

Chapter 5

Toward an Empire of Republics: Transformation of Russia in the Age of Total War, Revolution, and Nationalism

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Today, the term “Soviet Empire” has almost ceased to function as a pejorative of the Cold War brand, at least in the academic world. Owing to the blossoming of empire studies, especially to a number of volumes dedicated to the Soviet Union, the understanding of the USSR as an empire has become common during the last two decades. The “imperial” approach to the Soviet Union is helpful in turning our attention to the multiethnic features of the USSR, structured not simply as “the prison of nations,” but as the newest type of composite state, where the political identities of various nationalities were constantly in the making, interacting with the Communist Party at the core as an agent of social engineering.¹

However, Soviet imperial studies are just beginning, with many questions awaiting further study. An especially important question concerns the problem of imperial heritage: what continuity, if it existed,

¹ See Terry Martin, *The Affirmative Action Empire: Nations and Nationalism in the Soviet Union, 1923–1939* (Ithaca: Cornell University Press, 2001); Ronald Grigor Suny and Terry Martin, eds., *A State of Nations: Empire and Nation-Making in the Age of Lenin and Stalin* (Oxford: Oxford University Press, 2001); Francine Hirsch, *Empire of Nations: Ethnographic Knowledge and the Making of the Soviet Union* (Ithaca: Cornell University Press, 2005).

was there between the Russian Empire and the USSR as a multinational state? I will try to tackle this problem, rethinking modern Russian history across the revolutionary border of 1917, from the First Russian Revolution of 1905 to the formation of the USSR in 1922.² If I present here the conclusion of this chapter, it is as follows: the Soviet Union was a product of the revolutionary transformation of the old empire, a process reflecting global trends at the beginning of the twentieth century, that is, democratism, nationalism and mass mobilization. Magnified by total war and revolution, these trends brought about a unique type of composite state in Russia—the Soviet Union as an “empire of republics.” Founded on republicanism and composed of many levels of “republics,” the Soviet Union was geared to the age of mass mobilization. But, in reality, all these republics were of “autonomous” status, regardless of their official name, entitling us to call the USSR an empire.³

The structure of this chapter is as follows: in the first section, I will examine an administrative reform plan, offered during the First Russian Revolution, by a prominent liberal, F. F. Kokoshkin (1871–1918), who had a “particularist” view of the nationality problem, preferring to grant autonomy from above, only to some selected nationalities. Kokoshkin had been influenced by German state theory, which, by the rigorous cat-

2 On the intellectual history of federalism in the nineteenth-century Russian Empire, see, Mark von Hagen, “Federalisms and Pan-movements: Re-imagining Empire,” in Jane Burbank, Mark von Hagen, and Anatoly Remnev, eds., *Russian Empire: Space, People, Power, 1700–1930* (Bloomington: Indiana University Press, 2007).

3 Using the term “empire,” I do not oppose the argument of Joshua Sanborn that the Bolsheviks had promoted civic nation building in the former Russian Empire. Joshua A. Sanborn, *Drafting the Russian Nation: Military Conscription, Total War, and Mass Politics, 1905–1925* (DeKalb: Northern Illinois University Press, 2003). Understanding the USSR as an “empire of republics,” I mean to build a bridge between Sanborn’s argument and Soviet imperial studies. On my view on civic nation building in Bolshevik Russia, see my article on the collectivist labor mobilization during the civil war as a way of nation building. E. Ikeda, “Trud kak sposob formirovaniia «sovetskikh grazhdan»: proizvodstvennaia propaganda, 1920–21 gg.” in *Padenie imperii: Revoliutsiia i grazhdanskaia voina v Rossii* (M.: Sotsial’no-politicheskaia MYSL’, 2010).

egorization of various levels of statehood, made his viewpoint a criterion for evaluating the attitude of various political forces toward the nationality problem of Imperial Russia. In the second section, I will analyze two studies on federation, published in the Russian Empire in 1912, which criticized Kokoshkin from a unitarist point of view. In the third section, discussion of the “British Empire model” shortly before and during the First World War will be examined as an alternative to Kokoshkin’s plan. Then, we will inquire into the transformation of Russian society during the First World War and the 1917 Revolution, during which Kokoshkin’s plan had been defeated. In an epilogue, the formation of the USSR as an “empire of republics” will be analyzed.

All dates before February 1918 are expressed according to the Julian (Russian) calendar, which, in the twentieth century, was thirteen days behind the Gregorian (Western) calendar.

Kokoshkin’s Particularist View of Autonomy

In 1897 and 1898, a young Russian jurist took an academic trip to France and Germany. His name was Fedor Kokoshkin, descended from a noble Muscovite family. Having graduated with high marks from the Faculty of Law of Moscow University in 1893, he was dispatched abroad for further studies on constitutional law. In Heidelberg, he had an opportunity to receive guidance from Georg Jellinek (1851–1911), one of the most influential theorists of state in Europe in those days.⁴ Jellinek’s academic style was characterized by understanding the state in historical development and denying its absolutization, as was demonstrated in *The Declaration of the Rights of Man and of Citizens: A Contribution*

4 A. Kizeveter, “Fedor Fedorovich Kokoshkin,” in *Pamiati pogibshikh* (Paris: Société Nouvelle d’Editions Franco-Slaves, 1929), pp. 12, 14–15; A. N. Medu-shevskii, “Fedor Fedorovich Kokoshkin,” in *Fedor Fedorovich Kokoshkin. Izbrannoe* (M.: ROSSPEN, 2010), pp. 8, 18. The international influence of German state theory is a prospective subject in comparative history. For example, see Nicholas Aroney, “The Influence of German State-Theory on the Design of the Australian Constitution,” *International and Comparative Law Quarterly* 59:3 (2010).

to *Modern Constitutional History* (1895), in which Jellinek maintained that the liberty of the individual was not created by the state, but only recognized by it, and recognized in “the self-limitation of the state.”⁵ Jellinek had not only influenced his Russian pupils’ view of the state, but changed the latter’s attitude to society. Once a student with rightist leanings and captivated by the “formal beauty of theoretical structures,” Kokoshkin in Heidelberg began to “stand face to face with new problems throwing light on the deep connections of jurisprudence with the real interests of life.” After returning to Russia, he committed himself to the Liberation Movement, which was gathering momentum at the beginning of the twentieth century.⁶

The most important subject in Jellinek’s works that affected Kokoshkin’s political activities related to the problem of statehood. By the end of the nineteenth century, Jellinek and his German colleagues had elaborated a categorization of various ranks of statehood, including sovereign states, non-sovereign states, and “state-fragments.” The sovereign state was a traditional concept in state theory, while the concept of the non-sovereign state was closely connected with the works of Jellinek and another German scholar Paul Laband. What fell under this category were constituent states of a federation, such as Württemberg in the German Empire, Bern in Switzerland, and Pennsylvania in the USA.⁷ Then, Jellinek coined another rank of statehood, “state-fragments” (*Staatsfragmente*). In *Über Staatsfragmente* (1896), Jellinek defined state-fragments as “neither wholly states, nor wholly divisions of a state, nor yet banded municipalities subject to the state,” classifying into this category Alsace-Lorraine, Canada, Croatia, Finland and so on.⁸ Generally speaking, “state-fragments” corresponded to autonomous regions,

5 Georg Jellinek, *The Declaration of the Rights of Man and of Citizens: A Contribution to Modern Constitutional History*, trans. Max Farrand (New York: Henry Holt and Co., 1901), pp. 96–97.

6 Kizevetter, “Fedor Fedorovich Kokoshkin,” pp. 14–15.

7 Georg Jellinek, *Allgemeine Staatslehre*, 3rd ed. (Berlin: O. Höring, 1914), pp. 493–494.

8 Georg Jellinek, *Über Staatsfragmente* (Heidelberg: Gustav Koester, 1896), pp. 10–11, 13, 40, 43–44.

as Kokoshkin later translated this concept into Russian as *avtonomnye kraia* or *avtonomnye oblasti*.⁹

Jellinek devised the concept of the “state-fragment” in order to explain the special status of Finland in the Russian Empire. In his earlier work, *Die Lehre von den Staatenverbindungen* (1882), Jellinek did not yet have a suitable notion for the intermediate stages between state and province, so he defined Finland as “a province of the Russian Empire.”¹⁰ This definition was abused in the Russian Empire as a weapon for eliminating the autonomous rights of Finland. This fact prompted Jellinek to seek a concept able to comprehend the special status of Finland and other similar cases lying between state and province.¹¹

This categorization of statehood was used by Kokoshkin in his confrontation with nationalist movements during the 1905 Revolution. With the beginning of the revolution, mass mobilization became an unignorable factor in politics for the first time in the modern history of Russia. In the empire’s peripheries this situation led to a rise of various nationalist movements, because social cleavage overlapped there with ethnic cleavage more often than not. Many nationalities began to make their presence known, with a claim for the rights of nationality and a cry of protest against the centralizing policy of the government. This sudden emergence of nationalist movements took by surprise not only the Imperial government, but also leaders of the Liberation Movement. They had striven for a democratization of the autocratic regime, but, mostly composed of the Great Russians, had paid little attention to the nationality problem.¹²

9 See Kokoshkin’s *Leksii po obshchemu gosudarstvennomu pravu* (1912) in *Fedor Fedorovich Kokoshkin. Izbrannoe*, pp. 245, 334.

10 Georg Jellinek, *Die Lehre von den Staatenverbindungen* (Wien: Alfred Hölder, 1882), p. 71.

11 Boris Minzès, *Russia’s Treatment of Finland and Its Bearing on Present World Politics*, trans. Montague Donner (New York: Finnish-American Publishing Co, 1900), pp. 17–19.

12 On the criticism of the Great Russian liberals by a prominent Ukrainian nationalist, see, M. S. Grushevskii, *Natsional’nyi vorpos i avtonomiia* (SPb.: Obshchestvennaia pol’za, 1907), pp. 5, 12.

When an All-Russian Congress of Zemstvo (local self-government) and Municipal Deputies was held in September 1905 in Moscow, Kokoshkin gave a report on “the rights of nationalities and administrative and legislative decentralization.” To gain a clear sense of his argument, we need to understand how Kokoshkin distinguished between autonomy (*avtonomiia*) and self-government (*samoupravlenie*). For Kokoshkin, autonomy meant the competence to promulgate local laws with the establishment of a local parliament (*sejm*), whereas self-government meant only to issue ordinances within the limits of state laws. Kokoshkin argued for the development of self-government, not autonomy, all over the empire with the strengthening of zemstvos. He admitted the necessity of “cultural” autonomy for nationalities, which meant the right to use one’s own language and to develop one’s own culture. However, he was quite careful to introduce regional autonomy, because of the “sharp differences of local conditions.” “It may be promoted *gradually, in each case, by promulgating a special all-imperial law on the establishment of this or that autonomous region.*” Only Poland might immediately enjoy the status of an autonomous region (*avtonomnyi krai*) thanks to the homogeneity of the area.¹³

In essence, this was a particularist approach to the problem of autonomy, typical of the politicians of an imperial metropolis. For them, autonomy is to be given to one or another region selectively, from above, because of the diversity of local conditions.¹⁴ The Congress approved a resolution on the basis of Kokoshkin’s report, with an important opposing voice by A. I. Guchkov against the regional autonomy of Poland and for the preservation of the unitary feature of the empire. One month later, the arguments of Kokoshkin were incor-

13 Kokoshkin’s italics. *Natsional’nyi vopros v programnykh dokumentakh politicheskikh partii, organizatsii i dvizhenii Rossii. Nachalo XX v. Dokumenty i materialy* (Tomsk: Izd-vo NTL, 1998), pp. 15–35, citation from p. 33.

14 On the particularist feature of imperial rule, see Tomohiko Uyama, “A Particularist Empire: The Russian Policies of Christianization and Military Conscription in Central Asia,” in Tomohiko Uyama, ed., *Empire, Islam, and Politics in Central Eurasia* (Sapporo: Slavic Research Center, 2007).

porated into the program of the newly born Constitutional Democratic Party (Kadets).¹⁵

After the Congress Kokoshkin's report received criticism from some prominent public figures as leading to federalization and, then, the dismantling of Russia. This induced him to write a brochure entitled *Regional Autonomy and the Unity of Russia (Oblastnaia avtonomiia i edinstvo Rossii)* (1906), in which Kokoshkin the jurist gave a genuine lecture on the concepts of federation, autonomy, and self-government. He warned his readers in particular "not to confuse the notion of autonomy with federation." Relying on Jellinek, Kokoshkin explained that a constituent state (non-sovereign state) of a federation had its own government, independent of the federal authorities, whereas an autonomous province (for example, Croatia in the Austrian Empire) was not able to have one. The latter's legislative competence originated not in itself, but was only delegated by the government, and was always put under its strict control. So, the unitary feature of the Russian Empire would not be harmed in any way by the introduction of political autonomy for some regions (Poland and, surmising from the Kadet program, Finland).¹⁶ Kokoshkin thus emphasized his restricted understanding of autonomy positioned in contraposition to federation.

Kokoshkin had to underscore this dichotomy all the more, because, in addition to the conservative criticism of autonomy as a road to the federalization of Russia, the nationalist movements also tended to demand both autonomy and federation together. Moreover, the Socialists-Revolutionaries (the SRs) and even some left Kadets likewise sympathized with this demand (by contrast, the Social-Democrats, both Bolsheviks and Mensheviks, upheld the idea of the unitary state).¹⁷

From Kokoshkin's writings we may say that Jellinek's scheme of statehood offered a convenient theoretical framework for the Russian lib-

15 *Liberal'noe dvizhenie v Rossii 1902–1905 gg.* (M.: ROSSPEN, 2001), pp. 394–396; *Pervyi shturm* (M.: Molodaia gvardiia, 1990), pp. 466–469.

16 *Fedor Fedorovich Kokoshkin. Izbrannoe*, pp. 464–471; *Pervyi shturm*, p. 469.

17 *Natsional'nyi vopros*, pp. 56–57, 59–61, 63–66, 80–84; *Pervyi shturm*, pp. 433, 448; V. P. Obninskii, *Novyi stroi*, chast' 2 (M.: Tip. Russkogo Tovarishchestva, 1911), pp. 339–340.

erals, irrespective of Jellinek's intention. The concept of the "state-fragment" was especially serviceable: clearly distinguished from both the non-sovereign state and the province, it duly conformed to their particularist nationality policy, justifying the bestowing of political autonomy only on Poland and Finland as autonomous regions.¹⁸

It is no coincidence that Jellinek and other German scholars had produced such an elaborate scheme of statehood. We are too much accustomed to seeing the German Empire simply as a nation state.¹⁹ Indeed it was, but at the same time, the German Empire was a federation with a disproportionate composition of constituent states.²⁰ This specificity made German legal scholars especially keen on the discrepancy between currently existing states and the principle of nationalism. They tried to define as precisely as possible the various types of statehood, regarding at the same time the unity of the state as a crucial factor for the modern state.

Consequently, it is understandable that German state theory was accepted by Russian liberals, since their empire was also lying under the threat of nationalism (though the force of nationalism affected each empire in a diametrically opposite way: in Germany, nationalism had thwarted existing dynasties to consolidate an empire, whereas in Russia, the integrity of the currently existing empire was seen to be threatened by the centrifugal forces of nationalism). Kokoshkin was not alone in this regard. His comrade V. M. Gessen edited a commentary for the Kadet

18 On the Kadets' attitude toward Ukraine, see, S. Breiier, "Partiia Kadetov i ukrainskii vopros (1905–1917)," *Issledovaniia po istorii Ukrainy i Belorussii*, vypusk 1 (M.: TsUB MGU, 1995).

19 On a criticism against the traditional view of the German Empire as a nation state, see, Philipp Ther, "Imperial instead of National History: Positioning Modern German History on the Map of European Empires," in Alexei Miller and Alfred J. Rieber, eds., *Imperial Rule* (Budapest: Central European University Press, 2004).

20 The Russians at the beginning of the twentieth century were much more aware than us of the federated nature of the German Empire. See, for example, P. G. Mizhuev, *Glavnye federatsii sovremennogo mira* (SPb.: Russkaia skoropechatnia, 1907).

nationality policy, quoting Jellinek.²¹ Another jurist, N. I. Lazarevskii, also depended on the works of Laband and Jellinek in his *Autonomy (Avtonomiia)* (1906) in defining key notions, though he was more radical than Kokoshkin in demanding a wide-ranging introduction of regional autonomy to the Russian Empire immediately with the establishment of a constitution.²²

An Option for a Unitary State

Jellinek's scheme of statehood, and especially the concept of the "state-fragment," was suitable for Kokoshkin to manage the ethnic and regional diversity of the Russian Empire, arguing for a particularist approach to each region. But recognition of imperial diversity did not necessarily lead to the particularist option of imperial rule. One might oppose this option exactly because of imperial diversity.

After the Coup of June 3, 1907 by P. A. Stolypin, the revolution and the nationalist movements were oppressed. Five years later, in 1912, two monographs dedicated to the problem of federation were published: A. A. Zhilin's *Theory of Federated State (Teoriia soiuznogo gosudarstva)* and A. S. Iashchenko's *Theory of Federalism (Teoriia federalizma)*.²³ Both were published in the empire's peripheries, Kiev and Iur'ev (Tartu), and, in a sense, constituted a reply to the centrifugal forces of the nationalist

21 Vl. M. Gessen, ed., *Avtonomiia, federatsiia i natsional'nyi vopros* (SPb.: Obshchestvennaia pol'za, 1906), pp. 21, 24, 32.

22 N. I. Lazarevskii, *Avtonomiia* (SPb.: Tip. A. G. Rozena, 1906). A Ukrainian with close connections with Saint Petersburg University, Lazarevskii was rather unbiased in his attitude to the nationality problem. He was a Kadet and would be shot by the Bolsheviks in 1921. See, Sergei Zavadskii, "Pamiati N. I. Lazarevskogo," in *Pamiati pogibshikh*, p. 188, 190.

23 A. A. Zhilin, *Teoriia soiuznogo gosudarstva. Razbor glavneishikh napravlenii v uchenii o soiuznom gosudarstve i opyt postroeniia ego iuridicheskoi konstruktsii* (Kiev: Tip. I. I. Chokolova, 1912); A. S. Iashchenko, *Teoriia federalizma. Opyt sinteticheskoi teorii prava i gosudarstva* (Iur'ev: Tip. K. Matitsena, 1912).

movements during the revolution.²⁴ Having carried out a comprehensive analysis of theories and historical cases of federation, both authors gave a negative answer to the applicability of federal arrangements to the Russian Empire.

In *Theory of Federated State*, Zhilin recognized that federations as well as unitary states were playing an important role in the modern world. However, he wrote, a federated state might be stable only when the constituent states were similar to each other in size and cultural level, like the USA and Switzerland, or composed of a homogeneous nation, like Germany. Both conditions were absent in the Russian Empire, so its federalization would mean “a ruin of the state.”²⁵

Accordingly, Zhilin refused to endorse Jellinek’s concept of the “state-fragment,” calling it “extremely unsuccessful.” These regions (*kraia*) “are situated quite independently and living their own lives, but are parts of a state, and should be subjected principally to its supreme interest. And a wise policy would consist of assimilating, to the extent possible, this heterogeneous (*inorodnoe*) body, and in binding it more firmly to the state organism one way or another.”²⁶

Iashchenko, the author of *Theory of Federalism*, was still more critical of Jellinek and federation in general. He negated the possibility of federation as a stable form of the state, considering that currently existing federations were just “intermediates developing toward the establishment of unitary states.” Correspondingly, Iashchenko did not support German state theory’s concept of the “non-sovereign state.” The “state-fragment” concept to him was also “completely unsuccessful,” being just about as useful as defining a living form as “being not unlike

24 Indeed, Iashchenko’s connections with Iur’ev were temporary. Having graduated from Moscow University in 1900, he held an appointment at Iur’ev University from 1909 to 1913, and then moved to St. Petersburg University. A. S. Iashchenko, *Filosofiiia prava Vladimira Solov’eva. Teoriiia federalizma* (SPb.: Aleteiia, 1999), p. 5. This volume includes only the theoretical part of the original edition of *Teoriiia federalizma*.

25 Zhilin, *Teoriiia soiuznogo gosudarstva*, pp. 318–319, 348–349, 352.

26 Zhilin, *Teoriiia soiuznogo gosudarstva*, pp. 297, 353.

human.” For Iashchenko, the appropriate denomination for such regions was “incorporated provinces.”²⁷

Iashchenko then attacked the centrifugal nationalist movements during the revolution. “Federalism has quite often been envisioned (by anarchists, syndicalists, and provincial nationalists) as a political goal for decentralizing and breaking up a unitary state. But such a political program does not match in any way the lessons of history. Centralized states often proceed toward decentralization, but there is no example of the federalization of a unitary state.” He did not oppose the administrative decentralization of Russia, but had some reservations: “The allegation that every individual political unit per se should enjoy autonomy is wrong.” It would transform a state to “a number of small tyrannies with economic, national, or confessional features.” He was especially cautious about national-territorial autonomy. “National autonomy isolates from the whole state its parts. . . . Nationalism should be accepted insofar as . . . it joins and unites those peoples hitherto disunited [as in the German Empire]. But nationalism should be rejected insofar as . . . it is particularistic.”²⁸ Iashchenko’s apology for the unitary state was thus firmly backed by his fear of disintegration of the empire.

In 1912, Kokoshkin also published (supposedly, sometime between the two monographs on federation) his magnum opus, *Lectures on General Theory of the State (Lektsii po obshchemu gosudarstvennomu pravu)*. He remained loyal to his particularist view of autonomy. In *Lectures*, he referred to his mentor’s concept of the “state-fragment” quite approvingly, remarking that Jellinek ascribed to this category Finland, “whose juridical status is generally quite debatable.”²⁹

The British Empire as an Alternative?

Both Zhilin and Iashchenko denied the applicability of federalism to the Russian Empire, fearing that imperial diversity might cause its disintegration. However, many of their contemporaries thought that there was

27 Iashchenko, *Teoriia federalizma*, pp. 227, 342, 357.

28 Iashchenko, *Teoriia federalizma*, pp. 364, 384, 396.

29 Fedor Fedorovich Kokoshkin. *Izbrannoe*, p. 334.

an ideal model of empire, where tolerance of diversity had been duly coordinated with integrality. It was the British Empire.³⁰ Followers of the British model shared political liberalism with Kokoshkin, but their views of autonomy and federation were not wholly identical, since the former tended to prefer federalization to decentralization, while the latter, the other way around.

A monumental Russian work on the British Empire was completed in February 1914, shortly before the outbreak of the First World War. It was *The Autonomous Colonies of Great Britain* (*Avtonomnye kolonii Velikobritanii*), written by Baron S. A. Korf, professor of Aleksandr University of Helsinki, again from the empire's periphery.³¹ The monograph was composed of five chapters on the British Dominions—Canada, Australia, South Africa, New Zealand, and Newfoundland, and a chapter comprising theoretical reflections on the structure of the British Empire. In the last chapter, Korf criticized German state theory for the fact that it recognized a canton of Switzerland or a state of the USA as a genuine, though non-sovereign, state, but did not recognize the British colonies in the same way. “This theory of federation was worked out to save the independence of, and to satisfy the self-respect of, the southern German states and the southern states of the USA.”³²

30 See, for example, P. G. Mizhuev, *Istoriia kolonial'noi imperii i kolonial'noi politiki Anglii*, 2nd ed. (SPb.: Brokgauz-Efron, 1909).

31 After graduating from the Imperial School of Jurisprudence, Korf was assigned to the Ministry of Finance from 1899 to 1906. In the summer of 1900, he had a chance to stay at Heidelberg University, writing a report on the juridical status of the governors of the Russian Empire for Jellinek. Then, in 1902, S. Iu. Witte's Ministry of Finance dispatched Korf to the Far East to research, among others, financial and juridical problems in Manchuria. There he became acquainted with the Chinese Eastern Railway Zone under Russian rule. This experiment would contribute to his study on state theory. Despite P. A. Stolypin's anxiety about his liberalism, in 1907, Korf was appointed professor at Aleksandr University of Helsinki, where he would hold a position till 1918. A. B. Pavlov, “Nauchno-pedagogicheskaiia i politicheskaiia deiatel'nost' S. A. Korfa (1876–1924 gg.) v Rossii i emigratsii” (*Dissertatsiia na soiskanie uchenoi stepeni kandidata istoricheskikh nauk*, SPb., 2006), pp. 14–24.

32 S. A. Korf, *Avtonomnye kolonii Velikobritanii* (SPb.: Trenke i Fiusno, 1914), p. 433.

His criticism of German state theory did not mean that Korf argued for the centralization of the Russian Empire. On the contrary, Korf was a staunch supporter of decentralization. For him, the problem of German state theory lay in the fact that it was too rigorous and static. Indeed, Korf admitted, Jellinek was right when he tried to grasp the intermediate stages by coining the concept of the “state-fragment.” But Korf wanted to go one step further, to comprehend the nature of contemporary statehood in its dynamics. According to Korf, boundaries between each stage of statehood were becoming increasingly subtle. He had in mind various cases of intermediate statehood from the Principality of Bulgaria and Egypt under a de facto British protectorate to the Kwantung Leased Territory under Japanese rule and a British colony, Weihaiwei. In particular, the British colonial policy was characterized at the beginning of the twentieth century by “the recognition of statehood (*gosudarstvennost*) of the autonomous colonies.”

So, contrary to Jellinek, Korf maintained that the British colonies were not “state-fragments,” but (non-sovereign) states. Logically, the British Empire was becoming a federation. It was true that England had occupied a privileged status in this federation, like Prussia in the German Empire. But Korf was convinced that “in future, we may see the formation of several new, general, imperial organs, which would stand above all the parts [of the federation], including, consequently, England itself.”³³

Obviously, Korf described the evolution of the British Empire as an ideal model for the Russian Empire. His argument was welcomed by those who had been repressed by the centralizing policies of the government. In *Nations and Regions (Narody i oblasti)*, a magazine of the Society for the Unity of Nationalities in Russia, a reviewer, a certain “V. O.,” highly evaluated Korf’s book. “We may trace step by step how the boundary had been obliterated between the two notions of ‘metropolis’ and ‘colony.’”³⁴

33 Korf, *Avtonomnye kolonii*, pp. 433–434, 447–449.

34 *Narody i oblasti* 1 (May 1, 1914), p. 32. “V. O.” was probably V. P. Obninskii, editor-in-chief of the magazine. A left Kadet, he was a member of the Autonomists in the first Duma. *Gosudarstvennaia Duma Rossiiskoi Imperii: 1906–1917. Entsiklopediia* (M.: ROSSPEN, 2008), pp. 6–7.

The outbreak of the First World War strengthened the Russian public's impression that the British Empire had successfully constructed an ideal relationship between the center and the peripheries, as the colonies were hastening to offer help to the metropolis upon hearing the declaration of war. *Nations and Regions* enthusiastically reported that "when we reviewed the book by Baron S. A. Korf about the regime of Great Britain in the first number of the magazine, we did not expect, of course, that all the findings of the author would become real so soon and so remarkably in the life of this country."³⁵ So, it seemed as if the British Empire would have admirably tamed imperial diversity by giving maximum autonomy to its Dominions.

The Kadets also highly evaluated the relationship between Britain and its Dominions. For example, the leader of the party P. N. Miliukov called the English "a nation believing in political liberty and national autonomy."³⁶ But the Kadets, and Kokoshkin in particular, aimed to incorporate into the Russian Empire's administration not the practices in the Dominions, but those in Ireland. In September 1914, the British parliament passed the Third Home Rule Bill, promising Ireland self-government (whose implementation was postponed with the outbreak of the First World War). But the extent of autonomy promised to Ireland was not as large as that enjoyed by the Dominions.³⁷ Kokoshkin took this restricted status of Irish autonomy as a model for an autonomous Poland. On July 8, 1915, Kokoshkin made a report at a Kadet conference on a bill on "the organization of the Polish Kingdom," in which he said: "[The Bill] intends to establish autonomy for Poland. The notion of autonomy in the narrow sense, in line with the Kadet program, means such a regime under which a certain part of the state has its own administration and legislation implemented by the local parliament, but obeys the whole in national (*obshchegosudarstvennyi*) problems. Such autonomy has been

35 *Narody i oblasti* 3-4-5 (September 1, 1914), p. 23.

36 P. N. Miliukov, "Diplomaticheskaiia istoriia voiny," in *Ezhegodnik gazety Rech' na 1915 god* (Pg.: Trud, n. d.), p. 85.

37 The Russian public had a great interest in the problem of Irish autonomy. See, for example, A. M. Kulisher, *Avtonomiia Irlandii* (M.: Tip. G. Lissnera i D. Sovko, 1915).

enjoyed by Galicia and Croatia in Austria; Irish Home Rule was equally based on this type [of autonomy], which has not yet been enacted.”³⁸ In this way, Kokoshkin again demonstrated his particularist views of the governance of empire.

Kokoshkin viewed the British Empire first of all as an “empire” in which the metropolis might unilaterally decide the status of this or that part of the state. This authoritarian feature of the British Empire stood out especially in relation to non-white settler colonies such as India. Characteristically enough, Kokoshkin wholly approved of colonial rule in India in the belief that its ethnic diversity justified British dominance. On 16 October, 1916, Kokoshkin gave a lecture at an open meeting of the Society for Rapprochement with Britain, held in Moscow, under the title “Germany, Britain and the Fate of Europe.” Contrasting the German rush to world hegemony with British liberalism expressed in the integration of a global empire, Kokoshkin added: “Undoubtedly, there is no equality for all parts of the British Empire. Such equality would be impossible with the great diversity of the cultures of its inhabitants.” He especially referred to India. “Critics of Britain like to reproach it for India. But I can’t help pointing out that their reproaches are based on incorrect representations of this country. Many people imagine India as a homogeneous whole, a homogeneous nation, mature for political independence and aiming for this. In reality, India is an enormous heterogeneous conglomerate of nationalities, among which are barbarians, half-cultured peoples, and peoples with a highly developed and elaborate, but unique culture. India does not have a united national self-consciousness. Hostile to each other, many races, creeds, and religions collide among themselves there. Let them have their own way, and India would inevitably be turned into an arena of bloody fratricide.”³⁹ Perhaps this patronizing view toward the Indian peoples revealed Kokoshkin’s prejudice about most of the non-Russian nations in his own empire.

38 *S"ezdy i konferentsii konstitutsionno-demokraticheskoi partii*, tom 3, kniga 1, 1915–1917 gg. (M.: ROSSPEN, 2000), p. 178.

39 F. F. Kokoshkin, *Angliia, Germaniia i sud'by Evropy* (M.: T-vo I. N. Kushnerev, 1918), pp. 31–32.

Condescending and particularist, Kokoshkin however grasped British imperial rule more realistically than Korf, who had idealized the British Empire as a federation of equal constituencies. Representing the ruler's view, Kokoshkin realized that the governance of imperial diversity might necessitate dominance by force.

The Great War, Revolution, and the Defeat of Kokoshkin

The Great War changed the way in which the category “nationality” was understood in the Russian Empire. At the moment of the beginning of the war, this category more or less overlapped with that of estate (*soslovie*). As the war proceeded, however, the substance of the nation came to be considered even more in socio-economic terms, since total mobilization had affected the space of everyday life, transforming the socio-economic relations of the inhabitants.⁴⁰

The strengthening of the socio-economic dimension of the nationality problem influenced, in turn, the strategy of nationalist activists. They began to strive more than ever to depict nationality in the form of homogeneous mass in socio-economic terms. For example, a Belorussian writer, M. Bogdanovich wrote in the summer of 1915 that “the Belorussian nation (like its intellectuals) belongs entirely to the working classes of the whole population [of the region]. Therefore, defending and emphasizing the nationality rights of the Belorussian nation means defending and emphasizing the rights of the working strata of the region. In this case, the notions of ‘nation’ (*natsiia*) and ‘democracy’ precisely coincide with each other.”⁴¹ In this way, under conditions of total war, one

40 For example, in the spring of 1915 Russian-occupied territories of the Ottoman Empire had experienced fierce conflicts between the Armenian refugees returning there from Russia and the Kurds who had deprived them of their land. “Nationalistic antagonism is . . . merging with economic struggle,” reported economist N. Oganovskii. N. Oganovskii, “Armiano-kurdskie otnosheniia,” *Natsional'nye problemy* 2 (July 20, 1915), pp. 6–9. For more on this topic, see, Peter Holquist, *Making War, Forging Revolution: Russia's Continuum of Crisis, 1914–1921* (Cambridge: Harvard University Press, 2002).

41 M. Bogdanovich, “Belorussy,” *Natsional'nye problemy* 2 (July 20, 1915), p. 19.

of the key factors of 1917 politics was already beginning to be formed, that is, mass mobilization by means of nationalism and democratism.

After the February Revolution, all sorts of nationalist movements swiftly gained momentum in the empire's non-Russian regions, demanding the federalization of Russia. The two republican federations commanded considerable attention: the 1874 Constitution of Switzerland was translated with commentaries, while the political system of the USA was popularized through cheap pamphlets.⁴² In many cases, as in the 1905 Revolution, the demand for the federalization of Russia was inseparable from a requirement for autonomy.⁴³ Give us autonomy and a federation. This cry for the radical reconstruction of the empire utterly upstaged Kokoshkin's rigorous contraposition of federation with autonomy.

Regional autonomy was sometimes demanded; cultural autonomy was at other times put on the agenda. However, it is not productive to categorize too rigidly these two types of autonomy.⁴⁴ Participants of the nationalist movements did not often draw a sharp line between them, demanding both simultaneously. The core of the problem for them was to realize autonomy in one or another way to become a political subject. "Those who were slaves become men," as was written in a note presented by the Ukrainian Central Rada (the revolutionary parliament of Ukraine) to the Provisional Government and leaders of the Soviet movement.⁴⁵ This view of autonomy demonstrated by the nationalist movements made a sharp contrast with that of Kokoshkin, who saw autonomy above all as a matter of (colonial) governance.

42 *Soiuznaia konstitutsiia Shveitsarskoi federatsii 29 maia 1874 g. s izmeneniami, posledovavshimi po 1905 g.*, trans. L. M. Magazinier (Pg.: Muravei, 1917); N. Kazmin, *Chto takoe soiuznoe gosudarstvo (Federativnoe gosudarstvo)* (Pg.: Muravei, 1917).

43 For example, see S. M. Dimanshtein, ed., *Revoliutsiia i natsional'nyi vopros. Dokumenty i materialy po istorii natsional'nogo voprosa v Rossii i SSSR v XX veke* (M.: Izd. Kommunisticheskoi Akademii, 1930), p. 229.

44 See S. M. Iskhakov, *Rossiiskie musul'mane i revoliutsiia (vesna 1917 g. – leto 1918 g.)*, 2nd ed. (M.: Sotsial'no-politicheskaia MYSL', 2004), p. 174.

45 Dimanshtein, *Revoliutsiia i natsional'nyi vopros*, p. 147.

Among the major Russian parties, the SRs, as in the 1905 Revolution, prominently committed themselves to the cause of the nationalist movement. But this commitment was characterized by eclecticism, demand for a federation, regional autonomy and cultural autonomy all together.⁴⁶ As concerns the Bolsheviks, while V. I. Lenin exploited the nationality problem first of all as a weapon for shattering the Provisional Government on the one hand, underestimation of the significance of the nationality problem was widely observed within the party on the other hand.⁴⁷ It is remarkable that, in a survey of the nationality program of the major parties, E. S. Lur'e simply omitted the Bolsheviks.⁴⁸

The mounting demand for autonomy with a federation affected the mood of the Kadets, which had become the ruling party after the February Revolution, and maintained their influence in the first coalition established on May 5, with the SRs and the Mensheviks. The difficult task of framing the party course for the nationality problem was undertaken, as expected, by Kokoshkin. He gave a report under the title "Autonomy and Federation" to the Eighth Kadet Congress (May 9–12), which was a compilation of all his works on federation and autonomy. In the first place, he looked back on the 1905 Revolution. "In the report of the Zemstvo Bureau, and in the discussion at the Congress [of Zemstvo and Municipal Deputies], we definitely emphasized that the two problems [decentralization and nationalities] had to be distinguished from each other if we wanted to settle them correctly. But the characteristic feature of the present moment consists of the fact that these problems are merged and equated with each other in the imagination of the wider public." However, continued Kokoshkin, "no one federation in the world

46 See V. P. Buldakov, "Natsional'nye programmy praviashshikh partii Rossii v 1917 godu (problemy vzaimodeistviia)," in *Neproletarskie partii i organizatsii natsional'nykh raionov Rossii v Oktiabr'skoi revoliutsii i grazhdanskoi voine. Materialy konferentsii* (M.: Kalininskii gosudarstvennyi universitet, 1980), pp. 13–16.

47 On the underestimation of the nationality problem in the party, see Dimantshtein, *Revoliutsiia i natsional'nyi vopros*, p. XXXVII.

48 E. S. Lur'e, *Natsional'nyi vopros v Rossii* (M.: Kooperat. Tovarishchestvo, 1917). Do not confuse this author with Menshevik Internationalist M. Z. Lur'e (Iu. Larin).

is constructed on the basis of the national principle.” It was impossible especially in Russia, because of “the extreme unevenness of the populations of all the nationalities composing Russia, and the inequality of the territories occupied by them.” So, the point was once again the imperial diversity of Russia.⁴⁹

As an alternative, Kokoshkin proposed the non-national decentralization of Russia. He admitted that it would be desirable to redefine territories taking economic and ethnographic conditions into account. But, he warned, it would be quite risky to undertake territorial delineation at the same time as the establishment of the constitution. So, he proposed being satisfied for the time being with granting local autonomy to existing, non-ethnic territorial units. Moreover, the competence of these units had to be one of the “purely provincial type,” managing “local matters only.” “Is this a federation?” asked Kokoshkin, and answered, “my project is not a project of federation.” Though “a federated Russian republic is my ideal, . . . immediate transition to a federation would hugely complicate the realization of a republican constitution itself.”⁵⁰

Kokoshkin’s report perfectly accorded with the Kadet party program, which supported the idea of non-ethnic decentralization and permitted exceptions only for Poland and Finland (though Kokoshkin avoided mentioning these two regions in his report). However, many deputies found his theoretical consistency outmoded by a revolutionary reality. M. M. Mogilianskii from Chernigov (Ukraine) hit back against Kokoshkin’s pedantism. “Construction of a federated state along the scheme and ideal of Kokoshkin is utterly right in theory, in a vacuum, but we must accept life as it is.” He demanded that Ukraine be treated in the same way as Poland. A delegate of a Moscow Lithuanian group, P. S. Leminas, remarked that Lithuania “has the right to count on the recognition of special [status].” A delegate of the Kiev Regional Committee, P. E. Butenko, pointed out the influence of war on the nationality problem: “The revolution was accomplished not by the nation of Russia, but by the nations of Russia, whose national sentiment had been aroused by the war waged under the slogan of ‘liberation of small nationalities.’” He did

49 *S’ezdy*, tom 3, kniga 1, pp. 552–553, 802.

50 *S’ezdy*, tom 3, kniga 1, pp. 561–566.

not support the federalization of Russia, but Kokoshkin's report seemed to him quite scholastic. "Kokoshkin does not know on which dogmas he may construct an answer to the nationality problem, but people are not seeking such dogmas in textbooks on constitutional law." In the end, the congress approved Kokoshkin's report, but at the same time decided "to charge the Central Committee with preparing additions to the party program on the nationality problem for the next party congress."⁵¹

On July 2, on the initiative of A. F. Kerenskii (SR), I. G. Tsereteli (Menshevik), and M. I. Tereshchenko (non-party), an agreement was reached between the Provisional Government and the Ukrainian Central Rada to grant to the General Secretariat of the Rada the status of "supreme organ of governance on regional matters in Ukraine." Kadet ministers and Kadet jurists such as Kokoshkin and Baron B. E. Nol'de in the Juridical Commission of the government fiercely protested against this agreement. Since, by Nol'de, it "legalized notions of 'Ukraine' and 'Rada,' which have not existed to date in law, the legal meaning of these terms remains utterly uncertain." The Kadet ministers left the cabinet, bringing about the collapse of the first coalition. However, the July crisis caused by a pro-Bolshevik demonstration in Petrograd led to a strengthening of the Kadets' influence over the cabinet. The second coalition was organized, now with Kokoshkin nominated state controller. "The best expert on various forms of composite states (*gosudarstvennye ob"edineniia*)," recollected Miliukov, "Kokoshkin set himself the task of weakening, as much as possible, that harm caused by the Agreement of July 2." As a result, the Provisional Government on August 4 issued a "Provisional Instruction" to the General Secretariat of Ukraine, the first paragraph of which read as follows: "Pending solution to the problem of local governance (*mestnoe upravlenie*) to be decided by the Constituent Assembly, the supreme organ of the Provisional Government on local government matters of Ukraine is the General Secretariat, appointed by the Provisional Government on submission by the Central Rada." This restricted competence of the General Secretariat reminds us of Irish Home Rule, which was highly valued by Kokoshkin. Miliukov later boasted that, in this way "solution to the Ukrainian problem has been

51 *S"ezdy*, tom 3, kniga 1, pp. 582–586, 594–595, 601–602.

brought into the scope of the general problem of the arrangement of local governance in the future constitution of a free and united Russia.”⁵²

During these July days of crisis, the Ninth Kadet Congress was convened (July 23–28), with a report on the promised addition to the party program by Nol'de. His report included a proposal of a seemingly radical change to the party program on the nationality problem, introducing the “personal principle,” that is, charging non-territorial, personal unions of given nationality with administration of national-cultural matters. In reality, the main aim of this proposal was to forestall the demand for national-territorial autonomy. Nol'de opposed it, since “a dominant nationality in a territory will inevitably stream to self-assertion at the expense of numerically weak nationalities.” In spite of criticism by a delegate from Kiev that the report would be understood as “the party . . . utterly abolishing and denying the autonomy of Ukraine,” the congress approved it.⁵³

However, there was no time left for the Kadets to take any significant measure to deal with the situation. Having committed themselves to the abortive coup d'état by General Kornilov at the end of August, Kokoshkin and other Kadet ministers fatally compromised their reputation before the masses. The Tenth Kadet Congress (October 14–16) finished with no meaningful decisions on the nationality problem.⁵⁴ Ten days later the Bolsheviks seized power. Prominent Kadets were all arrested. After being detained in Petropavlovsk Fortress, Kokoshkin became ill, and was then transferred to Mariinskaia Hospital together with his comrade A. I. Shingarev on January 6, 1918. That night, sailors broke into their rooms and murdered both Kokoshkin and Shingarev.⁵⁵

52 P. N. Miliukov, *Istoriia vtoroi russkoi revoliutsii* (M.: ROSSPEN, 2001), pp. 187–192, 269–272, 709; Dimanshtein, *Revoliutsiia i natsional'nyi vopros*, pp. 62–64. On a similar conflict between the Provisional Government and Finland, see Irina Novikova, “The Provisional Government and Finland: Russian Democracy and Finnish Nationalism in Search of Peaceful Coexistence,” in Burbank et al., *Russian Empire*.

53 *S"ezdy*, tom 3, kniga 1, pp. 676–681, 723–724, citation from pp. 676, 681.

54 See *S"ezdy*, tom 3, kniga 1, pp. 729, 746.

55 *Kak eto bylo. Dnevnik A. I. Shingareva. Petropavlovskaia krepost'*, 27. XI. 17 – 5. I. 18 (Khar'kov: Novoe Slovo, 1918), pp. 59–66.

Epilogue: Toward an Empire of Republics

By the end of 1922, the Bolsheviks had formed a unique composite state, the Union of Soviet Socialist Republics (USSR), composed of various ranks of national-territorial unit. These units were categorized into three ranks: the union republics (*soiuznye respubliki*), the autonomous republics (*avtonomnye respubliki*), and the autonomous regions (*avtonomnye oblasti*). This categorization should not be taken as an indication of a particularist approach to the diverse nationalities populating the USSR. Rather, it revealed the Bolshevik understanding of the time line, escalating from the lower stage to the higher stage, along which each nationality was placed depending on the degree of its political, economic and cultural development. Consequently, the grouping was not unchanging, with the possibility of “upgrading” the status left open.⁵⁶

The basic structure of the union republics (for example, Ukraine) and the autonomous republics (for example, Bashkiria) was principally identical, modeled on the Constitution of the Russian Soviet Federative Socialist Republic (RSFSR), while the autonomous regions were organized in line with the ordinary provinces of the RSFSR. Taking account of the possibility of the autonomous regions being upgraded to autonomous republics or even union republics, one might say that the Bolsheviks approved a standardized, not particularist, approach to the problem of how to manage imperial diversity, granting some type of “republic” to each nationality living in the country. This strategy was quite appropriate for the era of total war: on the one hand, the standardization of all national units had to be effective for the sake of mobilization; on the other hand, the “republic” was a time-tested device to turn subjects of the monarch into politically active citizens. The Bolsheviks started where the Kadets stopped, not hesitating to pull into political activities non-Russian, “backward” nationalities. In contrast to Kokoshkin’s condescending view of the peoples of India, Stalin stated soundly in 1923 that “the more we go forward, the more nationalities we find. Today, we think of Hindustan as a solid whole body, whereas there are a lot of nationalities.”⁵⁷

⁵⁶ See Hirsch, *Empire of Nations*.

⁵⁷ *Izvestiia TsK KPSS*, 1991, no. 5, p. 165.

All these indicate that a radical transformation had occurred in the structure of the former Russian Empire as a multinational state during the Great War, revolution, and civil war. Mass mobilization during these years had remodeled “nationalities” from traditional estates to units of modern politics. By granting the status of standardized “republic” to each nationality, the Bolsheviks institutionalized this transition, at the same time trying to tame the nationalism of various nationalities.

Despite this radical transformation, however, the USSR was not wholly deprived of the characteristic features of imperial rule. Above all, the scope of competence enjoyed by each national-territorial unit was rigorously restricted and regulated by the metropolitan capital (though the core territory peopled by the Great Russians was not free from this control, either, which situation was rarely observed in the colonial empires of those days). Then, the status of each national-territorial unit was determined by the capital, from above. It is especially true in the case of the autonomous republics of the RSFSR, the formation of which was decided not by treaty between the center and a region, but by the unilateral declaration of the All-Russian Central Executive Committee (VTsIK), with the exception of Turkestan and Bashkiria.⁵⁸

58 Turkestan had been declared as an autonomous republic in its own constitution before the beginning of the civil war, and only in April 1921 was the relationship between it and the RSFSR confirmed by a VTsIK decree. K. Arkhipov, *Sovetskie avtonomnye oblasti i respubliki* (M.: Gosizdat, 1925), pp. 56–58.

The first of the autonomous republics in the RSFSR, the Bashkir Autonomous Soviet Socialist Republic (BASSR) was organized in March 1919 as a result of a compromise treaty between the Bolsheviks and the Bashkir national movement. The movement led by Akhmed Zeki Validov adopted a resolution in December 1917, demanding a Russian Federation and the approval of Bashkiria as its constituent state (*shtat*), modeled on the Switzerland Constitution. See Iskhakov, *Rossiiskie musul'mane*, p. 418. The establishment of the BASSR in March 1919 thus partly realized the demand for the federalization of Russia raised during the 1917 Revolution. However, the compromise did not last long. After several occasions of conflict, in May 1920, the VTsIK unilaterally issued a decision on the state structure of the BASSR, granting only administrative autonomy to Bashkiria in some restricted spheres. See Jeremy Smith, *The Bolsheviks and the National Question, 1917–23* (Basingstoke: Palgrave Macmillan, 1999),

As concerns the union republics, their official status as sovereign states notwithstanding, the scope of their competence was likewise determined from above.⁵⁹ In this sense, the USSR had inherited the imperial center-periphery relationship, typical in the Russian Empire and reflected in Kokoshkin's view of autonomy.

In the 1920s, many Soviet theorists of state tried to give clear definitions of the "autonomous" status of the national-territorial units composing the USSR. Having not yet severed their connection with the academic tradition of pre-revolutionary Russia, they often turned to German state theory. However, the Soviet scholars found themselves in an awkward situation, since they had to admit that the scale of competence enjoyed by the national-territorial units was indeed as restricted as that of the autonomous regions of ordinary empires, or indeed even more so.

To begin with, many Soviet scholars agreed that the autonomous regions were just "national provinces" (*natsional'nye gubernii*) in essence.⁶⁰ K. Arkhipov, who had studied most minutely the legal status of these regions, also concluded that the "autonomy of national regions is identical to autonomy of provinces," that is, they enjoyed

pp. 94–98; Daniel E. Schafer, "Local Politics and the Birth of the Republic of Bashkortostan, 1919–1920," in Suny and Martin, *A State of Nations; Dekrety Sovetskoi vlasti*, tom 8 (M.: Politizdat, 1976), pp. 220–221.

⁵⁹ Typically enough, the Politburo seems to have considered the relations between the RSFSR and Ukraine on the one hand and those between the RSFSR and autonomous Bashkiria on the other hand in a similar framework. On June 14, 1920, the Politburo approved a thesis prepared by Stalin: "To define precisely and unconditionally the limits of the rights of the Bashkir Republic and the norms of its relations with the RSFRS on the basis of established practice in Ukraine (via the TsK [Central Committee of the Party] and the VTsIK)." Rossiiskii gosudarstvennyi arkhiv politicheskoi istorii (RGASPI), f. 17, op. 3, d. 68, ll. 1, 4.

⁶⁰ D. Magerovskii, "Soiuz Sovetskikh Sotsialisticheskikh Respublik," *Sovetskoe Pravo*, 1923, no. 1(4), p. 9; A. Turubiner, "K voprosu o polozhenii Avtonomnykh Respublik v SSSR (v diskussionnom poriadke)," *Vlast' Sovetov*, 1923, no. 6–7, p. 48.

only administrative self-government with the right to issue local ordinances.⁶¹

Concerning the status of the autonomous republics in the RSFSR (and in the USSR), Ukrainian scholar N. I. Palienko maintained in 1923 that they be ascribed not to states, but to autonomous regions, such as the Provinces of the Netherlands, Finland of the Russian Empire, the Provinces of the Austrian Empire, and the Dominions of the British Empire.⁶² This was a recognition that the autonomous Soviet republics occupied in the RSFSR a place similar to autonomous regions (or Jellinek's state-fragments) of ordinary empires (except for the Netherlands). More radically, in his 1922 article, B. D. Pletnev even denied the federative nature of the RSFSR and asserted that it was a unitary state, including a series of national-territorial units (the autonomous republics), "the competences of which were hardly different from that of our pre-revolutionary provincial zemstvos."⁶³

So let us proceed to examining the status of the union republics, which had been on an equal footing with the RSFSR during the civil war as independent states and which remained "sovereign" states after the formation of the USSR. For a start, the metropolitan Bolsheviks evaluated the independence of Ukraine and other republics during the civil war mainly as a matter of tactics.⁶⁴ After the formation of the Soviet

61 Arkhipov, *Sovetskie avtonomnye oblasti*, p. 41. N. I. Palienko also pointed out that the "autonomy of these regions has an administrative, not legislative, character." N. I. Palienko, *Konfederatsii, federatsii i Soiuz Sovetskikh Sotsialisticheskikh Respublik* (Odessa: Gosizdat Ukrainy, 1923), p. 13.

62 Palienko, *Konfederatsii*, pp. 13–15.

63 See, Magerovskii, "Soiuz," p. 12.

64 How the Politburo handled matters with Ukraine clearly showed this. The Politburo evaluated an independent Ukraine first of all for the sake of propaganda. On February 17, 1920, in answer to a proposal of Kh. G. Rakovskii, chairman of the Ukrainian Council of People's Commissars, to restore the Presidium of the Ukrainian Central Executive Committee in view of the liberation of Ukraine by the Red Army, the Politburo gave its approval, but only on the condition that "this Presidium does not set up any practical (*delovoi*) apparatus, but assumes only the function of foreign representation." Evidently discontented, Rakovskii inquired again about the rights and functions of the Pre-

Union in 1922, these independent republics were offered the status of union republic and declared to be sovereign states within the USSR. But several Soviet scholars wondered whether this was logically correct. Palienko wrote that the union republics had ceased to be sovereign states after the formation of the USSR, “since they are subordinated in many relations to a common state [the USSR].”⁶⁵ In the forward to Palienko’s monograph, People’s Commissar for Justice of Ukraine M. Vetoshkin tried to modify this argument, emphasizing the right of secession guaranteed for the union republics by the USSR Constitution.⁶⁶ Nevertheless, D. Magerovskii also had doubts about the sovereignty of the union republics, asserting that the sovereignty of each union republic indeed existed, but it did not become apparent for the period of the existence of the USSR. Magerovskii made a proposal if not to “cast away the notion of sovereignty,” to introduce a new notion of “potential sovereignty,” although an authority on Soviet state law, A. G. Goikhbarg, criticized this proposal in a public debate at the Institute of Soviet Law.⁶⁷

Arkhipov elaborated on the difference between the autonomous republics and the union republics. He had to admit that theoretically “each group represents a particular group of autonomous republics.” This argument was based on German state theory, especially Jellinek’s. According to the latter, the competence of “self-organization,” that is, the power to establish its own constitution, “is a substantial indication of a constituent member of a federation, different from an ordinary, yet autonomous, part of the state.” From this viewpoint, the union republics within the USSR were deprived of any substantial indication of a member state of a federation; consequently, they were solely auto-

sodium, only to receive an identical answer. In addition to this, on February 28, the Politburo approved a proposal of People’s Commissar for Foreign Affairs of the RSFSR G. V. Chicherin that Rakovskii be appointed people’s commissar for foreign affairs of Ukraine, with instructions “not to found an apparatus of the commissariat.” RGASPI, f. 17, op. 3, d. 62. l. 1; d. 63. l. 1.

65 Palienko, *Konfederatsii*, p. 44.

66 Palienko, *Konfederatsii*, pp. 6–9.

67 Magerovskii, “Soiuz,” p. 17; Magerovskii, “Soiuz Sovetskikh Sotsialisticheskikh Respublik,” *Vlast’ Sovetov*, 1923, no. 6–7, p. 13.

mous parts of a state, similar to the autonomous republics.⁶⁸ In this way, Soviet legal scholars of the 1920s admitted that not only the autonomous Soviet regions, but also the two types of the “Soviet republic”—the union republics and the autonomous republics—enjoyed quite restricted competence, to the same degree as the autonomous provinces of ordinary empires, or perhaps even less.

These Soviet scholars did not, of course, think that the USSR was inferior as a multinational state to the British Empire or other empires. Arkhipov himself underscored the incorrectness of uncritically applying the concepts of bourgeois constitutional law to studies of Soviet law.⁶⁹ Soviet legal theorists justifiably pointed out the political importance of giving autonomy to nationalities living in the former Russian Empire.⁷⁰ Indeed, the development of a political and national consciousness of these nationalities, fostered by a national-territorial framework of the (autonomous) Soviet republics, would have crucial significance for the fate of the USSR.

Nevertheless, we cannot underestimate the fact that the national-territorial units composing the USSR were in essence “autonomous.” Here, the continuity between the Russian Empire and the Soviet Union as a multinational state was more distinct than anywhere else. This continuity was not so straightforward, since the Bolsheviks had introduced

68 Arkhipov, *Sovetskie avtonomnye oblasti*, pp. 51, 53, 67.

69 Arkhipov, *Sovetskie avtonomnye oblasti*, pp. 61, 63. Arkhipov criticized German state theory for overlooking the fact that a uniformity of the social and economic style (socialism in the case of the USSR) of constituent states fostered the consolidation of a federation. It is noteworthy that he thus criticized the static feature of German state theory like Korf, but from the opposite side. Korf emphasized that the British Empire was moving toward becoming a de facto federation, overcoming the rigorous categorization of statehood in German state theory, while Arkhipov observed that the centralization of the Soviet Union nullified Jellinek’s definitions of various ranks of statehood. Here is a remarkable symmetry between the British Empire and the Soviet Union in the mirror of German state theory: the former was an empire transforming into a de facto federation, the latter a federation metamorphosing into a de facto empire.

70 Magerovskii, “Soiuz,” p. 9; Arkhipov, *Sovetskie avtonomnye oblasti*, p. 41.

the various types of Soviet “republic” as a new device for mobilizing the non-Russian nationalities, thus upgrading the Russian Empire in accordance with the age of total war, revolution, and nationalism. However, this upgrading had been carried out by an imperial way, with the metropolitan capital granting autonomous status to the peripheries from above. In this sense, the USSR was an empire, an “empire of republics.”