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978-1-107-02513-4 - Crime and Punishment in Early Modern Russia

Nancy Shields Kollmann

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## CRIME AND PUNISHMENT IN EARLY MODERN RUSSIA

This is a magisterial new account of the day-to-day practice of Russian criminal justice in the seventeenth and early eighteenth centuries. Nancy Kollmann contrasts Russian written law with its pragmatic application by local judges, arguing that this combination of formal law and legal institutions with informal, flexible practice contributed to the country's social and political stability. She also places Russian developments in the broader context of early modern European state-building strategies of governance and legal practice. She compares Russia's rituals of execution to the "spectacles of suffering" of contemporary European capital punishment, and uncovers the dramatic ways in which even the tsar himself, complying with Moscow's ideologies of legitimacy, bent to the moral economy of the crowd in moments of uprising. Throughout, the book assesses how criminal legal practice used violence strategically, administering horrific punishments in some cases and in others accommodating with local communities and popular concepts of justice.

NANCY SHIELDS KOLLMANN is William H. Bonsall Professor in History at Stanford University. Her previous publications include *By Honor Bound. State and Society in Early Modern Russia* (1999).

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*To Linda and Ron*

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## *Acknowledgments*

It is humbling, and a great honor, to spend so much time immersed in the lives of people who lived hundreds of years ago. This project took me to the archives, where I read case after case of murder, assault and other dire moments in the lives of ordinary Muscovite people. While trial transcripts have their formulaic limitations, it is still possible to hear in them real people's voices and to engage in the tiny slices of their lives exposed when they brought their problems to court, or when their problems brought them to court. Of course, their sensibilities and ways of life were radically different than our own, but they aren't completely alien. In these cases I found the same range of human emotion – love and lust, anger and revenge, conscientiousness and corruption – that drives human behavior today. Thanks to generations of archivists, we have these people's stories to share.

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- AAE *Akty, sobrannye v bibliotekakh i arkhivakh Rossiiskoi imperii Arkheograficheskoiu ekspeditsieiu Imp. akademii nauk*, 4 vols. and index, St. Petersburg: Tip. 2-ogo Otd. sobstvennoi E. I. V. Kantseliarii, 1836, 1838.
- AI *Akty istoricheskie, sobrannye i izdannye Arkheograficheskoiu kommissieiu*, 5 vols., St. Petersburg: Tip. Ekspeditsii zagotovleniia gosud. bumag, 1841–2.
- AIu *Akty iuridicheskie*, St. Petersburg: Tip. 2-ogo Otd. sobstvennoi E. I. V. Kantseliarii, 1838.
- AIuB *Akty, odnosiaschiesia do iuridicheskogo byta drevnei Rossii*, 3 vols. and index, St. Petersburg: Tip. Imperatorskoi Akademii nauk, 1857–1901.
- AMG *Akty Moskovskogo gosudarstva*, 3 vols., St. Petersburg: Tip. Imperatorskoi Akademii nauk, 1890–1901.
- DAI *Dopolneniia k Aktam istoricheskim*, 12 vols. and index, St. Petersburg: Tip. Ekspeditsii zagotovleniia gosud. bumag, 1846–75.
- f. *fond* (collection)
- Kurbskii, *History* Fennell, John L. I. (ed. and trans.), *Prince A. M. Kurbsky's History of Ivan IV*, Cambridge University Press, 1965.
- KV *Krest'ianskaia voina pod predvoditel'stvom Stepana Razina. Sbornik dokumentov*, 4 vols. in 5 pts., Moscow: Izd. Akademii nauk SSSR, 1954–76.
- MDBP *Moskovskaia delovaia i bytovaia pis'mennost' XVII veka*, Moscow: Nauka, 1968.

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- Novombergskii, *Koldovstvo* Novombergskii, N. Ia., *Slovo i delo gosudarevy*. Vol. 2. *Materialy. Prilozhenie. Koldovstvo v Moskovskoi Rusi XVII-go stoletii*, Moscow: Iazyki slavianskoi kul'tury, 2004.
- ODB *Opisanie dokumentov i bumag, khran. v Moskovskom arkhive Ministerstva iustitsii*, 21 vols., St. Petersburg and Moscow: Tip. Pravitel'stviushchago Senata, 1869–1921.
- op. *opis'*, *opisi* (catalog)
- Postnikov Tikhomirov, M. N., “Zapiski o regentstve Eleny Glinskoi i boiarskom pravlenii 1533–1547 gg.” *Istoricheskie zapiski* 46 (1954): 278–88.
- PDP *Pamiatniki delovoi pis'mennosti XVII veka. Vladimirskaia kraia*, Moscow: Nauka, 1984.
- PRP *Pamiatniki russkogo prava*, 8 vols., Moscow: Gosudarstvennoe izd. iuridicheskoi literatury, 1952–63.
- PSRL *Polnoe sobranie russkikh letopisei*, 43 vols. to date, St. Petersburg and Moscow: Akademiia nauk SSSR, 1841– .
- PSZ *Polnoe sobranie zakonov Rossiiskoi imperii*, Series 1, 1649–1825, 45 vols., St. Petersburg: Tip. II Otd. Sobstv. Ego Imp. Vel. Kantseliarii, 1830.
- RGADA Rossiiskii gosudarstvennyi arkhiv drevnikh aktov
- RIB *Russkaia istoricheskaia biblioteka*, 39 vols., St. Petersburg and Leningrad: Arkheograficheskaia komissiiia, 1872–1929.
- RZ *Rossiiskoe zakonodatel'stvo X–XX vekov*, 9 vols., Chistiakov, O. I. (ed.), Moscow: Iuridicheskaia literatura, 1984–94.
- SbRIO *Sbornik Imp. russkogo istoricheskogo obshchestva*, 148 vols., St. Petersburg and Petrograd: Imp. Russkogo istoricheskogo obshchestva, 1867–1916.
- Schlichting Graham, Hugh F. (trans. and ed.), “A Brief Account of the Character and Brutal Rule of Vasil'evich, Tyrant of Muscovy’ (Albert Schlichting on Ivan Groznyi),” *Canadian-American Slavic Studies* 9 (1975), 2: 204–72.

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- SGGD *Sobranie gosudarstvennykh gramot i dogovorov*, 5 pts., Moscow: Tip. N. S. Vsevolozhskago, 1813–94.
- SIDG Novombergskii, N. Ia., *Slovo i delo gosudarevy*. Vol. 1. *Protsessy do izdaniia Ulozheniia Alekseii Mikhailovicha 1649 g.* Moscow: Iazyki slavianskoi kul'tury, 2004.
- SRIa *Slovar' russkogo iazyka IX–XVII vv.*, 29 vols. to date, Moscow: Nauka, 1975– .
- stol Office in Military Service Chancery
- Taube Roginskii, M. G., “Poslanie Ioganna Taube i Elerta Kruze,” *Russkii istoricheskii zhurnal* 8 (1922): 29–59.
- and Kruze *Vosstanie I. Bolotnikova. Dokumenty i materialy*, Moscow: Izd. Sotsial'no-ekonomicheskoi literatury, 1959.
- VBDM
- ZA *Zakonodatel'nye akty Russkogo gosudarstva vtoroi poloviny XVI-pervoi poloviny XVII veka*, Leningrad: Nauka, Leningradskoe otd., 1987.
- ZA Petra *Zakonodatel'nye akty Petra I*, Voskresenskii, N. A. (ed.), Moscow: Izd. Akademii nauk, 1945.