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## THE ABORIGINAL PEOPLES OF SIBERIA'S OATH OF ALLEGIANCE TO THE RUSSIAN TSAR IN THE SEVENTEENTH CENTURY: RIGHTS AND OBLIGATIONS<sup>1</sup>

This study identifies and characterizes the legal status of the peoples of Siberia as subjects of the Russian monarchs, scrutinizing different tools of the political and legal registration of swearing-in procedures (*shertovanie*) in the late 16<sup>th</sup>-17<sup>th</sup> centuries. Based on an analysis of Siberian administrative documents, the authors describe rights and obligations that were proclaimed for the indigenous population of Siberia. The rights (or rather the possibilities) to be made available to the Siberian natives were set forth in the texts of the sovereign's pledges (*zhalovannoe slovo*) and the obligations of subjects in the texts of the oaths of allegiance (*shert* texts). The author concludes that the specificity of Siberian natives' citizenship is determined not only by their position in relation to the fur tax (*yasak*) but also by the content of their obligations described in shert letters. Shert letters describe the form in which foreigners have to express their "submission" and loyalty to the sovereign; they also describe the rules of interaction with the Russian authorities and the rules governing payment of tribute. The oaths of the peoples of Siberia are also compared with the oaths of the Orthodox population of Russia. The author notes that unlike Russian oath (*krestotsevalnye*) letters, which could not be supplemented and modified by the local administration of territorial entities, shert letters were more adapted to the realities of the Siberia of the 17<sup>th</sup> century. Despite the similarity of forms and individual articles, the text of the oath in the shert records does not immediately equate "foreigners" to Russians. Through meticulous analysis of each item in the shert texts, the authors managed to reveal similarities and differences between the citizenship of Russians and aboriginals in the Russian state. The study concludes by arguing that these oaths of allegiance were an important tool for the adaptation of the non-Orthodox population to the political and legal realities of the Russian state.

*Keywords: administrative management practices; Siberian natives; swearing in; oath of allegiance*

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## INTRODUCTION

From the second half of the fifteenth to the seventeenth century, as a result of successful expansion from a predominantly monoethnic (Russian) principality, Muscovite Rus' turned into a multiethnic tsardom. Having become a continental empire, it encompassed a vast region of Eurasia with many peoples that differed in their way of life, culture and socio-political organization. The colonization of Siberia played a particularly significant role in this process, greatly increasing the ethno-cultural diversity of the Muscovite population.

Russia's expansion into Siberia was carried out by various methods, but was always, without fail, accompanied by the establishment of the power of the Russian tsar, who personified the Russian state, over the subordinate territory and its peoples. To consolidate and ensure the stability of the tsar's rights to the Siberian lands and their multi-ethnic population, it was necessary to demonstrate strength and expand the Russian presence. This is evident in the founding of cities, townships and rural settlements and an increase in the number of Russian colonists. However, Russian control was also solidified through the peaceful de facto and formal incorporation of Siberian communities into the political, social and legal spheres of the Russian state.

In this regard, the colonized territories beyond the Urals of the Russian tsardom became the first working example of a system trying to build political communication between the center and the periphery, the Orthodox and non-Orthodox population, while also attempting to adapt the legal system of the monarchy and the customary law of the natives.

Incorporating the local population into the social structure of the state took various forms, including baptism, taxation, integration into the nobility, and entering military service. One of the more widespread methods was the oath of allegiance to the tsar taken by the Siberian natives,<sup>2</sup> which meant acceptance and recognition of their subjection to the Russian monarch both on their part and that of the Russian authorities.<sup>3</sup> In the lexicon of that time,

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2 While *inozemtsy* ("foreigners") was the term most commonly used from the sixteenth to the eighteenth century to refer to people inhabiting non-Russian (or initially non-Russian) lands, this article will use the terms "natives" and "aboriginal peoples" when referring to those who inhabited Siberian lands.

3 It is worth agreeing with the thesis of E. Lohr that "in the Russian context, the term 'subjecthood' has acquired the connotation of complete subordination of an individual subject to the monarch" (Эрик Лор, «Гражданство и подданство. История понятий», в «Понятия о России»: К исторической семантике имперского периода, Т. 1, ред. А. И. Миллер, Д. А. Сдвижков, Ингрид Ширле (Москва: НЛО, 2012), 204.)

the natives living in Siberia were instructed to be brought “under the high sovereign’s hand into eternal servitude (*kholopstvo*).” Such a statement had two implications. The first was economic, which meant the need to organize a system of regular *yasak* (tax) collection from local peoples (in Siberia, this was usually a fur tax). It is worth noting that in the Russian legal environment, “subjection” often meant being “taxed,” and the two were used as synonyms or as concepts complementing each other.<sup>4</sup> The second implication was political, requiring Siberian governors (*voevodas*) to organize solemn procedures for natives to assume the status of subjects (in strictly legal terminology, this implied the naturalization of citizenship). In the vocabulary of the documents of that time, this was expressed as “to take/pledge the shert-oath”. Those who pledged the oath out loud<sup>5</sup> by doing so publicly vowed to fulfill the list of obligations compiled by the Russian side in the text of the oath. The term of this oath and the newly acquired subjecthood was defined as eternal. The guarantee of the fulfillment of assumed obligations was to be an oath rite imposing religious sanctions on oneself according to the faith that the native professed. The oath procedure and declaration had a set of rights granted by Russian monarchs to the new subjects in the special text of the sovereign’s pledge (*zhalovannoe slovo*). This section will analyse the political, legal and cultural significance of the various components of the oath that was developed in relation to the peoples of Siberia (the same elements were used in relation to the peoples of the North of Central Asia). It will also consider the content of the texts that accompanied the oath of allegiance to the Russian monarch, as well as the procedural features of oath ceremonies and the religious rites that accompanied them.

## CLARIFICATION OF THE SUBJECT’S RIGHTS AND OBLIGATIONS

Documented sources from the late 16<sup>th</sup> to the early 17<sup>th</sup> century describing the early practices of bringing the natives of Siberia to take the oath of allegiance to the Russian monarch are fragmentary. Only instructions to

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4 Ф. П. СЕРГЕЕВ, *Формирование русского дипломатического языка* (Львов: Вища школа. Издательство Львовского университета, 1972), 122.

5 In the case of nomadic peoples, this was sometimes done in writing. Independently of the form of giving the oath (written or orally), the Russian officials kept written lists of those who pledged the oath (shert books).

the voevodas and explorers remain at the disposal of researchers. These instructions ordered voevodas and explorers to bring all natives encountered<sup>6</sup> along the advance of the Russian detachments “to the shert-oath” or “under the high sovereign’s hand.” These instructions did not contain a lengthy text of the oath (the initial extant samples were sent to Siberia on the occasion of the accession to the throne of Fyodor Borisovich Godunov in 1605<sup>7</sup> and it is not entirely clear whether oath templates were distributed in Siberia before that time). The instructions to military officials asked them to act according to the situation, and the criteria for the success of the subjugation of new lands did not rest on the administration of the oath but on the amount of taxes collected, on accounting for the new taxpayers and obtaining *amanats* (hostages) which would be placed at the disposal of the Russian administration, guaranteeing an end to the military resistance of the natives.

From the end of the sixteenth century, the central authorities had started requiring the Siberian voevodas to remind natives regularly of their political obligations to the Russian tsar and his representatives. The tsar’s orders employed two concepts and tools of rhetorical influence in relation to the peoples of Siberia: the sovereign’s pledge (*zhalovannoe slovo*) and the shert-oath. The formulae of these two types of texts had been developed at the beginning of the seventeenth century.

## THE SOVEREIGN’S PLEDGE (ZHALOVANNOE SLOVO)

From 1599 until the end of the seventeenth century, orders given to the Siberian voevodas<sup>8</sup> included the text of the sovereign’s pledge.<sup>9</sup> This section of the order affirming the sovereign’s delegation of authority to his officials was to be publicly read to an invited audience composed of a small num-

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6 Г. Ф. Миллер, *История Сибири*, Т. 1 (Москва: Издательство «Восточная литература», 1999), 347–348, 362–363.

7 Российский государственный архив древних актов (далее РГАДА). Ф. 199, оп. 1, н. 133, ч. 1, д. 5, л. 1, 19–22.

8 This section about the pledge was absent from the orders to the European and Kazan voevodas, even though the wording “sovereign salary” / “sovereign mercy” was present.

9 В. А. Слугина, А. Ю. Конев, «“Жалованное слово” в наказах сибирским воеводам к вопросу о происхождении и эволюции формуляра», в *Актуальные проблемы отечественной истории, источниковедения и археологии: К 90-летию Н. Н. Покровского*, ред. А. Деревянко, А. Элерт (Новосибирск: Издательство Института истории СО РАН, 2020), 191.

ber of local native nobles when a new voevoda took up his duties. During this event, voevodas and military officials were required to be in full dress uniform, holding weapons for the purpose of intimidation. A feast followed the declaration.<sup>10</sup>

The orders specifically emphasized that the procedure and the text itself came personally from the monarch, and not from the voevoda. The sovereign's pledge to natives also served as confirmation of their place in eternal servitude to the Moscow tsar.<sup>11</sup> In Soviet historiography, the prevailing point of view was that the texts of the pledges were just an empty manifesto, demagoguery, compiled according to clichés, and therefore few people studied them in detail. A constructive turn in the understanding of the pledge occurred quite recently. In his 1978 study M.M. Fedorov connected the announcement of the pledge and the subsequent issuance of gifts (sovereign's salary) with the legal registration of the rights and obligations of the Siberian natives. However, this thesis was developed by researchers only in the 2000s, when the pledge began to be directly associated with the duties set out in the texts of the oaths and the two were considered as compatible mechanisms of incorporation.<sup>12</sup>

Analysis of 16 instructional orders listing the responsibilities of the Siberian voevodas between 1599 and 1685 identified three major themes of the sovereign's pledges:

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- 10 As L. I. Sherstova rightly noted, "beautiful, colorful clothes, the magnificent feast, and the semi-ritual setting carried a deep semantic meaning, symbolizing the power and wealth of the organizers of the ceremony, and through them the Moscow kingdom in general" (Л. И. ШЕРСТОВА, Тюрки и русские в Южной Сибири: этнополитические процессы и этнокультурная динамика XVII – начала XX века (Новосибирск: Издательство ИАЭТ СО РАН, 2005), 73). A. P. Umansky, a researcher of Russian-Teleut relations, noted that the voevodas perfectly understood the effectiveness of such a "salary", especially alcohol, for locals (А. П. УМАНСКИЙ, Телеуты и русские в XVII–XVIII веках (Новосибирск: Наука, 1980), 20).
  - 11 Е. В. ВЕРШИНIN, Русская колонизация Северо-Западной Сибири в конце XVI–XVII вв. (Екатеринбург: Издательство Демидовского института, 2018), 247; М. М. ФЕДОРОВ, Правовое положение народов Восточной Сибири (XVII – начало XIX в.) (Якутск: Книжное издательство, 1978), 15–17.
  - 12 М. М. ФЕДОРОВ, Правовое положение народов Восточной Сибири, 15–17; А. Ю. КОНЕВ, «Шертоприводные записи и присяги сибирских "иноземцев" конца XVI–XVIII вв.», Вестник археологии, антропологии и этнографии, no. 6 (2006): 174; А. С. ЗУЕВ, П. С. ИГНАТКИН, В. А. СЛУГИНА, Под сенью двуглавого орла: инкорпорация народов Сибири в Российское государство в конце XVI – начале XVIII в. (Новосибирск: ИПЦ НГУ, 2017), 163, 276–278. V. Kivelson also briefly describes the "granted word" (VALERIE KIVELSON, *Cartographies of Tsardom: The Land and Its Meanings in Seventeenth-Century Russia* (Cornell University Press, 2006), 195–196).

- 1) acknowledgement of the fact of abuse of power and/or corrupt practices by the voevodas and military officials;
- 2) a promise of protection from harassment by servicemen and tax collectors;
- 3) guarantees for the protection of natives, securing the right to live in their former territories and the right to engage in traditional crafts, as well as guarantees for receiving gifts and awards for assistance to the Russian administration.<sup>13</sup>

A set of articles specified how each section was to be understood. The structure of the pledge can be exemplified as follows:

**Section 1:** Acknowledgement of the fact of abuse of power and/or corrupt practices of the voevoda and military officials.

- 1.1. A list of categories of service people related to the tsarist administration and a description of their abuse of power and/or corrupt practices (collection of excess taxes, violation of tax collection deadlines, bribery, ignoring complaints).
- 1.2. Directive of personal responsibility of the *voevoda* for personal abuse of power and for tax collection violations committed by service people.

Declarative statement: “and the Sovereign Tsar and the Grand Prince <...> granted them mercy...”

**Section 2:** A promise of protection from harassment by servants and tax collectors.

- 2.1. Guarantee of a fair trial when natives complain about violations by *voevodas* and military officials.
- 2.2. The promise of protection from harassment by Russian military officials (protection from attacks and extortion).
- 2.3. Announcement of tax collection without increments.
- 2.4. Directive of the tsarist command to be notified of the financial position of natives who cannot afford tax payments in order to be eligible for tax benefits.

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13 В. А. СЛУГИНА, А. Ю. КОНЕВ, «“Жалованное слово” в наказах», 188–190.

**Section 3: Guarantees for the protection of natives.**

- 3.1. Guarantees to protect natives from enemies, of the right to live on their lands and to engage in traditional crafts in exchange for fulfilling their obligations to Russia. Obligations were expressed by the phrase: "they served and were faithful in everything according to their oath to the sovereign."
- 3.2. The duty of natives to prevent treason and conspiracies against Russians.
  - 3.2.1. The procedure for interaction with fellow natives, a directive of the need to call upon relatives to transfer to Russian subjection.
  - 3.2.2a. The promise of a reward for helping to find new taxpayers.
  - 3.2.2b. Promise of monetary benefits for assistance in finding new taxpayers.
  - 3.2.3. The duty to report treason and conspiracies to voevodas and to bring traitors to representatives of the tsarist administration.
  - 3.2.4. The promise of a reward for reports of treason and conspiracies against the Russian authorities (the reward would be passed on from the tsar and the conspirator's property would be transferred to the one who reported him).
- 3.3. A guarantee of a fair trial when natives complained about violations by voevodas and military officials.

Instructions about actions following the announcement of the sovereign's pledge read: "And having told them the sovereign's pledge, order them to drink and consume from the sovereign's reserves plentifully...."

There is also reason to believe that the procedure for declaring the pledge was combined with the practice of exchanging gifts. The orders of 1644,<sup>14</sup> 1651,<sup>15</sup> 1658<sup>16</sup> and 1659<sup>17</sup> given to voevodas state a requirement to keep records of items that were donated to the sovereign and a list of goods that were gifted to the locals on behalf of the Russian monarch.

Russian ideas about subjection included not only the obvious economic dependence but also certain political rights granted to Siberian natives.

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14 Дополнения к актам историческим, собрание и издание Археографической комиссией (Санкт-Петербург, 1846, Т. 2), 268.

15 Дополнения к актам историческим, собрание и издание Археографической комиссией (Санкт-Петербург, 1848, Т. 3), 301.

16 Дополнения к актам историческим, собрание и издание Археографической комиссией (Санкт-Петербург, 1851, Т. 4), 104.

17 Ibid, 156.

These were guarantees of living in their territories and promises of protection both from non-peaceful neighbours and from the abuses of the Siberian administration. An indispensable condition for receiving all these tsarist favours, as specifically noted in the pledge, was the fulfillment of the conditions of the oath.

The pledge became a widespread narrative in Siberia: voevodas included its provisions in instructions to military officials and tax collectors, who were ordered to collect taxes with care and encourage the people with guarantees from the monarch. In case of disobedience, refusal to pay taxes, treason, or attacks on the Russian people, cities and townships, the pledge threatened natives with tsarist wrath and military retribution.<sup>18</sup> According to the reports of military officials, these declarations were brought in some form to the attention of the local population both during first contact (with the reading of the pledge and distribution of gifts to assembled clans) and regularly during gatherings in a township or city, or during the negotiations after an act of rebellion or uprising against the Russian authorities. Natives were frequently reminded that the tsar was protecting them in exchange for faithful service.<sup>19</sup>

The pledge not only formulated the obligations of native subjects but also the reciprocal duties of the Russian authorities, as well as recognition of their right to tsarist patronage and protection.<sup>20</sup> An important part of the pledge was the right to complain – in other words, petition. V. Kivelson considered the right to petition as one component of allegiance in Russia in the seventeenth century, and pointed out that through public participation, expressed in petitions and courts, the population was forming a sense of being part of the state.<sup>21</sup>

For the most part, the pledge set up an agreement on certain mutual obligations between the tsar and his subjects. However, such an agree-

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18 РГАДА. Ф. 208, оп. 1, д. 1, л. 1, 3–4.; Ibid. Ф. 1177, оп. 3, д. 2339, л. 1, 24–26; Ibid, д. 2587, л. 1, 32–35.

19 В. Ю. БУНТАЕВ, История вхождения Хакассии (Хонгорая) в состав России (Абакан: Издательство Хакасского государственного университета им. Н.Ф. Катанова, 2007), 154–155; Сборник документов по истории Бурятии: XVII в. (Улан-Удэ: типография Министерства культуры БурАССР, 1960, Т. 1), 180, 198; Сборник князя Хилкова (Санкт-Петербург: типография брат. Пантелеевых, 1879), 303–308.

20 М. М. ФЕДОРОВ, Правовое положение народов Восточной Сибири, 15–6; А. Ю. КОНЕВ, «Шертоприводные записи», 175; Е. П. КОВАЛЯШКИНА, «Инородческий вопрос» в Сибири: концепции государственной политики и областническая мысль (Томск: Издательство Томского университета, 2005), 48.

21 VALERIE KIVELSON, “Muscovite “Citizenship”: Rights without Freedom”, *The Journal of Modern History*, 74, no. 3 (2005), 468–470.



ment was certified only orally and appealed to an abstract idea of a just Russian monarch – an obscure and even rather mythological image in the world of the Siberian peoples.

## THE SHERT-OATH

The concept of *shert* came into the Russian lexicon from the Tatars, where it was originally used to name any agreements or obligations between contracting rulers. This word had come to the Turkic-speaking peoples of Eurasia from the Arabs, in whose language it meant “condition of the contract.”<sup>22</sup> Since the end of the sixteenth century, the concept of *shert* in written Russian began to be used in relation to the peoples of Siberia precisely to denote an oath – an act of recognizing the power of the Russian monarch and securing the fulfilment of obligations by the one who swore allegiance to this monarch. The formation of this practice was influenced not only by the Golden Horde and Turkic traditions, but also by the internal political practices of establishing and maintaining relations of domination-subordination between the Moscow grand prince or tsar and various social and ethnic groups of the population that came under his rule. Since the end of the sixteenth century, the practice of securing the dependent position of Siberian natives by having them swear an oath to the Russian monarch became an integral part of the voevodas' duties.

Between the sixteenth and early eighteenth centuries the tsarist administration rewrote key provisions of the sovereign's pledge and the oaths of allegiance to integrate and unite the aboriginal peoples of Siberia. These texts aided the Russian authorities in making clear to non-Christian natives that they must live, work, fight and pay taxes for the benefit of their master, the Russian sovereign, and specified who was now to be considered an enemy. Native subjects were allowed to submit complaints and various appeals to the sovereign directly, but had to identify themselves as *kholog*.

Listening to the text of the *shert*-oath through an interpreter, Siberian natives did not always understand the true meaning of the newly established political relationship and often violated certain obligations. In the minds of the natives, the combination of the declared protection of the

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22 М. Н. БЕРЕЖКОВ, Крымские шерстные грамоты (Киев: типография Г.Т. Корчак-Новицкого, 1894), 4; ҤАМДІ А. ҚАҒІША, *NTC's Gulf Arabic-English Dictionary* (Chicago, IL: NTC, 1997), 352.

monarch, granted in return for establishing political and economic dependence, was often interpreted as the establishment of mutual obligations between the monarch and his subjects, i.e., contractual relations (most often this was characteristic of the political culture of nomads).<sup>23</sup> This discrepancy between the two political cultures resulted in frequent violation of the terms of the shert-oath, military clashes, escapes and refusals to pay taxes.

Russian authorities, determined to secure the subjection of natives who lived in Siberia and on its borders, seized upon situations in Russian-Siberian native relations that necessitated new shert-oaths or served as reminders of previously stated obligations. In seventeenth-century Siberia, the following variations of swearing-in were used.

1. Swearing-in *during explorers' first contact with the native non-Christian population*. There is little information about these procedures, as Cossack reports are limited to brief phrases such as "brought by the arm" or "we took *yasak*," suggesting the shert-oath procedure was most likely not carried out in its extended version. However, some letters which were given to the Cossacks sent to new lands have survived. In these letters, the texts of the shert-oath and the sovereign's pledge are repeated, and the Cossack is instructed to read out these texts to the natives.
2. The swearing-in of *all natives during a change of the Russian monarch*. Representatives of the Siberian native elite were summoned to take the oath in cities, while Russian service people went out to the territories to rewrite the names of natives in the oath register. It was required that all males, regardless of age and type of service, attend (non-Orthodox persons performing military service in Russian cities were also brought to take the shert-oath).
3. Taking a shert-oath *when changing the ruler* of a native ethno-political association. The new leader, as well as his inner circle, had to agree to retain their allegiance to the tsar, following the example of their ancestors (this practice took place in Russia's relations with nomadic peoples<sup>24</sup>).

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23 Н. И. Никитин, Русская колонизация с древнейших времен до начала XX века (исторический обзор) (Москва: Институт российской истории РАН, 2010), 67; О. В. Боронин, Двоеданничество в Сибири XVII – 60-е гг. XIX в. (Барнаул: Издательство Азбука, 2002), 49–50; Дополнения к актам историческим, собрание и издание Археографической комиссией (Санкт-Петербург, 1867, Т. 10), 351.

24 MICHAEL KHODARKOVSKY, *Where Two Worlds Met: The Russian State and the Kalmyk No-*

4. Repeated swearing-in of natives *after resistance and uprisings* (this symbolized their return to subjection).

In all of these cases, however, the text of the oath was the same and contained only the obligations (and not the rights) of the party being sworn in. The Siberian natives, who did not have a written culture, could not edit the standard text of the shert-oath.

The texts of the shert-oaths taken by non-Orthodox natives were most likely developed alongside the forms of oaths of allegiance for the Orthodox population of Russia (the Orthodox oath) from the late sixteenth to the early seventeenth century. Since 1605, examples of oath texts had become part of the nationwide practice of bringing the entire population of Russia to take the oath of allegiance to the Russian monarch. Instructions for conducting oath procedures, along with sample texts, were developed in Moscow, forwarded to Tobolsk, and from there they were sent to the voevodas of other Siberian districts. The text of the shert-oath was very close in content to the text of the oath for Russian (Orthodox) people.<sup>25</sup> However, the voevodas had the authority to remove some articles, modify and supplement the texts of the shert-oaths of natives (which they could not do in regard to oaths for Orthodox subjects). They often included a religious component in the text, adapting the oaths for pagans, Muslims or Buddhists.<sup>26</sup> In addition, the voevodas supplemented the texts of the oaths with local specifics in order to adapt them to the situational realities of the region and the political ideas of the natives. As a result, each district (*uyezd*) and each subordinate ethnoterritorial group of natives had their own specifics, sometimes significant, included in the text of the oath.

To date, twenty-two full-text shert-oaths have been identified, related chronologically to 1605–1700 and geographically to different regions of Siberia and northern Central Asia. These texts were reassigned for administration of the oath to the Tatars, Mongols, Khanty, Mansi, Tungus, Yakuts, Kirghiz and Yukaghirs living in the Siberian districts, as well as for ethnoterritorial associations of nomads living on the frontiers of the Russian state. It is worth emphasizing that the shert-oath was required to bring

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*mads, 1600–1771* (Ithaca, NY: Cornell University Press, 1992), 71.

25 А. С. ЗУЕВ, В. А. СЛУГИНА, «“Служите мне государю своему царю и великому князю Алексею Михайловичу”. Русская присяга и шертовальная запись середины XVII в.», Исторический архив, no. 2 (2011): 183–186.

26 Natives who converted to Orthodoxy, the so-called “newly baptized”, took the oath according to the Orthodox text and kissed the cross during the oath.

not only tribute payers into subjection but also natives who were in the military service of the Russians.

The structure of the shert-oath texts, as has already been mentioned, largely repeated the structure of the oath for the Orthodox population. The text began with the designation of the one taking the oath; sometimes, however, noble representatives of the clans would take the oath on behalf of their entire family, clan or community. The main body of the text consisted of articles describing the obligations of the subject to the monarch in the form of instructions: "what I will do and what I undertake not to do." Similarly to oath-taking by Orthodox subjects, the most "basic" obligations seen in oath-driven texts were:

- 1) to serve and be faithful to the sovereign, not to have any negotiations with enemies and traitors of Russia and not to protect them, not to depart to non-peaceful lands and not to call other sovereigns to the Moscow tsardom.
- 2) by order of the Tsar, to march with the Russian troops against the enemies of Russia, serve in war without treason, obeying the voevodas and the military officials. In the semantic field of the concept of service to the Russian sovereign, two basic components can be distinguished: to participate in military campaigns and to obey representatives of the tsarist administration, as well as maintain communication with representatives of the tsarist administration (voevodas and officials), including informing them about possible betrayals by neighbours or their own men.

Fulfillment of these obligations was also accompanied by a promise not to leave the jurisdiction of the Russian authorities. The obligations of oath-takers were set out in oath notes in more detail. They included the following points:

- 1) not to depart for non-peaceful lands, not to communicate with traitors to the sovereign and not to trade with them.
- 2) to comply with the rules for paying tax (an indication of making full tax payments, without underpayments and from all people).
- 3) not to organize uprisings against the Russian authorities, not to go to war against Siberian cities and tax paying natives.

Violation of these terms entailed the sworn individual being labelled as a traitor, or as one who was disobedient to the sovereign. Some shert-oaths

included text of the specific sanction that would be levied against them: intimidation for failure to fulfill sworn promises.

A comparison of all the texts of the identified short-oath made it possible to ascertain the structural and content-based elements of the oaths listed below.

## MUTUAL DESIGNATIONS

- Designation of the person from whom the document originated, i.e. the person taking the oath...
- Designation of the addressee, i.e. the Russian monarch.

### Main body

**Article 1.** Recognition of subjection to the Russian monarch.

**Article 2.** Establishing the fundamental obligations of the subject.

- Goodwill towards the monarch and faithful service.
- Protecting the health of the Tsar and his relatives listed in the inscription.
- Refusal to take any action that could harm the monarch.

**Article 3.** Refusal to support rivals of the ruling monarch, i.e., contenders for the Russian throne.

**Article 4.** Regulation of actions in relation to traitors to the sovereign.

- The procedure for dealing with traitors, the obligation to report them and persecute them, including handing them over to the local administration and participation in the armed suppression of uprisings and conspiracies against the Russian authorities.

**Article 5.** Regulation of the fundamental principles of service at the behest of the monarch.

- Performing service by order of the monarch.
- Participation in hostilities against the enemy.
- A promise not to leave the Russian state for other states, lands and hordes, and not to leave places of service.
- Obligations not to have contacts (communication, trade) with foreign enemies, as well as with traitors to the sovereign and those deemed disobedient to him (these concepts could also include Siberian natives themselves who decided to oppose the Russian authorities or violated their obligations, did not meet tax payments, attacked Russian military officials, or migrated outside the sphere of Russian influence).

**Article 6.** Tax obligations in relation to the monarch – to pay tax when due.

**Article 7.** Obligations to follow the regulations established by the Russian administration.

- Compliance with the established rules for the consideration of various kinds of controversial cases and the obligation not to give false evidence against relatives.
- [Repeated] Confirmation of obligations to faithfully carry out service (Article 5).

*Articles stating legal norms of a situational nature:*

- the obligation of the swearer to call on his fellow tribesmen and neighbours to become Russian subjects
- obligations to comply with the procedure for preparing and making tax payments.

*Articles stating the legal norms of a situational nature in relation to the nomadic peoples of the Siberian frontier (Mongolian tribes):*

- obligations to maintain law and order among the subject population
- obligations to provide, at the request of the Russian authorities, horse-drawn carts
- prohibitions on roaming near Russian possessions in Siberia
- a prohibition on starting a war with anyone without the order of the Russian monarch.

*Confirmatory article*

**Article 8.** Confirmative “I / We <name of one taking the oath> pledge shert to the great sovereign, the tsar ... and on that, on everything that is stated in this text.”

*Sanctions (sanctio).*

**Article 10.** Description of the consequences of violating tax obligations.

The obligations to the monarch indicated in the shert-oath had a valid legal basis in the realities of the Russian state of the seventeenth century. The second chapter of the *Sobornoe Ulozhenie*, the 1649 lawcode, entitled “The Sovereign’s Honor, and How to Safeguard His Royal Well-Being,”<sup>27</sup> contains similar articles warning against state and military treason. Some of the obligations – not to act against the interests of the Moscow state without the

<sup>27</sup> Полное собрание законов Российской империи (Санкт-Петербург, 1930, собр. 1, Т. 1), 3–6.

permission of its representatives, as well as to act on the side of Moscow in military campaigns – were more an idealized description of subjection to the sovereign for the benefit of the oath-taker as he became aware of his place in the political system. The geographical boundaries of the Russian tsardom were described in terms of the limits to which this tsardom (namely, the sovereign's power) extended. Everything beyond these limits was declared hostile territory. M. Khodarskovsky notes that while borders demarcated the western limits of the Russian state, there were no clearly marked boundaries in the south and east, since these territories were inhabited by peoples who were not organized into states.<sup>28</sup> He defines these borderless zones as “frontier.” According to him, “In Siberia... frontier separates those peoples who paid *yasak* to the government from those who did not.”<sup>29</sup> These conclusions are fully confirmed by the texts of the oath.

European countries and eastern “frontiers”<sup>30</sup> inhabited by unsubordinated peoples were called non-peaceful lands (*zemlitsy*), to which travel was forbidden. The duties of someone taking the oath were established: the native population had to serve the Russian monarch. It was these provisions that most often coincided in the Orthodox oaths and non-Orthodox shert-oaths. Despite such coincidences, the subjection of the Russian (Orthodox) population and the subjection of the natives differed significantly. The Orthodox oath secured loyalty to a specific person – the Russian monarch – while the very fact of belonging to the Russian state (and to the Russian legal system) was self-evident. In the natives' shert-oath, for the first time, rules would be determined governing how to act on Russian soil (which from then on would come under the rule of the Russian monarch) and how to interact with Russian military officials. Therefore, someone taking the shert-oath remained, to some extent, an external element of the social structure of the Muscovite tsardom (hence the Russian name assigned to them – Siberian *inozemtsy*). The specific nature of the subjection of the Siberian natives was largely determined by the tax regime established in Siberia. It was the tax payment that was obligatory and eternal for the peoples of Siberia. Natives were allowed to live in the territories that were determined by the tax system and strictly forbidden to leave

28 MICHAEL KHODARSKOVSKY, *Russia's Steppe Frontier: The Making of a Colonial Empire, 1500–1800* (Bloomington: Indiana University Press, 2002), 47.

29 *Ibid.*, 48

30 The following choronyms have been mentioned: the Kingdom of Poland and the Grand Duchy of Lithuania, the German lands, England, the Czech lands, the Kingdom of France, the Swedish Empire, the Kingdom of Denmark, the Crimean Khanate, the Nogai Horde.

for other places (the lands of non-taxed peoples and even neighbouring areas). All neighbouring peoples not yet blessed with tax payments and not in subjection to the Russians became enemies for someone who had sworn the shert-oath. With this, a new system of political culture for the natives of Siberia of “self” and “others” was introduced. Those who had been sworn in were ordered to act together with Russian military officials against fellow tribesmen who did not want to serve the Russian monarch. In this way, the idea of the supremacy of state identity (belonging to the subjects – a sovereign people) over other ethno-political identities and traditions of the aboriginal population of Siberia was transmitted to the swearer.

In order to guarantee the fulfillment of their obligations, the swearer would participate in an oath rite based on their faith. Documented evidence, as well as ethnographic descriptions of the peoples of Siberia compiled in the eighteenth century, recorded Siberian Muslim Tatars swearing on the Koran as a general rule, while various versions of pagan oath rites were performed by the Khanty, Mansi, Yakuts, Tungus, Chukchi, the nomadic Turkic and Mongolian peoples. It is not known for certain how scrupulously the Russian side treated the ritual form of the oath ceremony, and whether it fully took into account the religious component. However, documentary sources contain a lot of information about the use of weapons (sabers, knives, firearms) and the “sovereign’s bread” that accompanied the swearing-in by representatives of the Siberian peoples. Even in the charter of 1606 from Tobolsk to the Ket township, announcing Vasily Ivanovich Shuisky’s accession to the throne, there are direct instructions for carrying out the oath procedure: “...begin bringing taxed people to take the shert-oath, holding a saber over them, and after reading the <shert> text, feed them a piece of bread directly off a knife, and after that, give them food and drink...”<sup>31</sup> Similar references to the use of weapons and food in oath rites are present in the texts of shert-oaths<sup>32</sup> in ethnographic descriptions<sup>33</sup> too. Presumably the weapons used in the oath rites conveyed a

31 А. М. ГНЕВУШЕВ (ред.), Акты времени правления царя Василия Шуйского (1606 г. 19 мая – 17 июля 1610 г.) (Москва, 1914), 66.

32 РГАДА. Ф. 214, оп. 3, стб. 232, л. 1, 109, 256.; Собрание государственных грамот и договоров, хранящихся в государственной коллегии иностранных дел (Москва, 1822), 442; Санкт-Петербургский филиал архива РАН (далее СПбФ АРАН). Ф. 21, оп. 4, д. 19, л. 1, 172 (об.).

33 Г. Ф. МИЛЛЕР, Описание сибирских народов (Москва: Памятники исторической мысли, 2009), 171–172; Я. И. ЛИНДЕНАУ, Описание народов Сибири (первая половина XVIII в.) (Магадан: Магаданское книжное издательство, 1983), 54; С. П. КРАШЕНИННИКОВ, Опи-



clear message to both non-Christian natives and Russians, in other words, they were a completely understandable and obvious symbol of power and an instrument of punishment for a possible violation of the oath.

The legal significance of the shert-oath is confirmed by the legal consequences that came into force following the ceremony. The list of names of people sworn in was recorded in the registers of the Russian state (the Orthodox oath and shert books). The individual would become a new subject of Russian law, and under certain conditions, a subject of the districts' legal proceedings. In addition, violation of the articles of the shert-oath had legal consequences, and those who violated the oath were prosecuted and punished. Even an unintentional violation of their obligations was considered a withdrawal from the jurisdiction of the Russian state. For example, Pavel Shulgin from Nerchinsk reported in 1675 that several clans of Buryats who paid tax to the Nerchinsk district had been captured by the Mongols in 1669 and forced to pay taxes to them until 1675. When these clans returned to their former territory of residence, they swore again to renew their subjection to the Russian monarch.<sup>34</sup>

## CONCLUSION

In summary, it can be confirmed that since the beginning of Russian expansion in North and Central Asia, giving the shert-oath has been used as a public legal procedure for formalizing and prolonging the subjection of aboriginal peoples of Siberia to the Russian monarch. Oath texts were documents that explained the unilateral obligations of subjects and, accordingly, their recognition of the power of the monarch. Beginning in the middle of the sixteenth century, the active expansion of the borders of the Russian tsardom and a sharp increase in the number of non-Orthodox subjects presented the authorities with the task of developing a standard model for a shert-oath of allegiance to the tsar for Siberian natives. This coincided with the formalization of the oath for Orthodox subjects. By the beginning of the seventeenth century, the first standardized samples of shert-oath texts had been completed (based on the forms of the oath for the Russian Orthodox population – the Orthodox oath), according to which (including

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сание земли Камчатки. С приложением рапортов, донесений и других неопубликованных материалов (Москва, Ленинград: Издательство Главсевморпути, 1949), 457.

34 Акты исторические, собрание и издание Археографической комиссией (Санкт-Петербург, 1842, Т. 4), 539–540.

all articles and provisions that corresponded to local specifics) the non-Orthodox population had to be sworn in. It can be confidently assumed that the process of formalization and standardization of the Orthodox oath and shert-oath, launched under Boris Godunov and continued throughout the seventeenth century, indicates a sharp intensification of the authorities' efforts to construct the institution of Russian subjection. The basic terms of citizens' subjection were consistent across all ethnic populations that came under the Tsar's jurisdiction. Power structures used oaths as a way to implement these terms, prolonging its effect by making the oath compulsory for all subjects every time a new tsar ascended the throne.

The practice of prolonging shert-oath obligations was undoubtedly aimed at fixing in the minds of both Russians (who were on the receiving end of the oath) and natives (who took the oath) the idea of the constancy, or rather eternity, of these very natives' obligations under the rule of Russian monarchs (regardless of the changing tsar). At the same time, however, the Russian authorities were fully aware of and even emphasized the special status of natives with their differing faiths in comparison with the Russian Orthodox population. This special status could be seen in the shert-oath and its text, in granting natives the right to take the shert-oath based on their faith, and in the presence of non-standard (for specific individuals) obligations in shert-oath texts. This is not surprising, since in order to build communication with those whom Russia sought to subject, it had to take into account (based on its previous experience of communicating with different Turkic peoples) the ethno-cultural diversity of the region. Nevertheless, having borrowed the political and legal shert-oath procedures from the Turks, the Russian government formally and meaningfully brought together the shert-oath taken by non-Christian natives, as well as the processes for coordinating oath procedures, with the oaths of Russian Orthodox subjects. This radically changed the purpose and essence of the shert-oath procedure as it had been practised by the nomadic Turks in the fifteenth and sixteenth centuries. It can be stated that Moscow, in using the shert-oath, was guided not by the Horde or any other native people, but by its own ideas about oath and subjecthood, developed over the centuries by its own political culture. While the sovereign's pledge and the shert-oath texts and procedures contained elements of adaptation to a foreign faith, these were still tools which the Russian authorities used to impose their own political and legal standards on the native population of Siberia and adjacent territories. In addition, they were considered by Moscow as legal acts and procedures designed, firstly, to establish and

forever consolidate regulated non-conflicting Russian-foreign relations with an emphasis on how natives should express their obedience to the will of the tsar, and secondly, to legitimize the power of this sovereign over the Siberian peoples and its territories.

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