

RUSSIAN LAW

**HISTORICAL
AND POLITICAL
PERSPECTIVES**

RUSSIAN LAW: HISTORICAL AND POLITICAL PERSPECTIVES

edited by

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the University of London
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Much of the typing of the manuscript has been capably borne by Mrs. E. Maloney. The Rockefeller Foundation, through the incomparable hospitality of its Conference and Study Center at the Villa Serbelloni, made it possible to complete the penultimate work on the volume in idyllic surroundings while a Scholar in Residence.

W.E.B.

ILLUSTRATIONS

The frontispiece reproduces a painting by V. E. Makovskii, "V kamere mirovogo suda" (1880), now in the collection of the Russian State Museum at Leningrad. Makovskii (1846–1920) followed the naturalist tradition of the Moscow school, with which his father E. I. Makovskii was closely associated, and studied with E. S. Sorokin and K. S. Zarianko. He exhibited with the *peredvizhniki* in the 1870s and achieved considerable success from the 1880s with his genre paintings set in the Russian countryside and urban milieu. A number of his works depicted courtroom or other scenes of legal interest: "Osuzhdennyi" (1879 and later variants); "Opravdannaia" (1882); "Uznik" (1882); "Semeinoe delo u mirovogo sud'i" (1884); "Dopros revoliutsionerki" (1904), among others.¹

Penal measures in Russian law figured prominently in western accounts of Russian life and travels. The cruel fate inflicted upon Volga pirates reported by Hanway caught the imagination of the British public² and inspired an engraving in Middleton's *Geography*.³ The abolition of torture and capital punishment by Catherine II, although greeted skeptically by some, was held out as a worthy example by penal reformers in England and abroad. Many, including Sir William Blackstone, drew upon the account of the Abbé Chappé d'Auteroche which in its French version included three engravings by J. B. le Prince portraying the three principal methods of chastisement and punishment used in Catherinian Russia⁴ (see page 84 ff.).

1. I. E. Grabar', V. S. Kemenov, V. N. Lazarev (eds.), *Istoriia russkogo iskusstva* (M., 1965), IX(1), pp. 334–349; *Russischer Realismus 1850–1900* (Baden-Baden, 1972), p. 206.

2. J. Hanway, *A Historical Account of the British Trade Over the Caspian Sea* (London, 1753), I, p. 106. Also reported in *London Magazine* (May 1753), p. 233. See M. S. Anderson, *Britain's Discovery of Russia 1553–1815* (London, 1958), p. 94.

3. See C. T. Middleton, *A New and Complete System of Geography . . .* (London, 1777–78). 2 vols.

4. Abbé J. Chappé d'Auteroche, *Voyage en Sibirie* (Paris, 1768).

ABBREVIATIONS

<i>AAE</i>	<i>Akty, sobrannye v bibliotekakh i arkhivakh Russkoi Imperatorskoi Arkheograficheskoiu Ekspeditsiei Imperatorskoi Akademii nauk</i> (Spb., 1836–1838).
<i>AFZ</i>	<i>Akty feodal'nogo zemlevladiiia i khoziaistva xiv–xvi vekov</i> (M., 1951–1961).
<i>AI</i>	<i>Akty istoricheskie, sobrannye i izdannye Arkheograficheskoiu komissiei</i> (Spb., 1841–1842).
<i>Aiu</i>	<i>Akty iuridicheskie, ili sobranie form starinnogo deloproizvodstva</i> (Spb., 1838–1841).
<i>AMG</i>	<i>Akty moskovskogo gosudarstva izd. Imp. Akad. nauk</i> (Spb., 1890–1901).
<i>ARG</i>	<i>Akty russkogo gosudarstva 1505–1526 gg.</i> (M., 1975)
<i>ASEI</i>	<i>Akty sotsial'no-ekonomicheskoi istorii severo-vostochnoi Rusi kontsa xiv-nachala xvi v.</i> (M., 1952–1964).
chap.	chapter
CM	Council of Ministers
col.	column
comp.	compiler, compiled
CPC	Council of People's Commissars
<i>DAI</i>	<i>Dopolneniia k aktam istoricheskim, sobrannia i izdannia Arkheograficheskoiu komissiei</i> (Spb., 1846–1875).
<i>DDG</i>	<i>Dukhovnye i dogovornye gramoty velikikh i udel'nykh kniazei xiv–xvi vv.</i> (M., 1950).
<i>des.</i>	<i>desiatina</i>
ed.	editor, edited
L.	Leningrad
M.	Moscow
mln.	million
MTS	Machine Tractor Station
NEP	New Economic Policy
no.	number
otd.	otdel
Pg.	Petrograd
pol.	polozhenie
pril.	prilozhenie
prim.	primechanie
Prod.	Prodolzhenie
<i>PRP</i>	<i>Pamiatniki russkogo prava</i> (M., 1952–1963).

<i>PSRL</i>	<i>Polnoe sobranie russkikh letopisei</i> (Spb.-L.-M., 1846—).
<i>PSZ</i>	<i>Polnoe sobranie zakonov Rossiiskoi imperii</i> (Spb.-Pg., 1830—1916).
pt.	part
<i>RP</i>	<i>Russkaia pravda</i>
<i>RTS</i>	Repair Tractor Station
<i>SGGD</i>	<i>Sobranie gosudarstvennykh gramot i dogovorov, khraniashchikhsia v Gosudarstvennoi kollegii inostrannykh del</i> (M., 1813—1828, 1894).
Spb.	St. Petersburg
<i>SP SSSR</i>	<i>Sobranie postanovlenii i rasporiashchenii pravitel'stva SSSR</i> (M., 1938—1946).
<i>SP UkSSR</i>	<i>Sbornik postanovlenii pravitel'stva Ukrainskoi SSR</i> (Kiev, 1919—).
<i>SRGKD</i>	<i>Polnyi svod reshenii grazhdanskogo kassatsionnogo departamenta pravitel'stvuiushchogo senata 1866—1910</i> (Ekaterinoslave, 1911).
<i>SU</i>	<i>Sobranie uzakonenii i rasporiashchenii pravitel'stva, izdavaemoe pri pravitel'stvuiushchem senate</i> (Spb., 1863—1917).
<i>SU RSFSR</i>	<i>Sobranie uzakonenii i rasporiashchenii raboche-krest'ianskogo pravitel'stva RSFSR</i> (M., 1917—1938).
<i>SZ</i>	<i>Svod zakonov rossiiskoi imperii</i> (Spb.-Pg., 1832—1913, various eds.).
<i>SZ SSSR</i>	<i>Sobranie zakonov i rasporiashchenii raboche-krest'ianskogo pravitel'stva SSSR</i> (M., 1924—1938).
T.O.Z.	Association for the Joint Cultivation of Land
transl.	translator, translated

PREFACE

Although until comparatively recently the study of Soviet legal history has been sadly neglected by all but a few hardy specialists, it has been coming into vogue gradually as the realization grows that the legacy and vicissitudes of juridical and institutional developments are of crucial significance to an understanding of early Russian society, the revolutionary transformations which later occurred, and the course followed by modern Soviet law since 1917. I use the expression "Soviet legal history" advisedly and in its broadest sense; that is to say, the legal history of the peoples inhabiting the lands within the frontiers of what is now the Union of Soviet Socialist Republics from their origins to the present day. That the present volume bears the title "Russian law" is intended to indicate that, except for minor digressions, all of the contributions concentrate on aspects of the Russian legal system from the tenth to the twentieth centuries.

The contributors to this volume were invited to prepare a study on a subject of their choice relating to Russian or Soviet legal history. The result exceeded all expectations, for it transpired that virtually all periods are covered from a variety of perspectives by individuals, some historians and others specialists principally on the modern period, reaching back for historical insight. The larger issues they address are equally varied: the use of legal texts to reconstruct patterns of life and society in Kievan Russia and Muscovy; the use of contemporary foreign sources for perspectives on Russian law and the possible impact Russian law may have had on European legal development; and, conversely, the intellectual heritage of British law in Catherine's Russia; the disparate reactions of past and present to the legal institution of serfdom in the Enlightenment; patterns of agrarian and succession laws and customs, and their legacy for the modern era; continuity of institutional patterns in the pre- and post-revolutionary periods; and reflections as to why the revolutionary Soviet government opted for a systematized, codified system of law instead of other possible models.

Beyond this, little need be said by way of prefatory remarks. The field of Russian and Soviet legal history remains so vast and untrammelled — its own historiography has yet to be dealt with systematically — that the essays which follow are a most useful addition to the burgeoning corpus of data and hypotheses regarding the juridical origins of one of the world's largest and most variegated societies.

W.E.B.

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THE LAW OF LAND TENURE IN KIEVAN RUSSIA

F. J. M. Feldbrugge

This study is concerned with the earliest period of Russian law. It begins with the appearance of written sources and the conversion of Russia to Christianity in the tenth century. This is the era of the first unified historical state on Russian territory, the *Kievskaia Rus*. The study will not be pursued beyond the reign of Vladimir Monomakh, who died in 1125. There are several reasons for limiting our enquiry in this way. Although a number of members of the house of Rurik successfully claimed the Kievan throne after Monomakh, the latter's reign may be regarded as the apex of the developments of the two preceding centuries. After Monomakh the unity of the Kievan empire became increasingly precarious and a patchwork of small and even minute principalities was the heritage of a numerous throng of Rurik's descendants. The two centuries ending with the reign of Vladimir Monomakh, moreover, comprise an era of fundamental social, economic, political, and legal change, comparable to the Carolingian empire and the rise of feudalism in Western Europe. On a more specifically juristic level the period is marked by the creation, in several phases, of a legal document of extreme importance, the Russian law, or *Pravda russkaia*.

Although there is no intention to return to familiar debates on the uses of legal history, something will have to be said on the purpose of this study insofar as the definition of the subject and the approach to be chosen are concerned. Legal history may be studied either to gain a better understanding of a certain historical period or a specific historical society or to explain and better comprehend legal systems and institutions of a subsequent period, provided of course that there is a real and demonstrable connection between the legal phenomena in both periods.

There is no reason why a legal historian should not be moved by both motives simultaneously. Nevertheless, when dealing with a period as remote as early Christian Russia and considering, moreover, the Soviet Union's avowed wish to make a total break with its legal past in 1917–1918, it would not be wise to place this study primarily in the perspective of an historical explanation of the Soviet law of real property. If it would, unexpectedly, yield something in this respect, so much the better. On the other hand, as A. L. Shapiro, a Soviet historian, has pointed out, the particular approach of

the lawyer may be of great value, especially in studying the question of land tenure in a given historical period.¹

The choice of subject of land tenure has been determined not only by personal predilection but also by the paucity of contemporary sources which suggests a subject sufficiently broad so as to allow the sources to supply us with meaningful and concrete data. It is obvious, furthermore, that the system of land tenure is of pivotal importance in the history of Kievan Russia. One may hope therefore that a description of the law of land tenure will contribute to be a better general understanding of the era. Finally, the law of land tenure in early Kievan Russia will contribute to our understanding of its counterpart in modern Soviet law.

Some Considerations Concerning the Study of the Law of Early Kievan Russia

Sources

The principal primary sources of Russian law for the period concerned are the Russian Primary Chronicle and the *Russkaia pravda*, or Russian Law. The Primary Chronicle (*Nachal'naia letopis'*) is also known as the Tale of Bygone Years (*Povest' vremennykh let*) or as the Chronicle of Nestor, a Kievan monk who lived around the year 1100 and to whom authorship of the Chronicle was erroneously ascribed. It is generally accepted now that the Primary Chronicle, which gives an account of Russian history from Noah until 1116, was assembled by a monk of the Pecharskaia Monastery in Kiev on the basis of earlier chronicles and that it assumed its final form shortly after 1116.² The value of the Chronicle for the study of early Russian law is that it offers us a general chronological history of the society of Kievan Russia and numerous bits of information which have a direct bearing on the state of Russian law. Among these are the earliest known Russian legal texts: four treaties (or what at least purports to be the text of these treaties) concluded between the Kievan Great Princes and the Byzantine emperors in

1. A. L. Shapiro, "O prirode feodal'noi sobstvennosti na zemliu," *Voprosy istorii*, no. 12 (1969), pp. 57–72.

2. S. M. Cross and O. P. Sherbowitz-Wetzor (transl. & eds.), *The Russian Primary Chronicle: Laurentian Text* (Cambridge, Mass., 1953), pp. 6–12. Unless indicated otherwise, this translation has been used throughout. References to the Primary Chronicle are accompanied by a year, as a rule, and in these instances have not been footnoted. They can be readily found in the translation by reference to the year indicated.

907, 912, 945 and 972 respectively.³ With regard to the law of land tenure, however, the treaties, with the exception perhaps of the treaty of 912 and its provisions on succession after death, are of little direct relevance.

Unquestionably the most valuable source of knowledge of early Russian law is the *Russkaia pravda* (RP). The significance of the RP as a legal document cannot be properly appreciated without a few diplomatic prolegomena. The RP has come down to us in three versions, the Short, the Expanded, and the Abridged Version. Eleven manuscript copies of the Short Version have survived, more than a hundred of the Expanded Version, and two of the Abridged Version.⁴ Most scholars regard the Abridged Version as an excerpt, assembled on the basis of the Expanded Version, although an eminent Soviet historian and palaeographer, M. N. Tikhomirov, has argued cogently that the Abridged Version constitutes an independent redaction containing in part more ancient elements than the Expanded Version.⁵ Whatever may be, the Abridged Version can be disregarded in this study for it does not provide any additional information on the subject of land tenure as compared to the Expanded Version.

The Short and Expanded Versions themselves consist of several chronological layers. The Short Version is divided into two parts: Iaroslav's *Pravda* and the *Pravda* of Iaroslav's sons. Iaroslav, the most eminent of the sons of St. Vladimir, who was the first of the Kievan Great Princes to embrace Christianity, became the single ruler of the Russian empire in 1036, having shared the government with his brothers after the death of their father in

3. For the Russian text, see PRP, I, and M. Vladimirkii-Budanov (comp.), *Khrestomatiia po istorii russkogo prava* (5th ed.; Spb. & Kiev, 1899). The text of the treaty of 907 does not appear in Vladimirkii-Budanov.

4. M. N. Tikhomirov, *Issledovanie o Russkoi Pravde; proiskhozhdenie tekstov* (M.-L., 1941), pp. 35, 79, 83. The definitive edition of the *Pravda russkaia* is the three-volume version published by the USSR Academy of Sciences under the general editorship of B. D. Grekov. Volume one (1940) contains the texts; in Volume two (1947) the texts of the Short and Expanded Versions are reproduced from the First Trinity and the Academy copies respectively, article by article, accompanied by translations into modern Russian, German, and Polish and by the principal commentaries produced by Russian historiography during the last two centuries. Volume three (1963) reproduces in facsimile the most important manuscripts. Another important edition is M. N. Tikhomirov, *Posobie dlia izucheniia Russkoi Pravdy* (M., 1953), which contains an annotated text of the three versions and much useful additional material. For an English translation of the Short and Expanded Versions, see G. Vernadsky (transl.), *Medieval Russian Laws* (New York, 1947). Grekov's numeration of the articles of the *Pravda russkaia* has been followed in this paper and not Tikhomirov's, which is different in several instances. For a French text, see M. Szeftel and A. Eck, *Documents de droit public relatifs à la Russie médiévale* (Brussels, 1963).

5. Tikhomirov (1941), note 4 above, pp. 194–196.

1015. The earliest part of the Short Version is considered to have been assembled during the first part of Iaroslav's reign, *i.e.*, between 1015 and 1036, and to consist of at least two different parts: the first eleven articles, reflecting Novgorod customary law and based perhaps on an understanding between Iaroslav and Novgorod reached after an uprising in Novgorod in 1016 following the death of St. Vladimir;⁶ articles 11–18 were to some extent influenced by the *Zakon sudnyi liudem* (Court Law for the People), established by the Bulgarian Tsar Simeon, who ruled from 893–917.⁷

The *Pravda* of Iaroslav's sons, the second part of the Short Version, was probably enacted in 1072 at a conference which the three brothers Iziaslav, Sviatoslav and Vsevolod held in Vyshgorod.⁸ Much concerned with the protection of the property and the servants of the prince and often compared to Charlemagne's *Capitulare de Villis*,⁹ it contains articles 19–42.

The Expanded Version of the *RP* consists of four main parts: a revised redaction of the *Pravda* of Iaroslav's sons (articles 1–52); the so-called Statute of Vladimir Monomakh, which was probably enacted in 1113 (articles 53–66); a number of additional enactments (articles 67–109); and the statute on slavery (articles 110–121). The Statute of Monomakh may be dated, with great probability, to the year 1113 and is connected with the sociopolitical troubles accompanying Monomakh's succession to the Kievan throne in that year.¹⁰ Other parts may be of a somewhat later date; according to Tikhomirov, the definitive compilation of the Expanded Version took place in the years 1210–1215.¹¹

This is only a brief outline of the "stratigraphy" of the *RP*. In fact, an immense effort by Russian and Soviet scholars has resulted in a much more refined analysis of the content and chronological links among the individual provisions of the *RP*. Such an analysis is indispensable if one wants to use the *RP* as a source of information on early Russian law. In the case of the Primary Chronicle the references to Russian law have been written down by the chronicler in a general historical account, and, although these references

6. A. A. Zimin, "Feodal'naia gosudarstvennost' i Russkaia Pravda," *Istoricheskie zapiski*, no. 76 (1965), pp. 230–275. The first Novgorod Chronicle mentioned the law code which Iaroslav gave to the men of Novgorod. See S. Pushkarev (comp.), *A Source Book for Russian History from Early Times to 1917* (New Haven, 1972), p. 61. The Russian Primary Chronicle only refers to the uprising in Novgorod, and not to Iaroslav's Statute.

7. Tikhomirov (1941), note 4 above, p. 58. For the Bulgarian Court Law for the People, see M. N. Tikhomirov (ed.), *Zakon sudnyi liudem kratkoi redaktsii* (M., 1961).

8. Tikhomirov (1941), note 4 above, pp. 64–65.

9. For example, by Vernadsky, note 4 above, p. 5.

10. Tikhomirov (1941), note 4 above, pp. 204–211.

11. *Ibid.*, p. 229.

are by no means clear in all instances, the same principle of interpretation may be applied to them. The *RP*, however, is a specifically legal document of a distinctly non-homogenous nature. The two main versions, as has been argued, consist of several parts, each of which originated under different circumstances. This may lead to a number of useful, albeit negative, conclusions. The *RP*, first of all, is not an integrated and systematic code of law; its coverage is patchy and poorly organized. Neither is it a description of early Russian customary law, although parts of it, particularly its most ancient layer, the *Pravda* of Iaroslav, may consist principally of customary law.

As the formation of the several versions covers a period of at least one and a half centuries, a period of great socio-political change in Russia, the *RP* does not reflect the law of one particular society. In every single case it is necessary therefore to consider the meaning of a specific provision, how it came to be included in the text, and what purpose it is expected to fulfil.

In this context a few words must also be devoted to the question of customary law. The Primary Chronicle, when speaking of pre-Christian times, often referred to the "Russian law", the customs, usages, traditions, etc., of the Russian tribes.¹² It is obvious that a fairly circumscribed body of rules was in existence throughout the tenth century. The Russo-Byzantine treaties of 912 and 945 refer to it most specifically.¹³ It is this customary law which, so to say, forms the backdrop of the *RP*. Some of the provisions of the *RP* may be regarded as written confirmation of pre-existing customary law, while others attempt to amend or modify the hitherto valid rules of customary law. At the same time it should be borne in mind that modern anthropological research teaches us that customary law is not a simple and unambiguous concept; as in any legal system, parts of it may be recognized officially but disregarded in practice and *vice versa*.¹⁴

Other Aids

Since contemporary sources for the history of Kievan Russia are extremely scarce, the interpretation of provisions of the *RP* has usually to be based on their own context. The Primary Chronicle is helpful in providing a general

12. "Imiakhu bo obychai svoi, i zakon otets svoikh i predan'ia, kozhdo svoi nrav." See *Letopis' po Lavrentievskomu spisku* (3d ed.; Spb., 1897), p. 12.

13. The treaty of 912 mentioned a fine "po ruskomu zakonu"; in 945 the pagan Russians swore "po zakonu svoemu;" according to the same treaty, a thief shall be punished "po zakonu Grech'skomu, po ustavou i po zakonu Ruskomu". *Ibid.*, pp. 34, 48, 49.

14. A. E. Hoebel, *The Law of Primitive Man* (rev. ed.; New York, 1968), Chapter 3. My attention was drawn again to Hoebel's views by J. F. Holleman, "Trouble-Cases and Trouble-Less Cases in the Study of Customary Law and Legal Reform," *Law and Society Review*, VII (1973), 585-609.

picture of early Russian society and political life, and occasionally enlightens the reader on specific points. The amount of ingenuity and energy embodied in scholarly commentaries on the *RP* is colossal, but it should not disguise the fact that the body of real information on early Russian law is small. Very much has been written about very little, the reconstruction of early Russian law as a legal system rests directly on three brief legal documents, the three versions of the *RP*, and on a handful of communications by the author of the Primary Chronicle.

In recent times some assistance has been provided by the archeologists. Large numbers of birchbark documents dating from the 11th to the 15th century have been discovered in the soil of Novgorod.¹⁵ Most of these documents have an immediate bearing on questions of law.

In determining the significance of certain provisions of the *RP* one might also turn to documents of subsequent periods, which, as may be expected, are available in larger numbers. The Statutes of Pskov and Novgorod, which evolved on the basis of the *RP*, may in some instances be helpful in interpreting the latter. It is obvious, however, that such extrapolation into the past has its dangers and limitations and should be used with the greatest circumspection.

A related approach, which may be applied more generally to the entire period of Kievan Russia, is the comparative one. We may look for societies which are similar to early Christian Russia and better documented. What we know about such societies may be used in supplementing information on Kievan Russia. In this way the insights gained by the study of the present-day law of certain non-European societies may be useful. Also, there can be little doubt that the civilization of early Russia must in many ways have been similar to general European civilization of the early Middle Ages. The risks, however, increase whenever one tries to be more specific. It is especially tempting to draw comparisons with Western Europe in Merovingian and Carolingian times; the parallel between the *RP* and the *leges barbarorum* can hardly escape notice. Most Soviet historians are inclined to adduce European evidence in corroborating conjectures on Kievan Russia. It is probable though that such attempts rest as much on ideological prejudice as on rational considerations, because a close likeness between developments in Western Europe and Russia in the early Middle Ages fits into the accepted framework of Marxist historiography. Such an eminent historian of Kievan Russia as Vernadsky has argued strongly that the history of early Christian Russia

15. L. V. Cherepnin, "Russkaia Pravda i novgorodskie berestiane gramoty," *Voprosy istorii*, no. 2 (1969), pp. 57-72; *id.*, *Novgorodskie berestiane gramoty kak istoricheskii istochnik* (M., 1969), which incorporates the article from *Voprosy istorii* as Chapter 3.

should be interpreted in the light of her close relations with Byzantium rather than as a parallel of early medieval Europe.¹⁶

Soviet Historiography

These considerations take us naturally to our final preliminary observation on the study of Kievan Russia and her legal system. The evaluation and utilization of the impressive Soviet historiography of this period is bedeviled by its ideological self-identification as a Marxist-Leninist discipline, and its assertion that Marxism-Leninism offers the only truly scientific approach in studying social and historical problems. Difficulties introduced by this *parti pris* appear at several levels. Least harmful, although often bothersome, is the question of different terminology. For instance, the key concept in the history of Kievan Russia, according to Soviet historians, is feudalism: feudal relationships emerged under the first Great Princes of Kiev, the process of feudalization is the fundamental sociopolitical development of the era, and so on. One has to bear in mind that in all these cases feudalism in its specifically Marxist sense is meant, and not as understood by most non-Marxist historians. Of course, this is not to say that terminology is unimportant, that, as in algebra, it is sufficient to replace a term by a somewhat longer definition to solve all problems. Vernadsky has made the apposite remark, precisely with regard to the Soviet definition of feudalism, that a cat may properly be called a small tiger, but that we may cause a lot of trouble by shouting "tiger" when we see a cat crossing the road.¹⁷ The difficulty with the Marxist definition of feudalism is that it is not just a matter of substituting concepts, but that it also implies a different way of looking at historical facts. This becomes more obvious in the use of more specific terms. Most transfers of wealth in Kievan Russia will be regarded by Soviet historians as forms of "feudal rent", a method by which the feudal lord appropriates the *Mehrwert* of the original producers, and which, according to Marx, may assume the shape of payments in money, or in kind, or contributions of labor.¹⁸

The ideological bias becomes seriously constricting where the Marxist historical scenario is applied in the absence of, or even in spite of, firm data. This is the case, for instance, where pre-Kievan society, about which

16. G. Vernadsky, "On Feudalism in Kievan Russia," *American Slavic and East European Review*, VII (1948), 3-14. This article may also be found in Vernadsky's *Kievan Russia* (New Haven, 1948).

17. *Ibid.*, pp. 5-6.

18. Shapiro, note 1 above; O. M. Rapov, "K voprosu o zemel'noi rente v Drevnei Rusi v dofeodal'nyi period," *Vestnik moskovskogo universiteta; istoriia*, no. 1 (1968), pp. 52-65.