the peoples were adapting to the existing official model of the state legal system. The formation of the multi-national state predetermined the need to understand the customs of the non-Russian people and the social relations in their world, since the complete ignorance of traditional views often caused management difficulties for the local administration and prevented the higher authorities from implementing plans of establishment of uniform procedures, including the legal framework in the state.

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