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978-0-521-08400-0 - Catherine the Great and the Russian Nobility: A Study Based on the Materials of the Legislative Commission of 1767

Paul Duker

Excerpt

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I

CROWN AND NOBILITY IN RUSSIA
BEFORE 1762

The Russian imperial autocracy could not have survived the eighteenth century without the support of the *dvorianstvo*, or nobility. Even the more capable and diligent among the rulers at this time, Peter I and Catherine II, needed to foster this class to maintain and exercise their power, and during the other two long reigns of the century, those of Anna and Elizabeth, the business of government was almost entirely handled by favourites and members of the nobility. Both these Empresses, it is true, made their peculiar impact on the statute book, but neither deserves the attention that their illustrious predecessor and successor merit in the field of legislation. Anna liked hunting, and so issued personal decrees prohibiting the pursuit of certain animals and birds in regions which she chose to reserve for her own pleasure. She was upset by the sight of a funeral procession passing her window, and forbade the transport of corpses past her palace. Elizabeth was very fond of clothes, which prompted her to require merchants to show her the fine materials they imported before putting them on the open market. She shared Anna's aversion to unpleasant reminders of mortality, and required the graves in cemeteries on the road to one of her residences to be more firmly sealed to stop any odour emanating from them.¹

In general, setting aside the personalities of the monarchs, the Russian autocracy in the eighteenth century was moving into a new imperial phase. Giving up neither Muscovite absolutism nor its religious foundation, the crown sought to acquire a more secular basis in keeping with the spirit of the age, which revealed itself, for example, in the many references made in the laws of the period to such concepts as 'the general good',² and to adapt its institutions to keep pace with its theory. Such a development was to have far-reaching implications for the *dvorianstvo*.

Evidence for this can be clearly seen in the Table of Ranks,

¹ N. I. Pavlenko, 'Idei absolutizma v zakonodatel'stve XVIII v.', in N. M. Druzhinin, etc. (eds.), *Absolutizm v Rossii*, pp. 411–12.

² *Ibid.* pp. 398–9.

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promulgated on 24 January 1722, and expounding a bureaucratic conception of nobility with a whole new set of ranks, mostly of Prussian and Danish origin,¹ arranged in three principal parallel columns, military, civil and court, with the first receiving precedence.² Although the Table of Ranks declared that those who occupied the wrong places at church ceremonies and official court functions would be fined, and although princes, barons and counts³ would be given precedence at such assemblies, section 8 of the Table made it completely clear that nobody would receive rank who had not demonstrated his services to the sovereign and the fatherland. However, section 16 suggested that a nobleman need not necessarily earn his distinction by strict progression from one rung of the service ladder to the next, but could also receive it by direct grant of the monarch.⁴ In whatever manner he achieved his eminence, the dvorianin would be expected to obey detailed regulations concerning the dress, equipage and livery suitable for his station.

The Table of Ranks comprehensively described the framework of a hierarchy for the bureaucratic state that had been evolving in seventeenth-century Russia, a state that was to blossom in the eighteenth century, and to survive in its essentials to the Revolution of 1917, and, in a sense, perhaps beyond. Powerful prejudices, the opposition of old families to the promotion of upstarts, the influence of wealth and connection, all worked against the successful operation of the prescribed system, but its essential principle, the pre-eminence of rank achieved by state service over birth, proved durable.⁵ The nobility, then, particularly in 1722, was a political institution: all

¹ *PSZ*, vi, 486–93, no. 3,890; V. A. Evreinov, *Grazhdanskoe chinoproizvodstvo v Rossii*, pp. 26–7.

² See *PSZ*, no. 3,890, sections 11, 15.

³ There were essentially two categories of *kniaz'*, or prince, in Russia: descendants of medieval Russian and Lithuanian princes; and those whose ancestors had been created princes by Moscow tsars, or who had been confirmed as such by virtue of creation as princes by foreign sovereigns. *Graf*, or count, was perhaps introduced as a title into Russia because that of prince had sunk into low esteem through overmultiplication. Peter the Great was the first to create Russian counts, and barons, too, perhaps for similar reasons to those for the creation of counts. Counts and barons created by foreign sovereigns, or living in the Baltic provinces, were recognized in the same way as princes of foreign origin (E. P. Karnovich, *Rodovye prozvanii i tituly v Rossii*, pp. 167, 192–4, 217).

⁴ Catherine I was the first sovereign to use section 16 of the Table of Ranks to confer dvorianstvo, the recipient being N. D. Demidov, the industrialist. Elizabeth made particular use of conferment, making several guardsmen dvoriane in 1741, for example (A. Romanovich-Slavatinskii, *Dvorianstvo v Rossii*, pp. 28–9).

⁵ Michael T. Florinsky, *Russia, A History and an Interpretation*, p. 421; B. H. Sumner, *Peter the Great and the Emergence of Russia*, p. 156.

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dvoriane were expected to serve the state, and they received land, and, to an increasing extent, money as rewards for their services, together with honour and status.¹ Thus, the crown and the dvorianstvo stood together.

SERVICES AND PRIVILEGES

The rank of dvorianin gave its possessor certain privileges in return for certain services. Both of these were more clearly formulated during the reign of Peter the Great than ever before, and both were then significantly amended during the reigns of his successors.

The services had always been predominantly military: they remained so under Peter, but on a different basis, for he transformed what had been a locally based militia into a regular army. This reform brought about three key changes in the service of the nobility. First, military and civil service, previously hardly distinguishable, became completely differentiated. Secondly, both military and civil service were now to be compulsorily preceded by a suitable educational preparation. Thirdly, and, according to Kliuchevskii, perhaps most influentially on later Russian development, the new regular army lost its local allegiance.²

The segregation of the nobility into military and civil service was the concern of a newly appointed Heraldmaster. In 1722 this official was instructed to make sure that 'no more than one third of a family be allowed to join the civil service, lest the land and sea forces suffer'. Another reason for separating the branches of service was educational. Up to this time there had been almost no professional training for administration, and so the Heraldmaster was now commanded to set up a school with a basic course of study 'in economics and civics' for those entering the civil branch.³ Similarly, specialized training was to be given also to those entering military service, either in the Guards or military and naval schools. A further consequence of Peter's creation of a regular army was the diminution of the local allegiance of the dvoriane. Now:

¹ Romanovich-Slavatinskii, *Dvorianstvo*, pp. 156–74.

² V. O. Klyuchevsky, *Peter the Great*, trans. Lilibian Archibald, pp. 102–3. Klyuchevsky goes on to point out how the 'exchange of local for regimental or barrack ties could result in the Guards becoming a blind instrument of force in the hands of a powerful sovereign, or Praetorians or Janissaries under a weak ruler'.

³ Klyuchevsky, *Peter the Great*, pp. 99–100. This school was not in fact created.

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a man from Ryazan, absent for a long time or forever from his native Pehlets or Zimarov, forgot that he was from Ryazan, and knew only that he was a dragoon in the fusilier regiment commanded by Colonel Faman-dine. The barracks successfully extinguished any territorial allegiance.¹

To ensure complete obedience to his service orders, Peter subjected the nobles to a strict inspection system controlled by the Herald-master. Between his death in 1725 and the accession of Anna in 1730, this system was allowed to lapse: under Anna it was revived, with some modifications which were announced in 1736 and 1737, and which were probably influenced by the desires of the nobles themselves.

The imperial manifesto of 31 December 1736 made several provisions expressly aimed at the scandalous conditions of the estates of the absentee landlords, and provincial lawlessness and chaos in general. One male member of each family containing two or more males could now stay at home to run the family estates. He would have to learn to read and write, however, to be fit for civil service. The others were to be able to leave service after twenty-five years if they chose. For those staying at home or leaving service, recruits were to be sent to the army at the rate of one recruit for every hundred serfs on each estate.² Supplementary decrees of 1737 announced exacting regulations for the training of young nobles. At the age of seven, they were to register for service: at twelve, they would undergo a reading and writing examination. If they passed this, they could then be kept at home to learn arithmetic and geometry and elementary theology, with languages as optional additional subjects, provided that their fathers possessed more than a hundred serfs, or had sufficient alternative means. If the young *dvoriane* failed the examination, or if their parents failed the means test, they would have to go to school. When they reached the age of sixteen, they would have to go to Moscow or St Petersburg to be examined before the Senate or one of its ancillary departments. If their geometry and arithmetic were satisfactory, they could then go home again till the age of twenty to study geography, 'fortification' and history: that some of those who failed this examination were to be enrolled in the navy as ordinary seamen was an incentive to passing it. Finally, at the age of twenty, a further trip to Moscow or St Petersburg would determine what kind of service the young

¹ Klyuchevsky, *Peter the Great*, p. 102.² *PSZ*, IX, 1022, no. 7,142.

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nobles who had managed to stay the course would enter. During the whole of their training period, the young nobles were to carry passports showing what examinations they had taken. The choice of the dvorianin who was to look after the family estates would be made at the third stage when he was sixteen.¹

Execution of the regulations of 31 December 1736 was delayed until 1739 because of the war with Turkey, and then, 'requests for dismissal from service were so numerous that the government found it necessary to give the law an interpretation that amounted to partial repeal'.² In the second half of the reign of Elizabeth, 1741–62, members of the government were contemplating further emancipation of the dvorianstvo from service,³ but, in the first half of her reign, laws had been passed reversing the tendency which the 1736 manifesto appeared to introduce. For example, in 1749 all dvoriane who had retired from military or civil service were to register with the Heralds, and present themselves at the Senate for assignment to further duties.⁴

However, the period between the death of Peter the Great and the accession of Peter III can be called, with some reservations, a period of gradual emancipation for the dvorianstvo as far as the law was concerned. Furthermore, the letter of such decrees as those of 1736, 1737 and 1749 could never be strictly enforced by the bureaucrats, and the opportunity for reluctant dvoriane to avoid service illegally was probably greater during the reigns of Anna and Elizabeth than during the time of Peter the Great.

Certain privileges were awarded in return for the services of the dvorianstvo demanded by Peter the Great and his successors. Most of them were never definitely formulated until the Charter of the Nobles in 1785. This listed six main privileges: freedom from obligatory service; freedom from corporal punishment; the right to landed and other property; the right to manufacture and trade; freedom from personal taxes and impositions; and the inviolability of the dignity of the dvorianstvo, protected by the courts and the Supreme Power.⁵

Some of the steps towards freedom from obligatory service, as well as some of those in the opposite direction, have already been

¹ *PSZ*, x, 43–5, no. 7,171, 9 February 1737; x, 54–5, no. 7,182, 19 February 1737.

² Florinsky, *Russia*, p. 483. ³ Romanovich-Slavatinskii, *Dvorianstvo*, p. 196.

⁴ *PSZ*, xiii, 1, no. 9,569, 17 January 1749.

⁵ The main points of the following description of the privileges of the nobility taken from Romanovich-Slavatinskii, *Dvorianstvo*, pp. 214–78.

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mentioned. Before 1762 it was not officially possible for dvoriane to avoid service obligations completely, but money, favour, influence and cunning could all circumvent these irksome requirements or alleviate them. One stratagem frequently resorted to was to enlist minors, which would bring early advancement in rank and a curtailment of the period of service: at least one young dvorianin received promotion before he was born.¹

Immunity from corporal punishment was not guaranteed to the dvorianstvo until 1785, although such a privilege had been considered more than a century before during the reign of Aleksei Mihailovich. In the seventeenth century, there was some class distinction with regard to punishments, but of an arbitrary, rather than legal, nature. While a lower rank would get the knout for a certain offence, a higher might receive punishment by the whip or rods, but if a noble were privileged in this manner, it would be because of the tsar's will rather than the stipulation of the law. The Code of 1649 said that, for certain offences, the boyars could be subjected to 'a cruel punishment as indicated by the tsar'. A contemporary of this Code, Kotoshihin, wrote that everybody suffered the same punishment for brigandage, 'whatever his rank: prince, or boyar, or ordinary person'. This situation did not improve very much during the reign of Peter the Great and his immediate successors, no distinction being made between nobles and others, for instance, in punishments administered by the new regular army. However, Peter, like his predecessors, took some notice of rank in individual cases, and his successors were often more lenient as influential members of the dvorianstvo began to look upon corporal punishment as degrading to their class. Although Prince Shcherbatov wrote that he had known people who had suffered corporal punishment under Peter the Great and were not ashamed of it, and although there was talk in 1730 of treating the dvorianstvo with as much respect as in other European countries, nothing was said specifically about exemptions from corporal punishment, twenty years later (in 1750) I. I. Shuvalov was thinking of such exemptions as he projected fundamental laws for Russia, and thoughts of this kind became more widespread by the early years of the reign of Catherine II.²

The third privilege listed in the Charter of the Nobles was the

¹ See *RS*, cxxxii, 438.

² Romanovich-Slavatinskii, *Dvorianstvo*, pp. 233–40.

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right to landed and other property. This is inextricably connected with the problem of serfdom, and will be discussed later. For the moment, it is worth pointing out that the *dvoriane* did not possess full legal rights to their immovable property: their rights of use and disposition were curtailed by the state, which owned the primary legal right to all Russian land. The principal limitations on the use of the land that Peter introduced were four in number and concerned the 'bowels of the earth', forests growing on its surface, certain appurtenances, and mills. With regard to the first of these, Peter allowed private mining and industry in 1713, but with very restricting conditions, and under the close supervision of the College of Mines; the situation remained legally the same up to the accession of Catherine II. Secondly, Peter clamped down very severely on the use of the forests. There was some relaxation of her husband's severity under Catherine I, but the governments of Peter II, Anna and Elizabeth applied tight restrictions again. Peter controlled the rights of the *dvorianstvo* to fishing, bee-keeping and mill-owning, but his controls were relaxed under his successors, particularly Elizabeth.

As far as the right of disposition was concerned, Peter's most important piece of legislation was the decree of 23 March 1714. This was much influenced by Western ideas of primogeniture and entail, hitherto foreign to Russia, where equal division of property among all children had long been a practice looked upon as a principle of divine justice. The long preamble to the decree of 1714 criticized traditional Russian practice as harmful to the state, the peasants and the nobles themselves. The subdivision of estates made it difficult to collect taxes, and disinclined the nobles from service or other occupation; a son, with an estate much reduced in size from that of his parents, wanted to enjoy the same standard of living as his parents, and forced his peasants to work harder; subdivision of estates meant general impoverishment and loss of social standing for the *dvoriane*. The main divisions of the decree stated that all immovable property was to remain in the family; immovable property was to be willed to one heir only, and movables were to be distributed as the testator wished among other children; and, in cases of intestacy, immovable property was to go to the eldest son, or, failing sons, daughter, and movables were to be distributed equally among the remaining children.¹

¹ *PSZ*, v, 91-4, no. 2,789.

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Some of the higher dvorianstvo welcomed Peter's adoption of the German *maiorat*. They realized the truth of what Tocqueville was later to point out, that the laws of inheritance were important to any state, and that this system of hereditary tenure would uphold the predominance of their families. However, most of the dvoriane were opposed to it, and pressed for the repeal of the decree of 1714, which was finally achieved in 1730. The preamble to the decree of repeal stated that the introduction of entail and the other hereditary restrictions had produced economic disaster, since many parents, forced to give one child their landed property, had given their cattle, horses and stocks of grain to their other children; sales of land, which Peter had hoped to curtail, had in fact increased; many nobles were engaged in legal and actual battle among themselves; and the disinherited sons, whom Peter had hoped to encourage to enter commerce and industry, could not do so, since they were continually drafted into service. Although the *maiorat* was abolished in 1730, the dvoriane who had been in favour of it pressed for its reintroduction, without success, at least up to 1762.¹

The fourth of the six principal privileges listed in 1785 was the right to trade and manufacture. To Peter the Great, trade was incompatible with service, and so serving dvoriane were forbidden to participate in it. By trade, however, Peter meant the re-sale of bought goods, and so the sale of domestically produced goods was allowed to all dvoriane in their landowning capacity. In 1711 dvoriane not in service and some other ranks were permitted 'to engage freely in commerce anywhere'. With the abolition of the *maiorat* in 1730, however, dvoriane could no longer become merchants. All classes were allowed manufacturing rights by Peter the Great, but under the supervision of the College of Manufactures. This remained the official policy of successive governments up to the

¹ Abolition of *maiorat*: *PSZ*, VIII, 345–7, no. 5,653, 9 December 1730. M. V. Danilov, a noble born in the early 1720s, described how the 1714 law made it necessary for many young dvoriane to fend for themselves. However, Danilov went on to say: 'This inequality between the children moved affectionate parental hearts. . . there was no other way for a dvorianin's son to seek a living for himself, except from the immovable estate left by his father: nobody was very keen to go into military service, and young dvoriane had to be enlisted by force; the sciences and arts were still known in few houses, and many young dvoriane were barely literate. . . Such an impossible state of affairs for the young dvoriane forced them to ask persistently for it to be allowed that immovable estates be divided up into equal parts; with these persistent requests, a decree of Anna Ivanovna finally settled the question' (Danilov, *Zapiski*, pp. 14–15). The landed and other property rights of the dvorianstvo are described in Romanovich-Slavatinskii, *Dvorianstvo*, pp. 244–60.

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accession of Catherine II. The manufacture of alcoholic drinks was guaranteed as a right of the *dvorianstvo* in 1716; in 1754, this right was made a monopoly, to include the sale of such drinks to the state contractors, although merchants were also to sell them until the nobles were in a position to manage all the trade.¹

The other two privileges in the 1785 list were freedom from personal taxes and impositions, and the inviolability of the dignity of the *dvorianstvo*. Serving *dvoriane* were excused personal taxes, although it was decreed in 1710 that those not suitable for service would be taxed. *Dvoriane* were further cut off from the rest of the population by the introduction of the poll tax in 1718. Similarly, *dvoriane* were not recruited into the rank and file because of their obligations to lead the army. Before 1762 the dignity of the nobility can hardly be said to have been inviolable, although some *dvoriane* pressed for it to be so in 1730, with a request that a *dvorianin* be stripped of his rank only after a trial.²

Having completed this survey of the services and privileges of the nobility as regulated by the Supreme Power in the first half of the eighteenth century, I shall now discuss the part played by this class and by the government in various aspects of the country's life.

SERFDOM AND THE ECONOMY

The legal niceties of serfdom meant very little before the nineteenth century. As discussion of emancipation became more widespread, many complicated questions concerning the triangular relationship between the state, the *dvoriane* and the serfs arose, for example to whom and how completely did the serfs belong? But the term *sobstvennost'*, or property, was unknown in Russia before the time of Peter the Great,³ and such points were elementary in the seventeenth century, and, up to 1762 at least, hardly more subtle in the eighteenth century.

The serf usually accepted the lot that fate had accorded to him with resignation: our body belongs to the sovereign, our soul to God and our back to the master, says one of his many proverbs. The only legal redress for the grievances of the serfs was obtained by

¹ Romanovich-Slavatinskii, *Dvorianstvo*, pp. 248–9, 264–8; Florinsky, *Russia*, p. 392. The 1754 decree, *PSZ*, xiv, 184–6, no. 10,261, 19 July 1754.

² Romanovich-Slavatinskii, *Dvorianstvo*, pp. 272–7.

³ A. Miller, *Essai sur l'Histoire des Institutions Agraires*, p. 71.

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petition, and such a step would normally be beyond them. When things got too much even for the elemental patience of the serfs, they would often take more positive action. Just how desperate life could be for the serfs was well described by several observers in the 1720s. In 1723, for example, an official reported from the province of Orel that the local inhabitants 'are completely impoverished, do not eat for two or three days on end, and, leaving their homes, wander about and feed on grass and nuts mixed with chaff, and thus become ill, and many die of hunger'. At about the same time, peasants were threatened with banishment to the galleys for failure to conform to certain regulations. So great was their hunger that many of them volunteered for such banishment. The threat of famine was never far away from the majority of Russian peasants, and this, as well as extortions or cruelties from their landlords, army units or governmental officials, would often drive them to flight, suicide, murder or revolt.¹

The relationship of the noble landlords to their serfs would be largely governed by their own personal attitude. Each estate was a small autocracy as absolute as that to which the *dvoriane* were themselves subject, and such government regulations of serfdom as there were stood little chance of exact execution when local administration was in an elementary and malfunctioning condition, and barely able to carry out its principal tasks of collecting state revenues and maintaining law and order. Undoubtedly, there was a degree of paternal concern in the attitude of some landlords to their serfs—a peasant proverb bears witness to this: if there is no grain, the master will provide. On the other hand, the goodwill alone of the master was a poor guarantee of the serf's general welfare.

The services that the peasants carried out for their lords were of two main types, the direct *barshchina*, or compulsory labour, and the indirect *obrok*, which consisted of payments in money or kind in commutation of the *barshchina*, or for the use of land allotments which the peasants farmed on their own account. The relative distribution of *barshchina* and *obrok* was influenced by such factors as soil fertility, estate size and opportunities for employment away from the estate of the landlord. Using the opportunities for trade and manufacture that were increasingly presenting themselves, some serfs prospered

¹ M. M. Bogoslovskii, *Oblastnaia reforma Petra Velikogo*, pp. 463–4; Romanovich-Slavatinskii, *Dvorianstvo*, pp. 364–78.