

“THE VOICE OF THE PEOPLE IS THE VOICE OF THE GOD”: PRACTICES OF PEASANT ASSEMBLIES IN THE NORTHERN RUSSIAN VILLAGE OF THE LATE 19TH AND EARLY 20TH CENTURIES

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Abstract: The paper discusses the issue of decision-making practices of peasant assemblies in the northern Russian village of the late 19th to early 20th centuries. During this period, legislation and peasant traditions did not correspond to each other. While the government attempted to create a uniform body of legal norms for the administration of peasant communities in the wake of the abolition of peasant serfdom in Russia in 1861, the peasant communities themselves relied on peculiar traditional forms of community-based consultation and decision-making. The paper addresses the tensions arising from these non-overlaps between assembly practices and legal norms. These pertained, for instance, to the types of assemblies; the scope of jurisdiction allotted to each type of assembly; the ways that decisions were publicly presented, discussed and taken; how villages and their subunits were represented in the assemblies; and how processes of decision-making were validated and documented. Hence, various local forms of adaptation of norms regarding decision-making were created, involving flexibilities and permissiveness on the side of the administrative bodies overseeing them. These informal flexibilities enabled a sufficiently effective system of assemblies to function. Studying such local communities and their decision-making practices demonstrates that contemporary forms of decision-making in formal democracies are not only one option among many, but ought to be reviewed with respect to their informal and flexible components.

Keywords: peasant community, peasant assemblies, customary law, Tsarist Russia.



Introduction

Today one of the most common ways of collective decision-making consists in a legally and procedurally regulated practice of balloting, including a one-person-one-vote rule, a counting of votes etc. For this procedure, the participation or representation of a certain number of people, a compliance with the legal procedure, and a correct and transparent counting of votes are of utmost importance. However, is this scheme universal for voting? Are alternatives possible? Can other procedures of collective decision-making be effective? To answer these questions, it can be useful to refer to the experience of communities of other time periods. What aspects of the voting procedure did they regard as significant? Is it possible and useful to take into account their experience today? In this paper, I discuss the forms of collective decision-making that were created or preserved in the context of the laws and traditions in the northern Russian villages of the late 19th century. More precisely, the period under consideration are the 1890s. Prior to that decade, a period of 30 years had elapsed since the abolition of serfdom and the adoption of the “General Provision”, and different forms of adaptation of decision-making mechanisms had to be created during that period. Peasants used different decision-making mechanisms depending on local conditions. They formed different types of assemblies, including such not mentioned in the body of law, independently determined the circle of people who took part in assemblies, and used lots and “sequences” (see below) to solve some issues.

Law and tradition

In 1861, serfdom was abolished in the Russian Empire, and the legal regime for all categories of peasants changed. The “General Provisions for Free Peasants” (19 February 1861) established a model of governance of rural societies which applied to both former state-owned and former proprietary peasants. Each group of peasants before the 1860s had their own system of courts and administrations, entailing different traditions. It was only through the cancellation of serfdom that the Russian government tried to create a uniform legislation for all peasants. However, the legislation rather abstractly referred to peasant communities, and it quickly turned out that it could hardly be applied to real situations. This feature was noted by K. Golovin at the end of 19th century: “The compilers of the provision thought, apparently, that all settlements that do not bear the name of the city are certainly similar to one another and will forever retain this similarity” (Golovin, 1887: 12). I. A. Khristoforov noted that the law was based not so much on study and knowledge of the village as on general impressions and even stereotypes: “The understanding of the authors of the

law was based on a patriarchal picture: respected heads of household, well-known to each other, jointly analyse and solve issues related to their common interests” (Khristoforov, 2011: 263). But such a view did not coincide with reality. At the beginning of the twentieth century, a commission mandated to revise laws on peasants found that in artificially created rural societies, “their individual members were often unfamiliar to each other” (Trudy, 1903: 42).

The procedures in the law were described in very general terms, thus suggesting a wide spectrum of interpretation. Given these conditions, it is important to consider which particular features peasant societies singled out as important components of their decision-making processes. In the northern Russian village of the end of 19th and the beginning of 20th centuries, the main decision-making institutions consisted of various types of assemblies. On the one hand, their activities were regulated by the legislation of the second half of the 19th century, but on the other hand, they had been formed in various peasant communities since much longer historical periods. Thus, peasant assemblies were regulated by two different systems of norms, one based on formal legislation and the other on customs and tradition. George Yaney described the governance of the Russian village as follows: “For the peasant masses, law remained essentially a random mixture of local custom and arbitrary force” (Yaney, 1965: 387). The law as a document did not directly affect peasant governance but was accounted for and interpreted by the local bureaucracy, and it was only this interpretation that interacted with the local peasant tradition, creating a local legal regime. Theodore Shanin emphasised the significance of traditional institutions in this interaction: “When laws were contrary to customary law, they were neglected, and instead it was acted in accordance with custom, stubbornly ignoring everything else” (Shanin, 2003: 117). L.I. Kuchumova called this system ‘a kind of phenomenon of “dual power”’ (Kuchumova, 1992: 29–30).

Against this depiction of the general state of legal regulations in peasant communities by contemporary observers, the following remarks zoom in on the concrete practices of decision-making. They rely on the following historical sources and considerations. As a rule, resolutions resulting from collective decision-making contain a minimum of information about the actual procedure of assemblies. These documents were approved by higher authorities, so they had to comply with the letter of the law. Furthermore, additional descriptions of procedures can be found in complaints, petitions, and explanations. Therefore, the analysis of a large array of these documents allows us to see real practices and to understand the attitude of peasants towards them. The main sources for the topic were documents found in the State Archive of Vologda Oblast and in the Central Archive of Velikiy Ustyug. These documents mainly consisted of around 300 resolutions of various types of assemblies, 80 explanatory notes written by village officials in response to a request from a higher authority

and ethnographic descriptions. Finally, the analysis can rely on contemporary ethnography. In the 1890s, Prince V.N. Tenishev set up an Ethnographic Bureau in St. Petersburg, which was engaged in the collection of ethnographic materials from 23 provinces of Russia. Correspondents sent their observations to the Bureau, and the Bureau assessed the quality of the descriptions and, depending on the quality, paid for the work. The questionnaire developed by the Bureau contained a whole range of questions on the management of peasant communities, the practices of assemblies, and their interaction with external authorities. The Vologda province was one of the most active: About 80 correspondents sent their descriptions. I thus focus on the territory of Vologda province of the Russian Empire, one of the northern provinces of Russia, which was a vast and interesting territory, extending over three different zones. Before the 1860s, peasants of the southwest area of the province mostly had a proprietary status, while in the middle area both state-owned and proprietary peasants could be found, and the east was a territory populated practically exclusively by state peasants. Given this variation, it is not surprising that at the end of the 19th century one single province hosted a great variety of assemblies, legal courts, and general relationships between peasants and the regional administration.

Peasant assemblies

The “General Provisions” provided for the existence of two types of assemblies: the village assembly and the *volost* assembly. In practice, however, there were at least seven types of assemblies:

- the settlement assembly of all householders of one settlement,
- the incomplete rural assembly consisting of householders of some settlements who had one common concern or aim,
- the rural assembly consisting of householders who belonged to a rural society and of all village officials,
- the amalgamated assembly of householders from some different rural societies,
- the *volost* assembly of a larger administrative unit (*volost*), in which representatives of householders participated: groups of ten houses elected a person who became a member of the *volost* assembly (the so-called ‘ten-house electors’),
- the assembly of landless peasants,
- the parish assembly, whose official status was different from that of assemblies of all other types: according to Senate Decree No. 3357, dated 8 November 1883, “the resolutions of parish assemblies are only binding for the parishioners who take part in composing the resolutions” (Sbornik reshenii, 1889: 103).

In the 1860s, the law provided for the existence of assemblies only on two levels, that of the rural and the *volost* levels. After that, the legislation expanded the number of levels of assemblies through the Governing Senate decisions. The Senate approved new types of assemblies, yet these decisions had little impact on the real situation. For example, one more type of assembly was legalised by Senate Resolution No. 906, dated 4 March 1897, which stated: “Amalgamated rural assemblies as distinct bodies of municipal administration are permitted by law if their aim is to discuss issues concerning the proper performance by the peasants of the duties assigned to them” (Borovsky, 1905: 2). However, this type of assemblies had been common in village since earlier time, and it had been considering a fairly wide range of issues¹.

Depending on local conditions, each territory formed its own set of assemblies that were responsible for specific issues. In the former serfdom areas, rural societies were formed on the basis of the ownership of one landowner. Large land tenure in the Vologda province did not exist, so societies included one or several neighbouring villages, which encompassed ten to 80 families. The most common here were rural assemblies, from five to 60 well-known householders.

In the areas of former state peasants, rural societies were formed in the 1830s according to the standard of the number of householders (approximately 200 householders per society). As a result, at the end of the 19th century, any one society extended over 200 to 1000 families living in villages located at a distance of up to 40 kilometres apart from each other. According to one requirement of the law, 50 percent householders were to be present at the assembly, on some issues even two thirds. According to resolutions received by local officials, hundreds of householders participated in the assemblies of large rural societies during the wintertime. For example, the resolution of the assembly of Bogoyavlensky rural society of Tregubovsy *volost* of the Ustyug district, which took place in January 1895, had 367 signatures (VTsA. F. 11. Op. 1. D. 355. P. 63). The resolution of Nizhnee-Egorodsky society of Nikolsk district of December of 1899 included 380 signatures (VTsA. F. 353. Op. 1. D. 353. P. 9), and under the resolution of Travinskoe society of Nikolsk district of November 1900, 578 signatures appeared (VTsA. F. 569 Op. 1 D. 12. P. 117). The unreality of these figures was obvious: There were no buildings in the village that could accommodate such a vast number of people. The main assemblies took place in winter and lasted three to five hours. In large societies, they took place at night-time because participants needed time to get there from remote villages. Therefore, it was impossible to conduct assemblies on the street. At the beginning of the 20th century, the Vologda Province Zemstvo Meeting discussed the issue of assemblies and found that instead

1 On the system of assemblies, see Mukhin (2013).

of 400 to 500 declared in the resolutions, “at assemblies were only those who could fit in a close common heated room” (Tolmachev, 1903: 22–23). Thus, there were not more than 100 to 150 peasants. However, no decisions were taken by the province government. Although the government was well informed about regularly occurring violations of the law, it did not try to take any action in this regard.

Due to the lack of premises and the inability to organise discussion in crowded meetings, it was necessary to limit the number of participants in assemblies in large societies. An apt example for this is the regulations regarding the separation of families, when siblings intended to split up a large family consisting of two, three or more brothers with their wives and children to form new separate family units. Such a process raised the question of property, for instance, which brother should be given a samovar, winter clothes, instruments and so on after the separation. The law prescribed that the separation of families to be negotiated at a rural assembly; yet the smaller settlement assemblies lent themselves more effectively for such issues. It was practically impossible to execute the law in a correct way, and even the administration supported regular violations of the law. For example, the author from Nikolsk district of Vologda province, who signed as P.P., reported that the staff,

“realizing the fallacy to consider family separating issues at a rural assembly, had no choice but to interpret the law to the effect that cases of family separation, like land cases, could be resolved by settlement assemblies; while the decisions of the Senate, which disagreed with such interpretation, had to be ignored” (P.P. 1899: 1).

The peasants themselves determined what type of assembly was needed to resolve a certain set of problems so as to minimise the number of people who did not have a direct interest in the issue of the resolution. However, the resolutions of these assemblies were most often written by rural elders, thus authorising them as the resolutions of legal rural assemblies. This strategy helped to limit the number of critical questions coming from higher authorities.

Large rural societies limited the number of participants of assemblies by themselves. A number of methods could be used to achieve this. There were different systems of a formation of representation from each village, for example, the “sequence” (*ochered*) of householders, in attending assemblies. According to N.M. Mataliev, an ethnographer in Nesteferovskaia *volost* of Ustyug district, “at rural assemblies should be present every householder in a small village, and in the case of a large village, householders of parts of the village according to sequence” (Russkie krestyane, 2008, IV: 513). The rural assembly thus limited the total number of participants, yet formed representation from all villages. For instance, in Vozhbalskaia *volost* of Totma district,

one person was elected from each five houses, and only they participated in assemblies.

The northern Russian village knew practically no concept of quorum. All householders were informed about an upcoming assembly, and peasants believed if somebody did not take part in an assembly, he would agree to any of the decisions of the assembly. A resolution of an assembly was perceived as a solution and prescription for the whole society, even for those persons who were not present. For example, during the consideration by the Vologda District Court of the case of rural elder Jacob Ivanchilov (Rezhsky Rural Society of Totma district), accused of forgery of a resolution, the following was established:

“An assembly was convened, which, as usual, was attended not by all householders, there gathered not as many as was required but considerably less, and the peasants, as always, said that it was difficult to appear at the assembly, and that those who did not come would agree with those who were present at the assembly” (GAVO. F. 685. Op. 1. D. 392. P. 5 ob.).

The whole society knew about the assembly, householders were notified through the local police, and this was sufficient to render the assembly legitimate.

Decisions of assemblies were considered as common, with which everyone agreed. The law assumed the presence of voting and counting. Yet circumstances like the different opinions or the number of votes were not recorded in assembly resolutions. All participants were considered to be in agreement with the decision. “The sentence is always decided as if due to everybody’s consent, although in fact almost half [of the assembly] held a counter opinion” (Russkie kretyane, 2008, IV: 513). Voting mechanisms did not require accurate counting of votes. “the votes are not counted, and the sentence is decided by hearing: whether they scream louder “yes“ and “no“” (Russkie kretyane, 2008, IV: 80). So the level of screaming was the main argument. In a similar fashion, those who agreed with the proposal might gather in one group, and those who disagreed in another, with the village elder visually determining which group was larger and establishing the decision on that ground. In any case, the exact number of men supporting one or the other resolution was not recorded. However, the way the final agreement was achieved and recorded did not imply a lack of discussion; instead, “noise” was a regular part of the procedure. Thus, a winter room in which an assembly took place was even called “noise room”.

Other methods of decision that excluded personal initiative were used for a number of issues. The purpose of such methods was to protect and preserve relations in a village as in the case of some issues, the adoption of any decision might imply a conflict. For example, lots became a tool for determining decisions in the election of some village

officials, the distribution of plots of land among families, etc. Such an option of decision-making was considered fair, because

“according to popular understanding, lots fall not by accident and do not single out any odd person, but necessarily a known person according to the will and determination of God” (Kadnikov district) (Russkie krestyane, 2007, II: 502).

Accordingly, the lot was interpreted as God’s decision that people could not undo.

The mechanism of such lots was described in the explanation of the former elder of Goncharovsky society of Vologda district Alexander Prokopiev Karanin: “(A)t the assembly the lots who should be the elder were cast among four people, by the lot the peasant of village Goncharka Semyon Sakharnov was determined” (GAVO. F. 76. Op. 1. D. 458. P. 19). So initially several people were selected (unfortunately, the selection criteria were not disclosed in the documents) between which lots were cast. However, the method of election was not fixed in the resolution but only the result – who attained the positions of elder, collector of taxes, or the local policeman. In this case, the elections did not require a vote, so the possibility of a conflict was excluded.

In another type of lot, the assembly distributed the houses (old and new) among brothers during a family’s separation through the choice of icons: “Some do it like this: they veil two icons in the tablecloth secretly from others – the Savior and Nicholas the Wonderworker – and urge one of the brothers or sons to take one of them, and if he takes Nicholas the Wonderworker, he must leave to a new house [...], if he takes the Savior – then vice versa” (Russkie krestyane, 2007, I: 278). The movable property was distributed through the throwing of sleeves, described by ethnographers A.A. Shustikov in Kadnikovsky district (1889: 2) and N. Ivanitsky in Solvychegodsky district: “Parts are distributed by lot. They throw the mitten, as many mittens as there are shares; some item is placed in each mitten – a chip, a small piece of coal, etc., as a conditional sign [it is known in advance which sign refers to whom of those who separate – D.M.]. A person, who is not involved in dividing, puts these sleeves on piles of things assigned to dividing” (Ivanitskii, 1898: 62-63).

A number of elected posts were filled on the basis of “sequences” (*ochered'*). Such sequences ensured a fair distribution of duties in the community from the point of view of the peasants. For example, the election of *desiatskii* (elective from ten houses local policeman) was based on the location of houses in a village (Russkie krestyane, 2007, II: 677), or a choice of rural elder could be made by considering the sequence of villages from which these officials were elected. In his petition, the peasant of village Mstishino of Vologda district, Pyotr Korichev, stated in 1896: “In turn, the elder should be chosen for the next three years from our village of that society in which four villages are

located” (GAVO. F. 76. Op. 1. D. 1506. P. 2). So instead of a rural assembly once every three years, the elder actually was chosen by a settlement assembly only once every twelve years (without any written resolution), and the rural assembly only approved the decision of a corresponding settlement assembly.

In cases lots and sequences were used, the method of a decision-making in an assembly was not fixed in the resolution. Consequently, officials could not cancel the resolution for non-compliance with the procedure or other reasons. Such omissions were often used by peasant elders. Only the written document created the fact of the decision for officials. An oral resolution could not be cancelled because there was no written documentation to appeal. For peasants belonging to an oral culture, oral agreement was identical to deciding. If a written resolution was necessary, it might contain only parts of the decisions taken which, according to the estimation of the rural elder, would not be questioned by the staff. In large societies, most peasants, including literate peasants, did not participate in the signing of sentences. Thus, “according to the established procedure, an assembly elected two or three *rukoprikladchiki* [the people who sign a sentence] from the literate persons who would list the householders that appeared at the meeting, and after that would place their signature under the sentence” (VTsA. F. 11. Op. 1. D. 325. P. 150 ob.). As a result, “in the case of accusing officials of absentee signatures, the elder and the clerk turn to the *rukoprikladchiki*, and the case of fraud is never initiated, and complaints by peasants always remain without consequences” (Russkie krestyane, 2007, III: 554).

Resolutions and external officials

Such practices were important for peasant elders. According to the law, all peasant sentences had to be approved by peasants officials. Officials assessed not only the legality, but also the morality of the decisions, even of those that did not contradict the law. The category of “morality” was not disclosed in regulatory acts. It was assumed that officials belonging to the noble estate have a sufficient level of morality that peasants do not possess. This created a situation of uncertainty. The opinions of peasants and officials could vary significantly. For example, the official in peasant cases of the two sections of Nikolsk district, considering the sentence of electing a non-householder as an elder, noted: “Although it is possible by law, I still would be in doubt” (VTsA. F. 61. Op. 1. D. 457. P. 3). A non-householder had father or elder brother and had to submit them. If a non-householder became an elder, he became the chief of his father, and the administration believed that was a problem for peasant morality. So any peasant resolutions could be quashed not only on the basis of the law, but also on the basis of a particular official’s personal moral understanding.

The law contained a list of 18 points on which peasant assemblies could make decisions. The resolution of other issues was considered illegal and elders were supposed to be punished. According to Addendum 3 to Article 51 of the “General Provision”, “the village assembly may discuss and issue judgements only on the matters stated in this Article” (PSZ, 1863: 148–149). But the peasant understanding of the role of assemblies was different. “The voice of people is the voice of the God”, peasants said (Russkie krestyane, 2008, IV: 444). Therefore, first, it was considered that assemblies had an unlimited competence. Peasants believed that even God would consider assemblies’ decisions. For example, special attention was given to the question of working on holidays, which was considered a sin for which God could punish not only the perpetrator but also the whole community: “Not only the perpetrator himself will pay for committing a sin, but also his neighbours, so for example, for one or more persons working on holidays, God sends hail, worms, or drought to the entire *volost*” (Russkie krestyane, 2008, IV: 12). Yet in summer, the amount of work simply did not allow to observe all holidays. In this regard, ethnographer P.A. Peshkov described the dispute at the assembly in Ust-Velskaia volost of Velsky district:

“At first they wanted to establish no one would work and go hunting on holidays. But after disputes they made a restriction: it is allowed to go for mushrooms or berries into the forest; one may also do hunting using a gun; one mustn’t work, that is, take an axe or something else in your hands, or ride on a horse for wood and so on” (Russkie krestyane, 2007, I: 35).

So, peasants believed that if an assembly decided that picking mushrooms this year was not work, then God would not punish the community.

In local affairs, assemblies were the highest authority for peasants that could resolve even the violation of laws of the Russian Empire. Thus, the rural assembly in Ustyanskaia volost of Kadnikov district decided that the actions of the policemen, who prevented the peasants from viewing the corpse founded in the field was illegal (GAVO. F. 18. Op. 1. D. 4525. P. 9); in 1891 the settlement assembly of Hokhlevo village of the Vologda district decided to steal from the house of the widow Slukhova the hay which she mowed from disputable haymaking, especially as “the hay was not locked but was only covered with a stick” (GAVO. F. 97. Op. 1. D. 35. Pp. 1–1 ob.). In 1891, in Fominskaya village of the Vologda district, the assembly decided not to pay the bread debt, and whoever disagreed with the decision had to pay three rubles as a fine to the community (Shapkarin, 1959: 115). That is, the decision not only prohibited to carry out the law, but also imposed a fine for carrying it out. Ethnographer S.A. Dilatorsky recorded an interesting

incident in Dvinnitskaya volost of the Kadnikov district. There, one peasant “gathered the village together and asked permission to build a house without complying with building and fire regulations. The village did not show much interest in his request and suggested that he make some sort of agreement with his neighbours who were less than 6 *sazhens* away from him”. Eventually the house was built (Russkie kretyane, 2007, II: 514). In this case the settlement assembly gave permission to break the laws of the Russian Empire.

The legislation of the second part of the 19th century did not consider the specifics of the different regions of the Russian Empire. Hence, it could not work in local conditions. For example, in large societies it was impossible to collect for assemblies a half of householders. Therefore, at the local level, different systems of assemblies and participation of peasants, decision-making mechanisms, etc. were formed.

Conclusion

The experience of the northern Russian village is interesting not only in the anthropological aspect. Peasant communities were urged to form a system of government that was based on both tradition and law. Formal regulations like the quorum, constraints of competence, and counting of votes were not so important for the community in peasant societies. Instead, it was the communities themselves that identified significant aspects of collective decision-making and mechanisms for reaching agreement. The decision of an assembly was considered as common, with which everyone agreed, and because of that the exact number of men supporting one or the other alternative was not recorded. For some purposes, lots and sequences were more effective than voting. They made it possible to quickly make decisions (for example, when it was necessary at the assembly to elect about 60 *de-siatskie* of about 500 families at the same time) (VTsA. F. 353. Op. 1. D. 38. P. 9), as well as to avoid possible conflicts that could threaten relations within the community. Service in the most important positions, for example, the elder, was perceived as a duty carried by one family for the whole society. The reference to lots made such a service fairer in the understanding of the peasants since the actual decision was submitted to God. In local affairs, assemblies for peasants were the highest authority that could resolve even the violation of the law of the Russian Empire.

Studying such local communities demonstrates that modern forms of decision-making are only one of the possible options. Hence, it is important to further discuss whether anything from the experience of diverse communities can be used under modern conditions.

Abbreviations

- VTsA – Veliky Ustyug Central Archive (Velikoustyugskii tsentralnyi arkhiv)
GAVO – The State Archive of Vologda Province (Gosudarstvennyi arkhiv Vologodskoi oblasti)
PSZ – Complete Laws of the Russian Empire (Polnoe sobranie zakonov Rossiiskoi imperii)

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