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**Victoria Lykova**

Zaporizhia National University

 **Jew-farmers of Southern Ukraine: legal aspects**

**Summary.** In the given article the author considers the characteristics of the legal situation of social groups of Jewish farmers in the lands of the Southern Ukraine.

**Key words:** the Southern Ukraine, Jewish farmers, legal status, Jewish colonies, migration, taxation.

One of the bright and significant projects which were undertaken by the Russian Empire in the nineteenth century, was an attempt to create a group of Jew-farmers. The idea originated in the late eighteenth century. After G. Derzhavins’ inspection of the causes of hunger in the Belarusian lands. G. Derzhavin recognized the Jewish population being one of the main causes of hunger and offered to resettle Jews in the land of Astrakhan and Novorossiysk provinces.

However, the government was not limited to a simple migration of Jews to new lands. The Jews were separated into four classes: farmers, manufacturers and artisans, merchants, burghers. Legally, this differentiation was fixed by the Regulations for the Jews, adopted December 9, 1804. As an advantage, Jewish farmers were given the right to settle in the state lands which were privately rented or purchased. They are protected from unlawful enslavement and received tax exemptions (except for county dues ): 10 years for those who settled in the state, and 5 years - for settlers on privately owned lands [4, XXVIII, p. 733. ]. Jews who settled on the latter's land received the right to enjoy preferential years, only if they settle in the separate village. Also, the main condition set forth in the first paragraph of " benefits " was the prohibition of enslavement of Jews in any environment and under any pretext .

The Act also stated that people who wanted to move to southern Ukrainian provinces received for use up to 30,000 dessiatin of the ground. This gave the beginning of the first wave of resettlement. The first colonies of Jewish farmers, which appeared in 1807, in Kherson province, were: Bobrovy Kut, Izrayilivka , Sagaydak , Dobra. Velikiy and Maliy Nahartavy , Velika Seydemynuha , Efenhar , Ingulez, Kamenka appeared in 1809. For these colonies the lands which were intended for public farmers, were isolated.[1, ff. 4zv -8 ].
Often the areas allocated for Jewish farmers were in close proximity to government settlements. For example, people from villages near the town of Balta Podolia , with the number of 232 families ( 933 persons ) expressed the desire to move into a state of farmers and chose to settle the land of a total of 23,000 dessiatin of arable and 1,000 dessiatin of nonarable earth. State peasants village Blagodatne (169 persons ) Semenovka (255 persons) and Arbuzinka (615 persons) Olviopolskoho Povitu were situated on these lands [1, ff. 27-29 ].

In the same district attorneys from 111 families of Baltic Jews chose surplus state-owned land in the villages Komarov and Vradyeyevka total of 10,565 dessiatin. As these lands were cut for future migrations of the state peasants, E. Richelieu ordered to choose other lands for Jewish settlers [1, ff. 18].
The Act in 1804 was not the only act that defined the rights of the newly formed social group. In general, during the nineteenth century there was a continuous process of further expansion of its rights and privileges, regulation management system, the rules of the economy and so on. The new acts about the Jews were adopted.( 1835 and 1844 ) [5 , Vol X, p. 308 , v. XIX , p. 887 ] , approved Charter levy and military service of the Jews "( 1827 ) [5 , v. II , p. 727 ], and additional rules for the settlement of Jews on the public lands in 1847 [2 , p. 43-46 ].

The following act governing the status of Jews , was adopted in 1835 , its second chapter was devoted to a group of farmers . The situation gave the Jews the right to move freely in the state of the farmers at any time without restriction. The only caveat was that during the census and revisions, the transition could be made after their end. [5 , Vol X, p. 313 ].

The prohibition on the enslavement of Jewish farmers was confirmed again by the act, however, the explanation was made to clarify the issue of land tenure and land use. State lands for the settlement of Jewish farmers could also stand outside the Pale of Settlement, but only by the giving of " the highest decision."

Jews could buy the land only in the territory of residence, but they could dispose of it at their own will [5 , vol. X, p. 313 ]. Jews were allowed to lease land and within the pale of settlement, and not less than 12 years.
Quite a categorical condition was the fact that the Jews had to complete the relocation and resettlement in a new place for two years. Otherwise, the land allocated to them should be returned to the treasury [5 , vol. X, p. 312 ].

Acts of 1835 year provided new and very significant benefits for Jewish farmers: the exemption from the poll tax for 25 years; from the recruitment - 50 years; from rural service obligations - 10 years [ 5 , vol. X, p. 308 ]. Since the moment of the attribution to the colonies, the Jews were shot in back taxes and other state-owned lodge meetings for the last time. They were allowed to trade items and crafts in its general residency, like other villagers, but could not deal with butchers, keep distillery and drinking houses [5 , vol. X, p. 312 ].

Privileges granted to immigrants and Acts of the 1844th year according to which the Jews were exempted from all taxes, duties and county charges for 10 years, 25 years - from recruitment ; they also were exempted from payment of all arrears for previous place of residence, and the resettlement of families seemed allowance of 175 rubles. [5 , vol. XIX , p. 887 , 3 , p. 199 ]. However , despite the benefits provided by the government in 1844, Jewish farmers were to pay special boxed or " circle " collection.They were granted with the land and they used it just like other farmers, as the community, w th the rate of 8 dessiatin per person.

Jewish colonists were granted with the land at 15 dessiatin per person (in 1807-1809 ) or 40 dessiatin per family (from 1823 ). The Rules of 1847 noted that, depending on the quality of the land, the family of 6 registered persons received the area of 20 to 40 dessiatin [2 , p. 44]. In practice, however , the family received only 30 dessiatin of land for usage and 10 dessiatin for keeping, revenue from which was sent to the cash-box for help the Jews. Quite often Jews could not immediately find land for settlement, and this fact entailed the deterioration of their financial position and " significant disorder " [6 , p. 191 ]. Government loans, which seemed to establish farms and made ​​during the nineteenth century from 170 to 175 rubles by the banknotes, were also spent quickly.

 In 1845, in connection with another subordination of Jewish colonies on the initiative of Count Kiselev, the settlement of Jewish farmers was audited. Its purpose was to determine the state in which were colonies before they go to the Ministry of State Property. Verification found interesting and quite revealing data because of the population of 15 colonies in Kherson province is only a fifth of owners, successfully engaged in farming. One fifth of the economy was engaged in "substantially " the rest was engaged in farming almost never.

Count Kiselev saw such reasons of unsuccessful agriculture in Jewish colonists: firstly, the leadership of the colonies was scattered in different institutions, and secondly, the Jewish colonists did not have enough experience for doing agriculture.

Also, after the audit, the statement was conducted by Mikola I "On additional rules for the settlement of Jews on the public lands ." According to these rules it was determined: the size of the plot , the loan of 170 ruble in banknotes (170 rub. For residential housing and 70 rubles for purchase of livestock, implements and other necessities) [2 , p. 45].

The Rules also specified the period of final development and the schedule of a successful economy - two years after the allotment with the land, a family of Jewish farmers had to be processed vegetable garden and to care about at least one dessiatin of land in the field. In the fourth year - the vegetable garden and two dessiatin of land, on the sixth - the vegetable garden and three dessiatin of land [2 , p. 45-46 ]. Such conditions was expected to encourage the Jews to fair employment in agriculture , as in the case of non-fulfillment of these conditions , migrants risked to lose the benefits for recruiting duty .

In 1848 it was developed the project of Jewish division into 4 ranks with the purpose of their stimulation for better farm keeping. [3, p. 428-430] The first rank included the best farmers that had more than two oxen or four horses, all agricultural implements as well those that sowed eight and more of land tithe. Second rank consisted of farmers that kept their houses in good condition, had one pair of oxen or horses and sowed six tithe of land. Third rank was farmers that had one or two horses and sowed three or four tithe of land. The last, fourth rank composed of all “negligent” farmers, single persons that hadn’t their own farm and didn’t till the land.

The division into ranks should have stimulated Jews to grade up their existing farm or to return to agriculture, because the main shade of ranks imposition was the fact that colonists who didn’t make grain production, quitted agricultural area and lost benefits given by the government. However, in case of imposition of the division, almost all Jewish states got to the fourth rank, that is why this proposition was left on the paper and didn’t come true.

The hardest burden for Jews was the recruitment; therefore the government gave special consideration to this question. In 1827 it was adopted “The charter of recruit obligations and military service of Jews” by which Jewish farmers and their children that after resettlement attached to agricultural sphere and had great success here, were freed from recruit obligations; Jews and their children, that did farming in “small partnership”, were freed from this obligation for 25 years [5, v.II, p.728]. In case if Jews, that were the part of agricultural area, stopped doing farming, they lost this benefit.

In the same time, in 1829, it was issued Provision concerning Jews, settled at governmental land of Herson province. By this Provision they were freed from recruit obligations for 50 years [5, v.IV, p.539]. This benefit was applied even to jail breakers that returned and started working after this Provision was accepted during year.

Likewise this Provision permitted Jews to go away, but no more than for three months and solely in neighboring places for dealing of goods and earnings in the period when they were free from agricultural works. Passports for three months’ permission were issued by jailer of colonies and for longer term they were granted by central local trusteeship. The precondition of passport receipt for long term was allotment of guarantees, that there were enough workers for keeping farm and this absence was to farm’s good. Non-fulfillment of these terms as well as tavern keeping or other production involved enrollment to recruits without acceptance of turn or departure to Siberia.

From the beginning, Jewish farmers colony were at the department “Agencies of foreign trusteeship”, that led to their separation from the department of common police and court (with the exception of criminal cases). Some time later, in 1837, the management of Jews-farmers colonies in Herson and Katerinoslav province was shifted to local province command and governor-general of Novorosiysk and Bessarabia; and from 26 December in 1844 their administration was passed to Ministry of State Property [5, v. XIX, ch. 1 p.910]. However due to the Regulations of 1847 the governance of Jewish colonies passed to committee of trustees concerning foreign settlers, according to which the separate Jews department was created. The positions of trustees of the colonies and their assistants were established on-site and in the colonies it were introduced the positions of village chiefs and orders, which included the shults (he was elected from best German farmers) and his two assistant (they were elected from Jewish farmers) [2, p.45].

But internal control was organized like German colonies. According to the Provision of 1835, Jews were permitted to create a separate partnership in cases when the number of settlers was or exceeded 40 male persons. In other case they were registered to existing Jewish partnerships [5, vol.X, p.312].

From the second half of 1860s, it was started the turning of project regarding creation of agricultural population group from Jews. By this time, in 1866, the population of two provinces in the Southern Ukraine amounted to 39 colonies of Jewish farmers: 22 farmers were in Herson province and 17 – in Katerinoslav province. Under the decree of 30 May, 1866, Jews’ involvement to agricultural sphere was ceased and from this time inverse process of “negligent” farmers’ exclusion from membership of farmers went faster.

Thereby despite the fact that power attempted to create as much as possible advantageous conditions for the formation and existence of new and enough uncommon social group, its efforts appeared to be ineffective. Jewish farmers were granted with rather broad rights and had good possibility for successful farming. Among agricultural population of the Southern Ukraine, they were in the most profitable condition form the legal point of view.

However this project didn’t prove its value. The most insignificant part of the settlers could reach success in agricultural area. To our mind, the main reason of failure, in the first place is non-specificity and uncommonness of agricultural work for Jews nation in general. The majority of settlers considered the transfer to agriculture as a way to pass to a land of provinces of Southern Ukraine in order to do more usual and traditional activity – trade, tavern keeping etc. Likewise the proximity of ports favored to such plans, because these ports provided considerable possibilities for trading that was for habitual and desirable for Jews.

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**Лыкова В.В.** **Евреи-земледельцы Южной Украины: правовой аспект. – Статья.**

**Аннотация.** В данной статье автор рассматривает особенности правового положення социальной группы евреев-земледельцев на землях Южной Украины.

**Ключевые слова:** Южная Украина, евреи-земледельцы, еврейские колонии, правовое положение, переселение, налогообложение.

**Анотація**. У даній статті автор розглядає правове положення євреїв-селян Південної України.

**Ключові слова:** Південна Україна, євреї-землероби, єврейські колонії, правове становище, переселення, оподаткування.